



SENT VIA FACSIMILE NO. 406-444-7798  
AND REGULAR MAIL

**FILED**

June 3, 2005

The Honorable Mike McCarter  
Workers' Compensation Court of the State of Montana  
P.O. Box 537  
Helena, Montana 59624-0537

**JUN - 3 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

Re: Catherine E. Satterlee, et al. v. Lumberman's Mutual Casualty Company, et al.  
WCC No. 2003-0840

Dear Judge McCarter:

SeaBright Insurance Company ("SeaBright") has received the Notice of Opportunity to Appear and Intervene in the above captioned case. We understand that SeaBright was given this opportunity as an insurer who has provided workers' compensation insurance coverage since July 1, 1981.

SeaBright states in response to the Notice of Opportunity to Appear and Intervene that the Company has not written workers' compensation insurance policies in the State of Montana. Originally incorporated in 1986 as Heart of America Fire & Casualty, to the best of our knowledge, the Company wrote surety business before it was placed in rehabilitation by the Missouri Department of Insurance in 1993. In a stock purchase agreement dated November 23, 1994, the Company was purchased by Universal Bonding Insurance Company as a clean shell, with no liabilities. It continued to remain inactive until it was sold to Lumbermens Mutual Casualty Company in 1999 and renamed Kemper Employers Insurance Company. The Company's first workers' compensation business appears to have been written in 2000 when it purchased the renewal rights to certain California- only policies originally written by Superior National. The Company's 2000, 2001, and 2002 NAIC Annual Statements Schedules T- Exhibit of Premiums Written- all report no premiums written in Montana.

Please note that the Company was purchased by SeaBright Insurance Holdings, Inc. on September 30, 2003 and was renamed SeaBright Insurance Company. Late in 2003, the Company began writing workers' compensation in states outside of California, but it has not written any business in Montana, as evidenced by its 2003 and 2004 NAIC Annual Statements Schedules T and its Quarterly Financial Report as of March 31, 2005.

SeaBright respectfully requests to be dismissed from WCC No. 2003-0840 and further responses related to WCC No. 2000-0676. From review of available corporate records, and to the best of our knowledge, the Company has not written workers' compensation insurance in Montana from its 1986 incorporation to its latest published March 31, 2005 Quarterly Financial Report.

Sincerely,

D. Drue Wax  
General Counsel