

WORKERS' COMPENSATION COURT

Hearing No. 3439
Volume XVI

Helena, Montana
March 29, 2004

JEREMY RUHD

Geoffrey C. Angel

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Larry W. Jones

WCC No. 2002-0500

A telephone conference call was conducted on this date at the request of the Court with the above parties.

Following a brief discussion, it was agreed that Mr. Jones shall file his proposed statement of facts by April 12, 2004; Mr. Angel shall have until April 19, 2004 to respond as to whether he wishes to supplement or dispute them. If the statement is okay, then the parties shall file their briefs regarding the issue of retroactivity. Mr. Jones' initial brief shall be due May 3, 2004; Mr. Angel's reply brief shall be due by May 24, 2004; and Mr. Jones' final brief shall be due June 7, 2004, at which time the matter will be deemed submitted.

The parties in the *Fisch*, *Frost*, and *Rausch* cases will be invited to file briefs in accordance with the briefing schedule as outlined above, if they wish.

Mr. Jones raised the question of there being no common fund in this matter. Initially, there is a question as to whether he previously conceded this issue and counsel will examine the transcripts of prior hearings to determine if he did. In any event, I advised the parties that I do not want that issue briefed at this time.

MIKE McCARTER
Judge