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**FILED**

AUG 8 2005

OFFICE OF  
 WORKER'S COMPENSATION JUDGE  
 HELENA, MONTANA

Attorneys for Ace Indemnity Insurance Company  
 Bankers' Standard Fire and Marine, Indemnity  
 Insurance Company of North America

IN THE WORKERS' COMPENSATION COURT  
 OF THE STATE OF MONTANA

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CATHERINE E. SATTERLEE et al.,	)	WCC No. 2003-0840
	)	
Petitioners,	)	
	)	
v.	)	<b>NOTICE OF JOINDER IN</b>
	)	<b>ANSWER BRIEF OF MONTANA</b>
	)	<b>STATE FUND IN OPPOSITION</b>
LUMBERMAN'S MUTUAL CASUALTY	)	<b>TO PETITIONERS' MOTION</b>
COMPANY et al.,	)	<b>FOR PARTIAL SUMMARY</b>
	)	<b>JUDGMENT</b>
Respondents/Insurers.	)	
	)	

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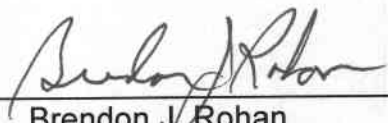
COME NOW Ace Indemnity Insurance Company, Bankers' Standard Fire and Marine, and Indemnity Insurance Company of North America (Respondents/Insurers) and pursuant to Administrative Rules of Montana 24.5.329 and this Court's briefing schedule hereby give notice to this Court that they are joining in the Answer Brief from the Montana State Fund in Opposition to Petitioners' Motion for Partial Summary Judgment, including its Statement of Additional Uncontroverted Facts. These Respondents/Insurers hereby adopt and incorporate by reference the substantive arguments of the Montana State Fund. For all the reasons stated therein, these Respondents/Insurers request this Court to deny Petitioners' motion and instead grant summary judgment in favor of Respondents/Insurers upholding the constitutionality of

- NOTICE OF JOINING MONTANA STATE FUND'S ANSWER BRIEF IN OPPOSITION TO PETITIONERS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Montana Code Annotated § 39-71-710 with respect to permanent, total disability and rehabilitation benefits.

DATED this 8<sup>th</sup> day of August, 2005.

POORE, ROTH & ROBINSON, P.C.

By   
Brendon J. Rohan  
Attorneys for the Ace Indemnity Ins.  
Co., Bankers' Standard Fire and  
Marine, Indemnity Ins. Co. of North  
America  
1341 Harrison Avenue  
P.O. Box 2000  
Butte, Montana 59702

2. NOTICE OF JOINING MONTANA STATE FUND'S ANSWER BRIEF IN OPPOSITION TO PETITIONERS' MOTION FOR PARTIAL SUMMARY JUDGMENT

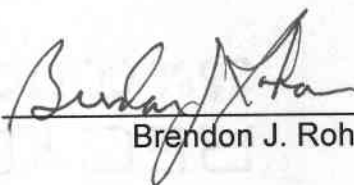
**CERTIFICATE OF SERVICE BY MAILING**

This is to certify that on the 27<sup>th</sup> day of August, 2005, the foregoing attached **NOTICE OF JOINING MONTANA STATE FUND'S ANSWER BRIEF IN OPPOSITION TO PETITIONERS' MOTION FOR PARTIAL SUMMARY JUDGMENT** was duly served upon the following attorneys of record, by depositing a true copy thereof in the United States mails, postpaid, addressed as follows, to-wit:

James G Hunt, Esq.  
Hunt & Molloy Law Firm  
P. O. Box 1711  
Helena, MT 59624

POORE, ROTH & ROBINSON, P.C.

By



\_\_\_\_\_  
Brendon J. Rohan

3. **NOTICE OF JOINING MONTANA STATE FUND'S ANSWER BRIEF IN OPPOSITION TO PETITIONERS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

LAW OFFICES OF  
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OF COUNSEL  
ROBERT A. POORE  
URBAN L. ROTH

JAMES A. POORE, JR.  
(1916-2002)

August 8, 2005

Patricia J. Kessner  
Clerk of Court  
Workers' Compensation Court  
1625 11th Avenue  
P. O. Box 537  
Helena, Montana 59624

Re: Satterlee v. ACE Insurance et al.  
WCC No. 2003-0840

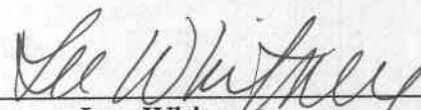
Dear Ms. Kessner:

Enclosed for filing in the above-referenced matter is the original **Notice of Joinder in Answer Brief of Montana State Fund in Opposition to Petitioners' Motion for Partial Summary Judgment** on behalf of Ace Indemnity Insurance Company, Bankers' Standard Fire and Marine, and Indemnity Insurance Company of North America. Please acknowledge receipt and filing of this document by signing and returning the enclosed postcard. Thank you for your courtesy and attention.

With best regards,

POORE, ROTH & ROBINSON, P.C.

By \_\_\_\_\_



Lee Whitney  
Secretary

Enclosures