

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

WCC No. 2002-0676

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**DALE REESOR**

Petitioner

vs.

**MONTANA STATE FUND**

Respondent/Insurer.

**FILED****JUN - 3 2005**OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

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**ANSWER OF RELIANCE INSURANCE COMPANY (IN LIQUIDATION)  
TO SUMMONS AND NOTICE OF ATTORNEY FEE LIEN**

Reliance Insurance Company (In Liquidation) (which includes Reliance Insurance Company and each of the following former subsidiaries previously merged into Reliance Insurance Company: Reliance Direct Insurance Company, Reliance Universal Insurance Company, Reliance National Insurance Company, United Pacific Insurance Company, and Reliance National Indemnity Company, hereafter collectively "Reliance") files the following answer to the Summons and Notice of Attorney Fee Lien and attached Notice of Common Fund Attorney Fee Lien sent to each of the above entities, attached hereto as Exhibit "A".

1. On October 3, 2001, by Order of the Commonwealth Court of Pennsylvania, Reliance was declared insolvent and placed into liquidation. See Order of the Commonwealth Court of Pennsylvania, attached hereto as Exhibit "B", hereinafter "The Liquidation Order".
2. As set forth in paragraph 27 of the Liquidation Order, the following former subsidiaries which were identified in the Summons, were previously merged into Reliance and are also included in the Liquidation Order: Reliance Direct Insurance Company, Reliance

Universal Insurance Company, Reliance National Insurance Company, United Pacific Insurance Company, and Reliance National Indemnity Company.

3. By virtue of the Liquidation Order, since October 3, 2001, Reliance is enjoined from transacting any business, including paying any claims. See Liquidation Order ¶ 27.
4. By virtue of the Liquidation Order, since October 3, 2001, no lien, judgment or garnishment can be obtained against Reliance. See Liquidation Order ¶ 21.
5. By virtue of the Liquidation Order, since October 3, 2001, no action at law or in equity can be brought against Reliance and any actions existing as of that date shall be stayed as to Reliance. See Liquidation Order ¶ 22.
6. Any claim against Reliance's Estate should be submitted in accordance with the Proof of Claim procedures and requirements set forth at [www.reliancedocuments.com](http://www.reliancedocuments.com).
7. Therefore, Reliance Insurance requests that these proceedings, including the Common Fund Attorney Fee Lien which is claimed by counsel for Petitioner Reesor in his Notice of Common Fund Attorney Fee Lien dated January 18, 2004 be dismissed or, in the alternative, stayed as to Reliance.

Dated:

June 3, 2005

Gail M. Burgess

Gail M. Burgess  
Vice President, Associate General Counsel  
Reliance Insurance Company (In Liquidation)  
Three Parkway  
Philadelphia, PA 19102  
On behalf of Reliance Insurance Company (In  
Liquidation)

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

DALE REESOR,

Petitioner,

v.

MONTANA STATE FUND,

Respondent

WCC No. 2002-0676

**CERTIFICATE OF SERVICE**

I, Gail M. Burgess, Vice President and Associate General Counsel of Reliance Insurance Company (In Liquidation), on behalf of Reliance Insurance Company (In Liquidation), do hereby certify that on the 3<sup>rd</sup> day of June, 2005, a copy of the Answer of Reliance Insurance Company (In Liquidation) to Summons and Notice of Attorney Fee Lien was served upon the Workers' Compensation Court and Attorney for the Respondent by mailing a true and correct copy of said document to the address listed below:

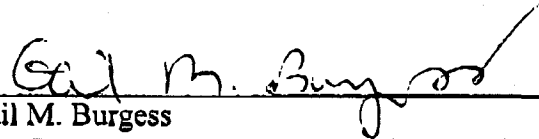
Ms. Patricia J. Kessner  
Clerk of Court  
Workers' Compensation Court  
1625 11<sup>th</sup> Avenue  
Helena, MT 59624

Via Fax (406) 444-7798 and UPS Next Day Air

Thomas J. Murphy  
Murphy Law Firm  
P.O. Box 3226  
Great Falls, MT 59403-3226

Via Fax (406) 452-2999 and U.S. Mail

Dated: June 3, 2005

  
\_\_\_\_\_  
Gail M. Burgess  
Vice President, Associate General Counsel  
Reliance Insurance Company (In Liquidation)  
Three Parkway  
Philadelphia, PA 19102  
Telephone: (215) 864-4000  
Facsimile: (215) 864-4141  
On behalf of the Statutory Liquidator of  
Reliance Insurance Company

# Exhibit

# A

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

**WCC No. 2002-0676**

**DALE REESOR**

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**Respondent/Insurer.**

**FILED**

**APR 22 2005**

**OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA**

**SUMMONS AND NOTICE OF ATTORNEY FEE LIEN**

The State of Montana to the following Insurers and Self-Insureds:

BEATRICE COMPANIES INC  
 MARKEL INSURANCE COMPANY  
 AMERICAN COMMERCE INS CO  
 ALLMERICA FINANCIAL ALLIANCE INS CO  
 HANOVER INSURANCE CO  
 LUMBER MUTUAL INSURANCE CO  
 AMERICAN MUTUAL INS CO OF BOSTON  
 AMERICAN MUTUAL LIABILITY INS CO  
 ELECTRIC INSURANCE CO  
 HARTFORD FIRE INSURANCE CO  
 AMERICAN CENTRAL INS CO  
 NORTHERN ASSURANCE CO OF AMERICA  
 EMPLOYERS FIRE INSURANCE CO  
 HOUSTON GENERAL INSURANCE CO  
 CAMDEN FIRE INSURANCE ASSOCIATION  
 ONE BEACON AMERICA INSURANCE CO  
 TRADERS & GENERAL INS CO  
 AMERICAN EMPLOYERS INSURANCE CO  
 PENNSYLVANIA GENERAL INSURANCE CO  
 ONE BEACON INSURANCE COMPANY  
 LEXINGTON INSURANCE COMPANY  
 HOMESITE INSURANCE COMPANY  
 LIBERTY INSURANCE CORP  
 LM PERSONAL INSURANCE COMPANY  
 LM PROPERTY & CASUALTY INSURANCE CO  
 WAUSAU BUSINESS INSURANCE CO  
 LIBERTY MUTUAL FIRE INSURANCE CO  
 LM INSURANCE CORPORATION  
 FIRST LIBERTY INSURANCE CORPORTION  
 LM GENERAL INSURANCE COMPANY

SEATON INSURANCE CO  
 STONEWALL INSURANCE COMPANY  
 METROPOLITAN DIRECT PROP & CAS INS  
 METROPOLITAN GENERAL INS CO  
 ECONOMY PREFERRED INS CO  
 ECONOMY PREMIER ASSURANCE CO  
 ECONOMY FIRE & CASUALTY CO  
 PROVIDENCE WASHINGTON INS CO  
 YORK INSURANCE COMPANY  
 FACTORY MUTUAL INS CO  
 INTERNATIONAL INSURANCE CO  
 NORTH AMERICAN SPECIALTY INS CO  
 NORTH AMERICAN ELITE INSURANCE  
 ATLAS ASSURANCE CO OF AMERICA  
 LIBERTY MUTUAL INSURANCE CO  
 CORE INSURANCE COMPANY  
 ALEA NORTH AMERICA INSURANCE COMPANY  
 ODYSSEY AMERICA REINSURANCE CORP  
 SENTINEL INSURANCE COMPANY LTD  
 HARTFORD INS CO OF THE MIDWEST  
 PROPERTY & CASUALTY INS CO OF HARTFORD  
 HARTFORD CASUALTY INSURANCE CO  
 HARTFORD UNDERWRITERS INS CO  
 HARTFORD ACCIDENT & INDEMNITY CO  
 AUTOMOBILE INS CO OF HARTFORD  
 CHARTER OAK FIRE INSURANCE CO  
 TRAVELERS INDEMNITY CO OF CT  
 TRAVELERS CASUALTY INS COMPANY OF  
 AMERICA  
 TRAVELERS PROPERTY CASUALTY COMP OF

AMERICA  
FARMINGTON CASUALTY CO  
TRAVELERS IND CO OF AMERICA  
STANDARD FIRE INSURANCE CO  
TRAVELERS CAS & SURETY CO OF AMER  
TRAVELERS COMMERCIAL INS CO  
TRAVELERS CASUALTY CO OF CONN  
TRAVELERS COMMERCIAL CASUALTY CO  
TRAVELERS CASUALTY & SURETY CO  
PHOENIX INSURANCE CO  
TRAVELERS PROPERTY & CASUALTY INS CO  
TRAVELERS INSURANCE COMPANY  
GULF INSURANCE CO  
STARNET INSURANCE COMPANY  
CHARTWELL REINSURANCE COMPANY  
INSURANCE CORPORATION OF NEW YORK  
NORTH STAR REINSURANCE CORPORATION  
XL REINSURANCE AMERICA  
CLEARWATER INSURANCE COMPANY  
GREENWICH INSURANCE COMPANY  
GENERAL REINSURANCE CORP  
FAIRFIELD INSURANCE COMPANY  
GENESIS INSURANCE COMPANY  
MITSUI SUMITOMO INS CO OF AMERICA  
EXECUTIVE RISK INDEMNITY INC  
PACIFIC INDEMNITY CO  
FEDERAL INSURANCE CO  
GREAT NORTHERN INSURANCE CO  
QUADRANT INDEMNITY COMPANY  
CHUBB NATIONAL INS CO  
VIGILANT INSURANCE CO  
CHUBB INDEMNITY INS CO  
NATIONAL COLONIAL INS, IN LIQUIDATION  
ICM INSURANCE COMPANY  
EVEREST NATIONAL INS CO  
CENTENNIAL INSURANCE CO  
ARCH REINSURANCE COMPANY  
UNITED STATES FIRE INSURANCE CO  
NORTH RIVER INSURANCE CO  
CRUM AND FOSTER INDEMNITY COMPANY  
LUCENT TECHNOLOGIES INC  
AMERICAN REINSURANCE COMPANY  
AMERICAN ALTERNATIVE INS CORP  
HIGHLANDS INSURANCE CO  
WESCO INSURANCE COMPANY  
A T & T COMMUNICATIONS INC  
AXA CORPORATE SOLUTIONS INSURANCE CO  
CENTRE INSURANCE COMPANY  
MITSUI SUMITOMO INS USA INC

CONNIE LEE INSURANCE CO  
RAMPART INSURANCE COMPANY  
WESTERN CONTINENTAL INS CO  
AXA RE AMERICA INS CO  
CONVERIUM INSURANCE (NORTH AMERICA) INC  
QBE INSURANCE CORPORATION  
ATLANTIC MUTUAL INSURANCE CO  
CONVERIUM REINSURANCE (NORTH AMERICA)  
INC  
ATLANTIC SPECIALTY INSURANCE  
COMPANY  
FOLKSAMERICA REINSURANCE COMPANY  
LIBERTY INS UNDERWRITERS INC  
XL INS CO OF NEW YORK INC  
HUDSON INSURANCE COMPANY  
PUBLIC SERVICE MUTUAL INS CO  
GERLING AMERICA INSURANCE COMPANY  
QUANTA INDEMNITY COMPANY  
INSURANCE CORPORATION OF HANNOVER  
REDLAND INSURANCE COMPANY  
CLARENDON NATIONAL INS CO  
CITY INSURANCE CO  
HOME INSURANCE CO  
AMERICAN INTERNATIONAL PACIFIC INS CO  
SIRIUS AMERICAN INS CO  
ILLINOIS NATIONAL INSURANCE COMPANY  
GENERAL SECURITY NATIONAL INSURANCE  
COMPANY  
GENERAL SECURITY INSURANCE COMPANY  
NICHIDO FIRE & MARINE INS CO  
HOME INDEMNITY CO THE  
SCOR REINSURANCE COMPANY  
COMMERCE & INDUSTRY INSURANCE CO  
TECHNOLOGY INSURANCE CO INC  
CHURCH MUTUAL INSURANCE CO  
CONSTITUTION INSURANCE COMPANY  
NAVIGATORS INSURANCE COMPANY  
TOKIO MARINE & FIRE INSURANCE CO  
TRANS PACIFIC INSURANCE COMPANY  
NATIONAL UNION FIRE INS OF PITTSBURGH  
AMERICAN HOME ASSURANCE CO  
NEW HAMPSHIRE INSURANCE CO  
GRANITE STATE INSURANCE CO  
INSURANCE COMPANY OF STATE OF PA  
AIU INSURANCE CO  
BIRMINGHAM FIRE INS CO OF PA  
SOMPO JAPAN INSURANCE COMPANY OF  
AMERICA  
PARTNER REINS CO OF NEW YORK

SWISS REINSURANCE AMERICA CORP  
 LANCER INSURANCE COMPANY  
 NEWARK INSURANCE CO  
 HEALTHCARE UNDERWRITERS MUT INS CO  
 UNITED COMMUNITY INSURANCE CO  
 FRONTIER INSURANCE COMPANY  
 UTICA MUTUAL INSURANCE CO  
 FEDEX GROUND PACKAGE SYSTEM INC  
 P P G INDUSTRIES INC  
 ROCKWOOD INSURANCE CO  
 ROCKWOOD CASUALTY INSURANCE COMPANY  
 OLD REPUBLIC INSURANCE CO  
 PHICO INSURANCE CO  
 PENNSYLVANIA CASUALTY COMPANY  
 PENNSYLVANIA NATIONAL MUTUAL CASUALTY  
 AMGUARD INSURANCE COMPANY  
 EASTGUARD INSURANCE COMPANY  
 NORGUARD INSURANCE COMPANY  
 UNITED NATIONAL CASUALTY INSURANCE CO  
 PENN STAR INSURANCE COMPANY  
 UNITED STATES LIABILITY INS CO  
 INSURANCE COMPANY OF NORTH AMERICA  
 ACE FIRE UNDERWRITERS INS CO  
 ACE INDEMNITY INSURANCE COMPANY  
 PACIFIC EMPLOYERS INSURANCE CO  
 BANKERS STANDARD FIRE & MARINE  
 ACE PROPERTY & CASUALTY INS CO  
 ACE AMERICAN INSURANCE COMPANY  
 BANKERS STANDARD INSURANCE CO  
 INDEMNITY INS CO OF NORTH AMERICA  
 RELIANCE INSURANCE CO  
 RELIANCE UNIVERSAL INS CO  
 RELIANCE NATIONAL INSURANCE CO  
 RELIANCE NATIONAL INDEMNITY CO  
 RELIANCE DIRECT INS CO  
 UNITED PACIFIC INSURANCE CO  
 LEGION INSURANCE CO  
 VILLANOVA INSURANCE COMPANY  
 VILLANOVA INSURANCE COMPANY  
 AMERICAN FUJI FIRE & MARINE INS CO  
 OVERSEAS PARTNERS US REINSURANCE  
 ACE AMERICAN REINSURANCE CO  
 CENTURY INDEMNITY CO  
 PENNSYLVANIA MANUFACTURERS ASSOC  
 MANUFACTURES ALLIANCE INSURANCE CO  
 PENNSYLVANIA MANUFACTURERS INDEMNITY  
 COMPANY  
 HARLEYSVILLE INSURANCE COMPANY  
 AMERICAN INTERNATIONAL SPECIALTY LINES

INSURANCE  
 AMERICAN CENTENNIAL INSURANCE CO  
 ULICO CASUALTY COMPANY  
 GOVERNMENT EMPLOYEES INS CO  
 GEICO INDEMNITY COMPANY  
 GEICO CASUALTY COMPANY  
 PROFESSIONALS ADVOCATE INS CO  
 EULER AMERICAN CREDIT INDEMNITY CO  
 MONUMENTAL GENERAL CASUALTY CO  
 ASSURANCE COMPANY OF AMERICA  
 MARYLAND CASUALTY CO  
 VALIANT INSURANCE COMPANY  
 AMERICAN GENERAL CORP  
 SEABOARD SURETY COMPANY  
 RECIPROCAL OF AMERICA INS CO  
 TRIAD GUARANTY INSURANCE COMPANY  
 INTEGON NATIONAL INSURANCE COMPANY  
 ALAMANCE INSURANCE COMPANY  
 FIRST FINANCIAL INSURANCE COMPANY  
 OCCIDENTAL FIRE & CASUALTY CO OF NC  
 VEREX ASSURANCE INC  
 GROCERS INSURANCE COMPANY  
 SAFEGUARD INSURANCE COMPANY  
 ORION INSURANCE COMPANY  
 AMERICAN & FOREIGN INS CO  
 SECURITY INS CO OF HARTFORD  
 GUARANTY NATIONAL INSURANCE COMPANY  
 AXIS REINSURANCE COMPANY  
 FIRE & CASUALTY INS CO OF CONN  
 GLOBE INDEMNITY CO  
 PHOENIX ASSURANCE CO OF NEW YORK  
 CONNECTICUT INDEMNITY CO  
 EMPLOYEE BENEFITS INS CO  
 ROYAL INDEMNITY COMPANY  
 GUARANTEE INSURANCE CO  
 AIG NATIONAL INSURANCE COMPANY  
 ATLANTA INTERNATIONAL INS CO  
 INTERNATIONAL INDEMNITY CO  
 INDUSTRIAL UNDERWRITERS INS CO  
 WESTCHESTER FIRE INSURANCE CO  
 GEORGIA PACIFIC CORP  
 AMERICAN SAFETY CASUALTY INS CO  
 ATLANTA SPECIALTY INS CO  
 FIRST PROFESSIONALS INSURANCE COMPANY  
 INCORPORATE  
 P I E NATIONWIDE INC  
 FIDELITY NATIONAL PROPERTY AND CASUALTY  
 INS CO  
 RYDER SYSTEMS INC

SECURITY NATIONAL INS CO  
LUMBERMENS UNDERWRITING ALLIANCE  
FIRST SOUTHERN INSURANCE CO  
TEXAS EMPLOYERS INDEMNITY CO  
THE INSURANCE COMPANY  
SERVICE INSURANCE COMPANY  
HORIZON CMS HEALTHCARE CORP  
SHELBY CASUALTY INS CO  
MEDICAL ASSURANCE CO INC  
CATERPILLAR INSURANCE COMPANY  
PERMANENT GENERAL ASSURANCE CORP  
MERASTAR INSURANCE CO  
FEDERAL EXPRESS CORP  
WAVERLEY MONTANA INC  
AMERICAN HARDWARE MUTUAL INS CO  
NATIONWIDE MUTUAL FIRE INSURANCE CO  
NATIONWIDE PROPERTY & CASUALTY INS CO  
CREDIT GENERAL INSURANCE CO  
ST PAUL FIRE & MARINE INS CO  
CONTINENTAL CASUALTY CO  
CHAMPION INTERNATIONAL CORP  
BORDEN CHEMICAL INC  
EVERGREEN NATIONAL INDEMNITY  
ROCHDALE INSURANCE COMPANY  
BRISTOL WEST INSURANCE COMPANY  
PROGRESSIVE CASUALTY INS CO  
NATIONAL CONTINENTAL INSURANCE CO  
NATIONAL INTERSTATE INS CO  
WEST AMERICAN INSURANCE COMPANY  
OHIO SECURITY INSURANCE COMPANY  
AVOMARK INS CO  
AMERICAN FIRE & CASUALTY COMPANY  
OHIO CASUALTY INSURANCE COMPANY  
COMPASS INSURANCE COMPANY  
NORTHWESTERN NATIONAL INS CO OF MIL  
GREAT AMERICAN INS CO OF NEW YORK  
GREAT AMERICAN ALLIANCE INS CO  
GREAT AMERICAN INSURANCE CO  
WORLDWIDE INSURANCE COMPANY  
GREAT AMERICAN SPIRIT INSURANCE CO  
GREAT AMERICAN ASSURANCE CO  
CINCINNATI INSURANCE COMPANY  
CINCINNATI CASUALTY COMPANY  
CINCINNATI INDEMNITY COMPANY  
PROTECTIVE INSURANCE CO  
SAGAMORE INSURANCE COMPANY  
IGF INSURANCE COMPANY  
GRAIN DEALERS MUTUAL INSURANCE CO  
NATIONAL INSURANCE ASSOCIATION

INDIANA LUMBERMENS MUTUAL INS CO  
BROTHERHOOD MUTUAL INS CO  
FORT WAYNE HEALTH & CASUALTY INS CO  
YOSEMITE INSURANCE COMPANY  
STAR INSURANCE CO  
WILLIAMSBURG NATIONAL INS CO  
K MART CORP  
NATIONAL GENERAL INS CO  
MIC GENERAL INS CORP  
MIC PROPERTY & CASUALTY INS CORP  
MOTORS INSURANCE CORPORATION  
CIM INSURANCE CORPORATION  
HOLCIM (US) INC  
INTREPID INSURANCE COMPANY  
AMERISURE MUTUAL INSURANCE CO  
DAIMLER CHRYSLER INSURANCE COMPANY  
FRANKENMUTH MUTUAL INS CO  
INSURANCE CORPORATION OF AMERICA  
AMERICAN PHYSICIANS ASSURANCE CORP  
ACCIDENT FUND INSURANCE COMPANY OF  
AMERICA  
MICHIGAN MILLERS MUTUAL INSURANCE CO  
GUIDANT SPECIALTY MUTUAL INS CO  
GUIDEONE MUTUAL INS CO  
WESTERN AGRICULTURAL INS CO  
EMCASCO INSURANCE COMPANY  
AMERICAN LIBERTY INSURANCE CO  
DAKOTA FIRE INSURANCE COMPANY  
ALLIED MUTUAL INSURANCE CO  
CONTINENTAL WESTERN INS CO  
HOMELAND CENTRAL INSURANCE CO  
BERKLEY REGIONAL INSURANCE COMPANY  
UNION INS CO OF PROVIDENCE  
CENTURION CASUALTY COMPANY  
NATIONWIDE AGRIBUSINESS INS CO  
FARMLAND MUTUAL INSURANCE CO  
AMCO INSURANCE COMPANY  
ALLIED PROPERTY & CASUALTY INS COMPANY  
DEPOSITORS INSURANCE COMPANY  
PHARMACIST MUTUAL INSURANCE COMPANY  
ACCEPTANCE INDEMNITY INS CO  
IOWA MUTUAL INSURANCE CO  
FIREMANS FUND INS CO OF WISCONSIN  
NORTHWESTERN NATIONAL CASUALTY CO  
NN INSURANCE COMPANY  
ST PAUL GUARDIAN INSURANCE CO  
ST PAUL MERCURY INSURANCE CO  
ST PAUL MEDICAL LIABILITY INS CO  
UNITED WISCONSIN INS CO