

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001- 0300

**FILED**

**CASSANDRA SCHMILL**

JAN 17 2006

Petitioner

vs.

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

**LIBERTY MUTUAL INSURANCE CORPORATION**

Respondent/Insurer

**MONTANA STATE FUND**

Intervenor.

**AFFIDAVIT**

STATE OF NORTH DAKOTA    )  
  : ss.  
County of Burleigh         )

¶1 I, Leon Zander, being first duly sworn upon oath, depose and say:

¶2 I, Leon Zander, am an Claims Supervisor of Union Insurance Company of Providence.

¶3 In my capacity as Claims Supervisor of Union Insurance Company of Providence, I am authorized to make the statements set forth in this Affidavit on behalf of Union Insurance Company of Providence and to bind Union Insurance Company of Providence by these statements.

¶4 After a review of our records, I swear upon oath that Union Insurance Company of Providence should be dismissed from the above entitled action for any and all of the following reasons:

Union Insurance Company of Providence has no claimant meeting the Court's criteria as set forth in the Summons.

DOCKET ITEM NO. 142

¶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 Union Insurance Company of Providence. After such 90 days, if no objection is lodged by the Petitioner's counsel, the Court will dismiss Union Insurance Company of Providence from this action based upon the sworn statements made by me in this Affidavit.

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

DATED this 4th day of JANUARY, 2006.

Leon Zander

Leon Zander  
Claims Supervisor

2006.

Signed and sworn to before me this 4 day of January 2006,

Connie Holzer

Notary Public for the State of North Dakota

Residing at: Bismarck, ND

My Commission Expires: \_\_\_\_\_

(SEAL)

CONNIE HOLZER  
Notary Public  
State of North Dakota  
My Commission Expires June 18, 2011