

Daniel J. Whyte  
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Attorneys for Arch Insurance Company

**FILED**

**JUN - 6 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

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CATHERINE E. SATTERLEE, et al	)	WCC NO. 2003-0840
	)	
Petitioners,	)	
	)	
vs.	)	
	)	
LUMBERMAN'S MUTUAL CASUALTY	)	<b>NOTICE OF LIMITED</b>
COMPANY, et al.,	)	<b>APPEARANCE</b>
	)	
Respondents/Insurers.	)	

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COMES NOW, the undersigned, and notifies the Court and counsel for the parties of the Limited Appearance of Daniel J. Whyte and the law firm of Keller, Reynolds, Drake, Johnson & Gillespie, P.C., in this matter on behalf of Arch Insurance Company. This appearance is strictly limited to issues raised by this Court in its April 19, 2005 Notice.

By making this Limited Appearance, Arch Insurance Company, does not consent to be a party to this action and does not wish to intervene in the action. Furthermore, Arch Insurance Company does not consent to be a party to this action or member of any class, nor do they consent to the sufficiency of Notice or jurisdiction of this Court. The appearance will be for the limited purpose of opposing class certification particularly as it relates to any potential class of defendants. Defendants are not appearing for purposes of any discovery or resolution of any factual or legal issues other than whether this Court should entertain a class action as proposed or that the common fund doctrine would be applied.

DATED this 6<sup>th</sup> day of June, 2005.

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

A handwritten signature in black ink, appearing to read 'D. Whyte', is written above a horizontal line.

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Attorney for Arch Insurance Company