

FILED

SEP 19 2005

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OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Attorneys for Insurance Company:

1. Old Republic Ins. Co.
2. Old Republic Security Assurance Company
3. Bituminous Casualty Corp., and
4. Bituminous Fire & Marine Ins. Co.

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CATHERINE E. SATTERLEE, et al.,

Petitioners,

vs.

LUMBERMAN'S MUTUAL CASUALTY
COMPANY, et al.

Respondent/Insurer.

WCC No. 2003-0840

**MOTION TO PERMIT LATE FILING
AND TO PERMIT MOVANTS TO BE
LISTED AS PARTIES TO AN
EARLIER BRIEF FILED IN THIS
ACTION**

COMES NOW Old Republic Ins. Co., Old Republic Security Assurance Company, Bituminous Casualty Corp., and Bituminous Fire & Marine Ins. Co., by and through their counsel of record, Crowley, Haughey, Hanson, Toole & Dietrich P.L.L.P., and move this court for an order permitting them to file a late response in the above-entitled action and to further permit them to be added as parties to the brief entitled *Intervenors' Response to Petitioners' Motion for Partial Summary Judgment* filed on September 1, 2005, and listed as document number 242 on this Court's website docket. Petitioners' counsel, James Hunt, has been notified of this motion and does not object.

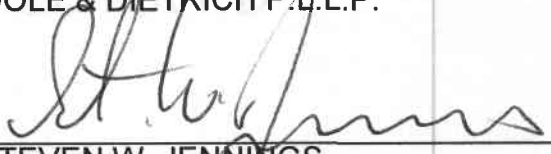
On approximately August 31, 2005, Lord, Bissell & Brook, L.L.P., national counsel for the above-listed insurers, requested that the undersigned act as local counsel in this matter for said insurers. The above-listed insurers were unaware of this Court's *Notice of Opportunity to Appear and Intervene* until quite close to the original deadline for intervention and did not have an opportunity to consider the merits of intervention in time to comply with said deadline. Having now had opportunity to consult with counsel and consider the merits of intervention, the above-listed insurers now

desire to intervene and join in on the brief submitted as document number 242 on this Court's website.

WHEREFORE, Old Republic Ins. Co., Old Republic Security Assurance Company, Bituminous Casualty Corp., and Bituminous Fire & Marine Ins. Co., respectfully request this Court to issue an order permitting them to file a Notice of Appearance and Intervention and further permit them to be listed as parties to the *Intervenors' Response to Petitioners' Motion for Partial Summary Judgment* listed as document number 242 on this Courts' website.

Dated this 16th day of September, 2005.

CROWLEY, HAUGHEY, HANSON,
TOOLE & DIETRICH P.D.L.P.

By: 
STEVEN W. JENNINGS

Attorneys for Insurance Company:

1. Old Republic Ins. Co.
2. Old Republic Security Assurance Company
3. Bituminous Casualty Corp., and
4. Bituminous Fire & Marine Ins. Co.

CERTIFICATE OF SERVICE

I, STEVEN W. JENNINGS, one of the attorneys for the law firm of Crowley, Haughey, Hanson, Toole & Dietrich P.L.L.P., hereby certify that on the 16th day of September, 2005, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

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Helena, MT 59601

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Attorneys are licensed in Montana unless otherwise noted; * also licensed in North Dakota; # also licensed in Wyoming; + not licensed in Montana

September 16, 2005

Workers' Compensation Court
PO Box 537
Helena, MT 59624-0537

RE: *Catherine E. Satterlee, et al. vs. Lumberman's Mutual Casualty Company, et al.*
WCC No. 2003-0840

Dear Clerk:

On behalf of our client insurance companies, enclosed please find a Motion to Permit Late Filing and to Permit Movants to be Listed as Parties to an Earlier Brief Filed in this Action in the matter referenced above for filing, along with a proposed Order for presentation to the Judge. Please conform the cover sheet and return in the envelope provided.

Thank you in advance for your assistance with this matter.

Sincerely yours,

CROWLEY, HAUGHEY, HANSON,
TOOLE & DIETRICH P.L.L.P.

Myrna Henschel, PLS

Myrna Henschel, Certified PLS
Legal Secretary to Steven W. Jennings

mlh

Enclosures

c (w/encl.): Mr. James Hunt
Mr. Thomas Murphy