

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

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CASSANDRA SCHMILL

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANA STATE FUND

Intervenor.

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**AFFIDAVIT**

State of Michigan )  
                          : ss.  
County of Saginaw )

I, **MORRALL M. CLARAMUNT**, being first duly sworn upon oath, depose and say:

I, **MORRALL M. CLARAMUNT**, am the Executive Vice President and Secretary of **FRANKENMUTH MUTUAL INSURANCE COMPANY**.

In my capacity as Executive Vice President and Secretary of **FRANKENMUTH MUTUAL INSURANCE COMPANY**, I am authorized to make the statements set forth in this affidavit on behalf of **FRANKENMUTH MUTUAL INSURANCE COMPANY** and to bind **FRANKENMUTH MUTUAL INSURANCE COMPANY** by these statements.

After a review of our records, I swear under oath that **FRANKENMUTH MUTUAL INSURANCE COMPANY** should be dismissed from the above-entitled action for the following reason:

**FRANKENMUTH MUTUAL INSURANCE COMPANY** has never written workers' compensation insurance in the state of Montana.

I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statements made by me on behalf of **FRANKENMUTH MUTUAL INSURANCE COMPANY**.

After such 90 days, if no objection is lodged by the Petitioner's counsel, the Court will dismiss **FRANKENMUTH MUTUAL INSURANCE COMPANY** from this action based on the sworn statements made by me in this affidavit.

I declare under penalty of perjury that the foregoing is correct.

DATED this 23<sup>rd</sup> day of December, 2005.



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Morrall M. Claramunt  
Executive Vice President and Secretary  
Frankenmuth Mutual Insurance Company

Signed and sworn to before me this 23<sup>rd</sup> day of December, 2005.



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Dianne L. Voss  
Notary Public for the State of Michigan  
Residing at 415 Franconian Drive E.,  
Frankenmuth, Michigan 48734  
My Commission Expires: July 23, 2006

(SEAL)