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FILED

JAN 19 2006

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2003-0840

CATHERINE E. SATTERLEE, et al.

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer.

**LIBERTY'S SUPPLEMENTAL BRIEF OBJECTING TO PETITIONERS'
MOTION FOR RECONSIDERATION**

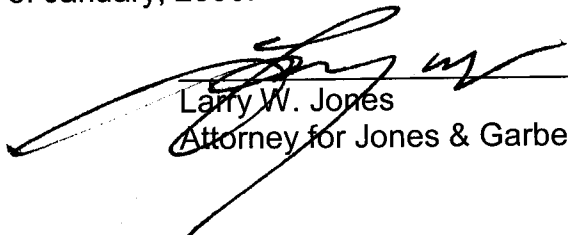
Liberty has previously filed its Objection to Petitioners' Motion for Reconsideration. After service of the brief, the undersigned reviewed an e-mail from the Court containing its Order Denying Intervenor's Request to Present Testimony at Oral Argument in Thompson v. State of Montana, 2006 MTWCC 1. At ¶3 of the decision the Court made the following holding:

¶3 Liberty's request for oral argument was granted pursuant to ARM 24.5.337. In applying this rule previously, this Court has held that, absent compelling reasons, the Court will not consider an issue on reconsideration when the issue had not been raised previously despite ample opportunity to do so.³ Similarly, absent compelling reasons, the Court does not view an oral argument on a motion for reconsideration as an opportunity to present evidence that could have been adduced either with the briefing of the original motion or with the briefing of the motion for reconsideration.

DOCKET ITEM NO. 295

This holding is exactly on point in the instant case. The type of evidence the petitioners want to introduce could have been introduced earlier, and there is no compelling reason to allow them to do so now. The situations are identical and the results should be equally identical.

DATED this 19TH day of January, 2006.



Larry W. Jones
Attorney for Jones & Garber

CERTIFICATE OF SERVICE

I hereby certify that on the 19TH day January, 2006, I served the original of the foregoing , by facsimile and first-class mail, postage prepaid, on the following:

Ms. Patricia J. Kessner
Clerk of Court
Workers' Compensation Court
PO Box 537
Helena, MT 59624-0537

and a copy of the same to the following:

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January 19, 2006

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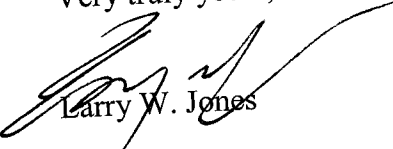
Clara Wilson
Workers' Compensation Court
P.O. Box 537
Helena, MT 59624-0537

Re: Catherine Satterlee WCC No. 2003-0840

Dear Clara:

Please find attached a new first page to replaced the once mistakenly sent you in the captioned Liberty's Objections to Petitioners' Motion for Reconsideration. Please exchange the pages presented for filing.

Very truly yours,


Larry W. Jones

LWJ/res

Cc: James G. Hunt
Thomas J. Murphy
Anthony Johnstone
David Hawkins

Enclosure