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July 26, 2005

FILED

JUL 27 2005

Nancy F. Peters
National Indemnity Company
4016 Farnam St.
Omaha, NE 68131-3095

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

RE: Reesor v. Montana State Fund
WCC No. 2002-0676

Dear Ms. Peters:

I received a copy of your letter, dated 7/14/05, which you sent to the Workers' Compensation Court in the above-entitled action. I need additional information before I could agree to the dismissal of your company from the Reesor Common Fund action.

I acknowledge that you said that your company does not have "any qualifying claims." However, I need to know more about the procedure that your company used to determine if it has a "qualifying claim." Please tell me how you made this determination. In addition, please tell me the number of claims that your company had in Montana between 7/1/1987 and 12/22/2004. Third, please tell me how many of those claims involved injured workers over age 65 (either at the time of injury or at the time of maximum medical improvement). If you have questions about this request, please contact me. Thank you.

Sincerely yours,

Thomas J. Murphy

✓ TJM/ljp
cc. Workers' Compensation Court

DOCKET ITEM NO. 275