

FILED

FEB 7 2006

Jacqueline T. Lenmark
KELLER, REYNOLDS, DRAKE,
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OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Attorneys for Platte River Insurance Company

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CATHERINE SATTERLEE, et. al.)	WCC NO. 2003-0840
)	
Petitioners,)	
)	PLATTE RIVER INSURANCE
vs.)	COMPANY'S NOTICE OF
)	FILING
LUMBERMAN'S MUTUAL CASUALTY)	
COMPANY, et. al.,)	
)	
Respondents/Insurers.)	

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

DOCKET ITEM NO. 305

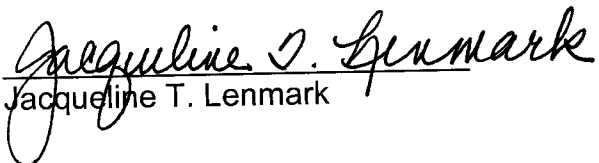
CERTIFICATE OF SERVICE

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

James G Hunt
HUNT LAW FIRM
310 Broadway
P. O. Box 1711
Helena, Montana 59624

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)

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)

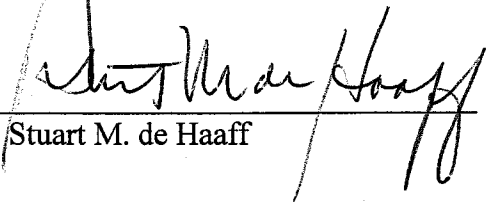
I, Stuart M. de Haaff, being first duly sworn on oath depose and say:

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").

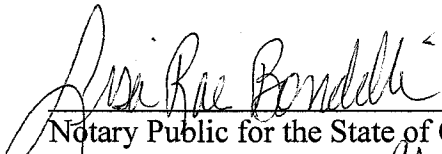
3. Pursuant to a Stock Purchase Agreement dated December 5, 2001 between Alleghany Corporation ("Alleghany") and UIC's corporate parent, Swiss Reinsurance America Corporation, Alleghany purchased all of the issued and outstanding capital stock of UIC.

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.



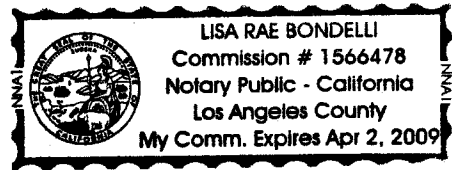
Stuart M. de Haaff

So subscribed and sworn to before me this 7th day of December, 2005,



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

(seal)

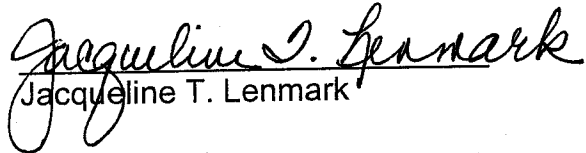


CERTIFICATE OF SERVICE

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

Jacqueline T. Lenmark
 KELLER, REYNOLDS, DRAKE,
 JOHNSON & GILLESPIE, P.C.
 50 South Last Chance Gulch
 P.O. Box 598
 Helena, MT 59624
 406/442-0230 Tele.
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Attorneys for Platte River Insurance Company

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CATHERINE SATTERLEE, et. al.)	WCC NO. 2003-0840
)	
Petitioners,)	AFFIDAVIT OF CARMEN RAHA
)	FOR AND ON BEHALF OF
vs.)	PLATTE RIVER INSURANCE
)	COMPANY
LUMBERMAN'S MUTUAL CASUALTY)	
COMPANY, et. al.,)	
)	
Respondents/Insurers.)	

STATE OF WISCONSIN)
) : ss.
 COUNTY OF Dane)

Carmen Raha, being first duly sworn, on oath deposes and says:

1. I am Controller of Platte River Insurance Company ("Platte River");
2. In my capacity as Controller of Platte River, I am authorized to make the statements set forth in this affidavit on behalf of Platte River and to bind Platte River by these statements;
3. Platte River is a corporate subsidiary of Alleghany Insurance Holdings, Inc., which is a subsidiary of Alleghany Corporation ("Alleghany");

AFFIDAVIT OF CARMEN RAHA FOR AND ON BEHALF OF
 PLATTE RIVER INSURANCE COMPANY

4. Alleghany purchased all of the issued and outstanding capital stock of Underwriters Insurance Company ("UIC") by a Stock Purchase Agreement dated December 5, 2001;

5. After this purchase, Alleghany changed the name of UIC to Platte River;

6. As a condition of Alleghany's purchase of UIC, all past, present and future liabilities under all binders, policies, contracts, certificates and other obligations or agreements of insurance issued by UIC prior to the closing date of the Stock Purchase Agreement and endorsements thereon and changes in coverage thereunder, disclosed and undisclosed, were assumed by North American Specialty Insurance Company pursuant to a Transfer and Assumption Agreement;

7. After review of our records, I swear under oath that Platte River should be dismissed from the above-entitled action for any or all of the following reasons:

(a) Platte River has not issued any workers' compensation policies in the state of Montana on or after January 4, 2002, and the liabilities on policies prior to that date were assumed by North American Specialty Insurance Company pursuant to a Transfer and Assumption Agreement;

(b) Platte River does not have any Montana workers' compensation insurance claims for any workers' compensation policies issued on or after January 4, 2002; and

(c) As Platte River has not issued any workers' compensation policies in the State of Montana since its acquisition by Alleghany Corporation on January 4, 2002, Platte River does not believe that it has any claimants on any workers' compensation policies issued on or after January 4, 2002, meeting the Court's criteria in this matter as set forth in the Notice of Opportunity to Appear and Intervene dated April 18, 2005, issued by the Workers' Compensation Court of the State of Montana in the matter of Satterlee v. Lumberman's Mutual Casualty Company (WCC No. 2003-0840).

8. I understand that the Montana Workers' Compensation Court may allow a period of up to ninety (90) days from the date of filing this affidavit within which Petitioners' counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Platte River. After such 90 days, if no objection is lodged by the Petitioners' counsel, the Court will dismiss the insurer from this action based on the sworn statements made by me in this affidavit.

9. The above is true and correct to the best of my knowledge.

Carmen Raha
Ms. Carmen Raha

Date: 2/2/06

So subscribed and sworn to before me this 2nd day of February, 2006.

Teresa C. Lins
Print Name: Teresa C. Lins
Notary Public for the State of Wisconsin
Residing at E4519 Maple Ct, Spring Green
My Commission Expires: 12/21/2008

CERTIFICATE OF SERVICE

I, Jacqueline T. Lenmark, one of the attorneys for Platte River Insurance Company, hereby certify that on February ____, 2006, I served a true and correct copy of the foregoing **AFFIDAVIT OF CARMEN RAHA FOR AND ON BEHALF OF PLATTE RIVER INSURANCE COMPANY**, by depositing same in the United States Mail, first class postage prepaid, in Helena, Montana, upon the following:

Thomas J Murphy
Murphy Law Firm
P O Box 3226
Great Falls MT 59403-3226

James G Hunt
HUNT LAW FIRM
310 Broadway
P O Box 1711
Helena MT 59624

DATED this 6th day of February, 2006.

Jacqueline T. Lenmark
Jacqueline T. Lenmark

AFFIDAVIT OF CARMEN RAHA FOR AND ON BEHALF OF
PLATTE RIVER INSURANCE COMPANY

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

Guardian Building, Third Floor
50 South Last Chance Gulch
P. O. Box 598
Helena, Montana 59624
406/442-0230 Tele.
406/449-2256 Fax
E-mail: jtlenmark@kellerlawmt.com

SPEED MEMO

February 6, 2006

Re: *Catherine Satterlee, et. al., vs. Lumberman's Mutual Casualty Company, et. al.*
Montana Workers' Compensation Court No. 2003-0840

For filing, please find enclosed PLATTE RIVER INSURANCE COMPANY'S NOTICE OF FILING and the original AFFIDAVIT OF CARMEN RAHA FOR AND ON BEHALF OF PLATTE RIVER INSURANCE COMPANY. Thank you for your assistance.

Jacqueline T. Lenmark

cc: Thomas J. Murphy, Esq.
James G. Hunt, Esq.
(w/copy of encls. as indicated above)

TO: MS PATRICIA KESSNER
WORKERS' COMPENSATION COURT
1625 11TH AVENUE
P O BOX 537
HELENA MT 59624