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JAN 20 2006

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

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Attorneys for Insurance Company:
American Alternative Insurance Company
American Re-Insurance Company

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL,

Petitioner,

vs.

LIBERTY NORTHWEST INSURANCE
CORPORATION,

Respondent/Insurer,

and

MONTANA STATE FUND,

Intervenor.

WCC No. 2001-0300

**MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE AND BRIEF IN
SUPPORT**

COMES NOW the above listed respondents (Moving Respondents) and move this court for an extension of the deadline to file a response to the *Amended Summons and Notice of Attorney Fee Lien* issued in this case on December 7, 2005 (document No. 79 on this Court's *Schmill* website). This motion is supported by the following brief. Counsel for Petitioner has been contacted and does not oppose this motion.

BRIEF

Counsel has completed its response to *Petitioners' Motion for Reconsideration*. However, counsel represents a large number of Respondents in this action who must be consulted with respect to the arguments presented in that response. While counsel does not anticipate significant revisions to the completed response, it is quite time consuming to contact all Respondents to obtain their input and concerns. It is unlikely that counsel can effect such contact by January 23, 2006, the date the response is due.

Further, not every insurer has been able to complete the sometimes extensive factual research required to evaluate whether or not that insurer has any claims meeting the Schmill "criteria." Finally, some of counsel's clients are investigating the question of whether they received service of the *Amended Summons and Notice of Attorney Fee Lien*.

WHEREFORE, the Moving Respondents respectfully request this Court to issue an order continuing the deadline for response to the *Amended Summons and Notice of Attorney Fee Lien*, for all insurers served with the *Amended Summons and Notice of Attorney Fee Lien*, until February 13, 2006.

Dated this 20th day of January, 2006.

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

By: 

STEVEN W. JENNINGS

Attorneys for Moving Respondents

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 20th day of January, 2006, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

Ms. Laurie Wallace
Bothe & Lauridsen, P.C.
PO Box 2020
Columbia Falls, MT 59912


STEVEN W. JENNINGS

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Date: January 20, 2006

FAX CORRESPONDENCE:

TO: Workers' Compensation Court
FAX #: (406) 444-7798
FROM: Steven W. Jennings
RE: **Cassandra Schmill vs. Liberty Northwest Insurance Corporation, et al.**

THIS TRANSMISSION CONSISTS OF 4 PAGES (INCLUDING THIS COVER PAGE).

A HARD COPY OF THIS FAX **WILL** BE SENT BY MAIL.

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****(406) 252-5292 - (PRIMARY NUMBER)

DOCUMENTS TRANSMITTED: Motion for Extension of Time.
COMMENTS: Please file the attached. If you have any questions, please contact me at 406.255.7284. Thank you!

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

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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

January 20, 2006

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

RE: *Cassandra Schmill vs. Liberty Northwest Insurance Corporation, et al.*
WCC No. 2001-0300

Dear Clerk:

On behalf of our clients, enclosed please find a Motion for Extension of Time to File Response and Brief in Support for filing in the above-referenced matter. 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.): Ms. Laurie Wallace