

**FILED**

**FEB 7 2006**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

Jacqueline T. Lenmark  
KELLER, REYNOLDS, DRAKE,  
JOHNSON & GILLESPIE, P.C.  
50 South Last Chance Gulch  
P. O. Box 598  
Helena, Montana 59624  
406/442-0230 Tele.  
406/449-2256 Fax.

Attorneys for Platte River Insurance Company

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

DALE REESOR,	)	WCC NO. 2002-0676
	)	
Petitioner,	)	
	)	<b>PLATTE RIVER INSURANCE</b>
vs.	)	<b>COMPANY'S NOTICE OF</b>
	)	<b>FILING</b>
MONTANA STATE FUND,	)	
	)	
Respondent/Insurer.	)	

PLEASE TAKE NOTICE THAT the original Affidavit of Stuart M. de Haaff in support of Platte River's motion to dismiss was filed on or about February 6, 2006 in the *Robert Flynn and Carl Miller vs. Montana State Fund, et. al.* (WCC No. 2000-0222). A copy of the original Affidavit of Stuart M. de Haaff that has been filed is attached to this Notice of Filing.

DATED this 6th day of February, 2006.

KELLER, REYNOLDS, DRAKE,  
JOHNSON & GILLESPIE, P.C.

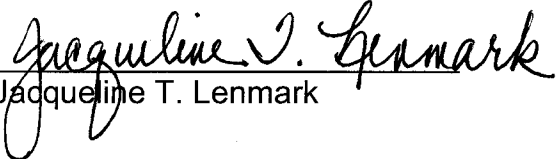
BY: Jacqueline T. Lenmark  
Jacqueline T. Lenmark  
50 South Last Chance Gulch  
P. O. Box 598  
Helena, Montana 59624

**CERTIFICATE OF SERVICE**

I, Jacqueline T. Lenmark, one of the attorneys for Platte River Insurance Company, hereby certify that on February 6, 2006, I served a true and correct copy of the foregoing **PLATTE RIVER INSURANCE COMPANY'S NOTICE OF FILING**, by depositing same in the United States Mail, first class postage prepaid, in Helena, Montana, upon the following:

Thomas J. Murphy, Esq.  
MURPHY LAW FIRM  
P. O. Box 3226  
Great Falls, Montana 59403-3226

DATED this 6th day of February, 2006.

  
Jacqueline T. Lenmark

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

DALE REESOR )  
 ) WCC No. 2002-0676  
 )  
vs. )  
 )  
MONTANA STATE FUND )

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ROBERT FLYNN and CARL MILLER )  
 ) WCC No. 2000-0222  
 )  
vs. )  
 )  
MONTANA STATE FUND, et al )

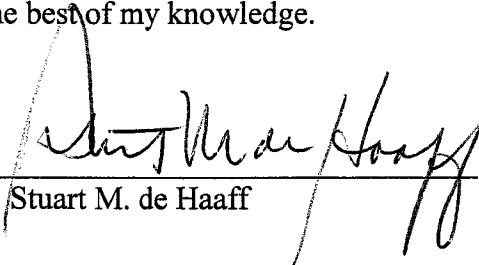
**AFFIDAVIT OF STUART M. DE HAAFF**

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

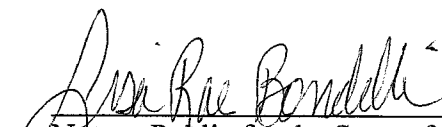
I, Stuart M. de Haaff, being first duly sworn on oath depose and say:

1. I was a Senior Vice President and the General Counsel of Underwriters Insurance Company, a Nebraska corporation ("UIC"), between July 1996 and January 2002 and, in that capacity, I acquired personal knowledge of the matters stated herein.
2. Effective July 1, 2001, pursuant to a Transfer and Assumption Agreement between UIC and North American Specialty Insurance Company, a New Hampshire corporation ("NAS"), NAS assumed all of UIC's business and liabilities, including, without limitation, all of the past, present and future liabilities and obligations of UIC under all binders, policies, contracts, certificates and other obligations or agreements of insurance issued by UIC (collectively, "Policyholder Contracts").
3. Pursuant to a Stock Purchase Agreement dated December 5, 2001 between Alleghany Corporation ("Alleghany") and UIC's corporate parent, Swiss Reinsurance America Corporation, Alleghany purchased all of the issued and outstanding capital stock of UIC.

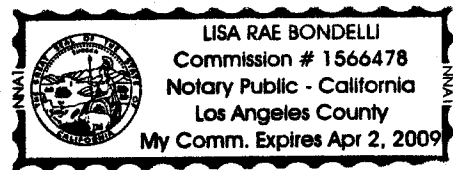
4. Pursuant to the Stock Purchase Agreement NAS retained all liabilities and obligations for the Policyholder Contracts issued by UIC prior to January 1, 2002 and UIC, as a wholly owned subsidiary of Alleghany, assumed all liabilities and obligations on business written by UIC on or after January 1, 2002.
5. During 2002 following the purchase of UIC by Alleghany, UIC changed its name to Platte River Insurance Company.
6. The above is true and correct to the best of my knowledge.

  
\_\_\_\_\_  
Stuart M. de Haaff

So subscribed and sworn to before me this 7<sup>th</sup> day of December, 2005,

  
\_\_\_\_\_  
Notary Public for the State of California  
My Commission Expires: April 2, 2009

(seal)

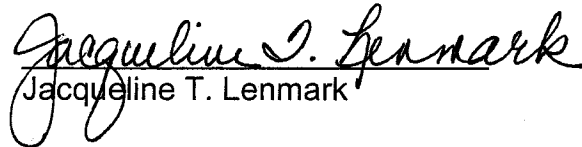


**CERTIFICATE OF SERVICE**

I, Jacqueline T. Lenmark, one of the attorneys for Platte River Insurance Company, hereby certify that on February 6, 2006, I served a true and correct copy of the foregoing **AFFIDAVIT OF STUART M. HAAFF**, by depositing same in the United States Mail, first class postage prepaid, in Helena, Montana, upon the following:

Rex Palmer, Esq.  
ATTORNEYS INC., P.C.  
301 West Spruce  
Missoula, Montana 59802

DATED this 6th day of February, 2006.

  
Jacqueline T. Lenmark