

IN THE WORKERS COMPENSATION COURT OF THE STATE OF
MONTANA

WCC No. 2001-0300

FILED

CASSANDRA SCHMILL

JAN 4 2006

Petitioner

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANA STATE FUND

Intervenor.

AFFIDAVIT

COMMONWEALTH OF MASSACHUSETTS)

: SS.

COUNTY OF MIDDLESEX)

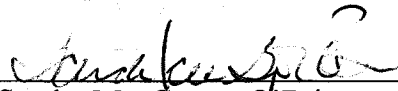
1. I Sandra MacGregor O'Brien being first duly sworn upon oath, depose and say:
2. I, Sandra MacGregor O'Brien, am Counsel of AMI Liquidating Trust, successor to the former operations of American Mutual Insurance Company of Boston.
3. In my capacity as Counsel of the AMI Liquidating Trust, I am authorized to make the statements set forth in this affidavit on behalf of the AMI Liquidating Trust and to bind the AMI Liquidating Trust by these statements.
4. After a review of our records, I swear under oath that the AMI Liquidating Trust should be dismissed from the above entitled action for the following reason

The AMI Liquidating Trust does not have any Montana claims.

DOCKET ITEM NO. 128


5. I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of the filing of this affidavit within which Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement made by me on behalf of AMI Liquidating Trust. After such 90 days, if no objection is lodged by the Petitioner's counsel, the Court will dismiss AMI Liquidating Trust from this action based on the sworn statements made by me in this affidavit.
6. I declare under penalty of perjury that the foregoing is correct.

DATED this 22 day of December, 2005.



Sandra MacGregor O'Brien
Counsel

Signed and sworn to before me this 22nd day of December, 2005.



Notary Public for the Commonwealth of
Massachusetts
Residing at: Northampton
My commission expires: 1-20-04