

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

CASSANDRA SCHMILL

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANA STATE FUND

Intervenor.

**FILED**

DEC 28 2005

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

AFFIDAVIT

STATE OF Wisconsin )

: ss.

County of Waukesha )

- 1 I, L. John Ratzel, Jr., being first duly sworn upon oath, depose and say:
- 2 I, L. John Ratzel, Jr., am the Vice President and Secretary of Providence Property & Casualty Insurance Company ("Providence P & C").
- 3 In my capacity as Vice President and Secretary of Providence P & C, I am authorized to make the statements set forth in this affidavit on behalf of Providence P & C and to bind Providence P & C by these statements.
- 4 After a review of our records, I swear under oath that Providence P & C should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

ث \_\_\_\_\_ has never written workers' compensation insurance in the state of Montana;

أ \_\_\_\_\_ does not have any Montana claims;

DOCKET ITEM NO. 118

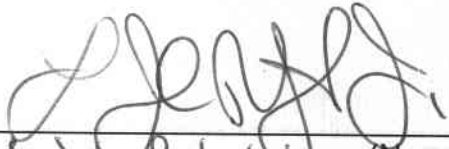
ف Providence P & C has no claimants meeting in the Court's criteria in this matter as set forth in the summons;

ف \_\_\_\_\_ was or is in liquidation during the period in question set forth in the amended summons served upon me.

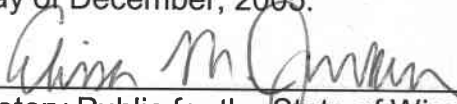
5 I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Providence P & C. After such 90 days, if no objection is lodged by the Petitioner's counsel, the Court will dismiss the insurer/self-insurer 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 27th day of December, 2005.

  
\_\_\_\_\_  
R. John Ratzel, Jr. (Name)  
Vice President & Secretary  
(Title)

Signed and sworn to before me this 27<sup>th</sup> day of December, 2005.

  
\_\_\_\_\_  
Notary Public for the State of Wisconsin  
My Commission Expires : permanent



**JACOBSON & RATZEL**  
ATTORNEYS AT LAW

Writer's Email Address: [jratzel@jandrllaw.net](mailto:jratzel@jandrllaw.net)

Via Overnight Courier

December 27, 2005

Patricia J. Kessner  
Clerk of Court/Administrator  
Montana Workers' Compensation Court  
1625 11<sup>th</sup> Avenue  
Helena, Montana 59624

RE: Schmill vs. Liberty Northwest Insurance Corporation  
WCC No. 2001-0300

Dear Ms. Kessner:

I have enclosed an Affidavit on behalf of Providence Property & Casualty Insurance Company, for filing in the above-captioned action, requesting to be dismissed from the above-captioned action, based upon the reasons set forth therein.

I appreciate your assistance in enabling the enclosed Affidavit to be filed. If any other forms or documents are required, please let me know.

Very truly yours,



L. JOHN RATZEL, JR.

Enc.

cc: D. Lancaster