

FILED

AUG 8 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Bradley J. Luck
Thomas J. Harrington
GARLINGTON, LOHN & ROBINSON, PLLP
199 West Pine • P. O. Box 7909
Missoula, MT 59807-7909
Telephone (406) 523-2500
Telefax (406) 523-2595

Thomas E. Martello, Esq.
Greg E. Overturf, Esq.
David Hawkins, Esq.
Montana State Fund
P. O. Box 4759
Helena MT 59604-4759

Attorneys for Respondent/Insurer, Montana State Fund

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CATHERINE E. SATTERLEE, et al.

Petitioners,

v.

LUMBERMAN'S MUTUAL CASUALTY
COMPANY, et al.

Respondents/Insurers.

WCC No. 2003-0840

AFFIDAVIT OF DAVID OGAN

STATE OF MONTANA)
 : ss.
County of Lewis and Clark)

DAVID OGAN, being first duly sworn upon his oath, deposes and says:

1. I am currently a Software Engineer with the Montana State Fund ("MSF"). I have been employed with MSF since February of 1992.

DOCKET ITEM NO. 228

2. As a Software Engineer with MSF, I have personal knowledge of the various computer systems used by MSF to store and retrieve data. I also have personal knowledge of the transfer and coding problems that exist with respect to the different computer systems MSF has used over the years.

3. Prior to July 1, 1987 and until February of 1997, claim summary information was kept on DBO2, the mainframe. The DBO2 system was used to transfer claim information to the Department of Labor & Industry.

4. In February of 1997, the information on the DBO2 system was transferred to CMS, a system which integrates a database and imaging software and stores claim summary information. DBO2 and CMS do not interface. Some of the information that was compacted for transfer from DBO2 could not be disassembled in the CMS system.

5. In the CMS system, financial information is produced for the user in a template-based format. Unlike the DBO2 system, the CMS system serves as claims handling software and MSF uses it to assist in adjusting claims. MSF is in the process of developing a new claim management system, Claim Center ("CC"), and currently anticipates bringing this system online in October 2005. CMS and CC will not interface, and information compacted for transfer from CMS to CC will not universally be disassembled in CC. Ultimate impacts to information retrieval and functionality cannot be assessed at this point.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

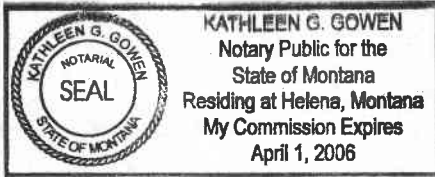
DATED this 8th day of August, 2005.



DAVID OGAN

STATE OF MONTANA)
 : ss.
County of Lewis & Clark)

Subscribed to and sworn to before me on the 8th day of August, 2005, by
DAVID OGAN.



Kathleen G. Gowen
(Type or print name) Kathleen G. Gowen
NOTARY PUBLIC FOR THE STATE OF MONTANA
residing at Helena, Montana
My commission expires: April 1, 2006

CERTIFICATE OF MAILING

I, Kathleen G. Gowen, the undersigned, of Respondent/Insurer, Montana State Fund, hereby certify that on this 8th day of August, 2005, I mailed a copy of the foregoing *Affidavit of David Ogan*, postage prepaid, to the following persons:

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

Michael P. Heringer, Esq.
Brown Law Firm, P.C.
P. O. Box 849
Billings, MT 59103-0849

Bryce R. Floch, Esq.
P.O. Box 7310
Kalispell, MT 59904-0310

Larry W. Jones, Esq.
700 SW Higgins Avenue, Suite 108
Missoula, MT 59803-1489

Kathleen G. Gowen