

CATERPILLAR®

**Caterpillar Financial
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FILED

November 2, 2006

NOV - 6 2006

VIA U.S. REGULAR MAIL

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

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

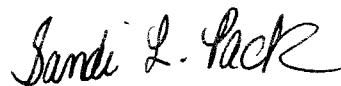
**Re: *Dale Reesor v. Montana State Fund,*
WCC No. 2002-0676**

Dear Mr. Murphy:

On January 26, 2006, you submitted a letter to the Court requesting dismissal of Caterpillar Insurance Company from the above referenced matter. Despite already being dismissed from another related workers' compensation case in Montana (Robert Flynn), the Court has not yet dismissed Caterpillar Insurance Company from this action.

For the reasons set forth in the previously submitted Affidavit of Donald J. Meyers, I respectfully request that you voluntarily dismiss Caterpillar Insurance Company from this action before the Workers' Compensation Court for Montana.

Yours truly,



Sandi L. Pack
Litigation Attorney

Enclosure

cc: **Ms. Patricia J. Kessner**
Clerk of Courts – Workers' Compensation Court
P.O. Box 537
Helena, Montana 59624-0537

DOCKET ITEM NO. 454

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2000-0222

ROBERT FLYNN
and
CARL MILLER, Individually and on Behalf of
Others Similarly Situated

Petitioners

vs.

MONTANA STATE FUND

Respondent/Insurer

and

LIBERTY NORTHWEST INSURANCE CORPORATION

Intervenor.

ORDER OF DISMISSAL

¶1 Based on the Court's review of the responses filed in this case by the following insurance companies, and Petitioners' request to dismiss the same,

¶2 IT IS ORDERED that the following-named insurance companies are **DISMISSED WITHOUT PREJUDICE** from the above-entitled action:

Affiliated FM Insurance Company
Allianz Global Risks US Insurance Co.
American Agricultural Insurance Company
Americas Insurance Company
Armed Forces Insurance Exchange
AXA Corporate Solutions Insurance Company (ACSIC)
Berkley Regional Insurance Company
Brotherhood Mutual Insurance Company
Casualty Reciprocal Exchange
Caterpillar Insurance Company

Evergreen National Indemnity Company
Factory Mutual Insurance Company
Fort Wayne Health and Casualty Insurance Company
Gerling America Insurance Company
Grain Dealers Mutual Insurance Company
Great Midwest Insurance Co.
Legion Insurance Company
Lyndon Property Insurance Company
North American Elite Insurance Company
Quanta Indemnity Company
SeaBright Insurance Company
Starnet Insurance Company
Swiss Reinsurance America Corporation
The Central National Insurance Company of Omaha
The Navigators Group, Inc.
The Protective National Insurance Company of Omaha
Triad Guaranty Insurance Corporation
Yosemite Insurance Company

DATED in Helena, Montana, this 3rd day of April, 2006.

(SEAL)

/s/ James Jeremiah Shea
JUDGE

c: Parties of Record - Via WebSite

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