

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2002-0676

DALE REESOR

Petitioner

vs.

MONTANTA STATE FUND

Respondent/Insurer

**FILED**

JAN 26 2006

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

AFFIDAVIT

STATE OF MISSOURI     )  
                                  : ss.  
County of St. Louis     )

¶ 1 I, LEO WINSTEAD, being first duly sworn upon oath, depose and say:

¶ 2 I, LEO WINSTEAD am a VICE PRESIDENT of MIDWEST EMPLOYERS CASUALTY COMPANY.

¶ 3 In my capacity as VICE PRESIDENT OF CLAIMS of MIDWEST EMPLOYERS CASUALTY COMPANY, I am authorized to make the statements set forth in this affidavit on behalf of MIDWEST EMPLOYERS CASUALTY COMPANY and to bind MIDWEST EMPLOYERS CASUALTY COMPANY by these statements.

¶ 4 After a review of our records, I swear under oath that MIDWEST EMPLOYERS CASUALTY COMPANY should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

\_\_\_\_\_ MIDWEST EMPLOYERS CASUALTY COMPANY has never written workers' compensation insurance in the state of Montana;

\_\_\_\_\_ MIDWEST EMPLOYERS CASUALTY COMPANY does not have any Montana claims;

DOCKET ITEM NO. 346



LAW OFFICES OF  
**POORE, ROTH & ROBINSON, P.C.**

A PROFESSIONAL CORPORATION

1341 HARRISON AVENUE

P. O. BOX 2000

BUTTE, MONTANA 59702

TELEPHONE (406) 497-1200

FAX (406) 782-0043

E-MAIL [pr@prrlaw.com](mailto:pr@prrlaw.com)

January 25, 2006

DONALD C. ROBINSON  
ROBERT C. BROWN  
J. RICHARD ORIZOTTI  
BRENDON J. ROHAN  
JOHN P. DAVIS  
THOMAS M. WELSCH  
PATRICK M. SULLIVAN  
TINA L. MORIN  
LEE BRUNER  
LISA A. LEVERT

RONALD A. THUESEN  
CHARLES K. SMITH  
MATTHEW D. NEILL

OF COUNSEL  
ROBERT A. POORE  
URBAN L. ROTH

JAMES A. POORE, JR.  
(1916-2002)

Ms. Patricia J. Kessner  
Clerk of Court  
Workers' Compensation Court  
1625 11th Avenue  
P.O. Box 537  
Helena, Montana 59624

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

Dear Ms. Kessner:

Enclosed for filing in the above-captioned matter are the original and one copy of the following:

1. Affidavit of Leo Winstead on behalf of Midwest Employers Casualty Company;
2. Affidavit of Carol J. Lapunzina on behalf of Starnet Insurance Company;
3. Affidavit of John F. Thelen on behalf of Continental Western Insurance Company;
4. Affidavit of John F. Thelen on behalf of Berkley Regional Company; and
5. Affidavit of John F. Thelen on behalf of Union Insurance Company.


Ms. Patricia J. Kessner  
January 25, 2006  
Page 2 . . .

Please acknowledge receipt and filing date of the same by returning conformed copies in the stamped, pre-addressed envelope enclosed for your convenience.

Thank you.

Very truly yours,

POORE, ROTH & ROBINSON, P.C.

By   
Thomas M. Welsch

TMW:ct  
Enclosures  
cc: Thomas J. Murphy, Esq.