

**WORKERS COMPENSATION COURT OF THE STATE OF MONTANA**

CASSANDRA SCHMILL )  
 ) WCC No. 2001-0300  
 )  
 vs. )  
 )  
 )  
 LIBERTY NORTHWEST INS. CORP. )  
 and MONTANA STATE FUND )

**FILED**

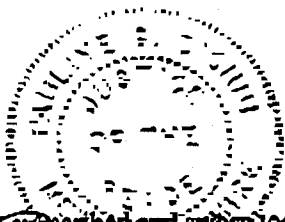
**JAN 23 2006**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

**AFFIDAVIT OF ALFRED W. BODI FOR AND  
ON BEHALF OF NORTH AMERICAN ELITE INSURANCE COMPANY**

STATE OF NEW HAMPSHIRE )  
 )  
 ) ss.  
 COUNTY OF Hillsborough )

1. Alfred W. Bodi, being first duly sworn, on oath deposes and says:
2. I am Senior Vice President, Claims, for North American Elite Insurance Company ("NAE").
3. In my capacity as Senior Vice President, Claims, of NAE, I am authorized to make the statements set forth in this affidavit on behalf of NAE and to bind NAE by these statements. As part of my employment responsibilities, I am responsible for supervising the handling and management of workers compensation claims under policies issued by NAE
4. After review of our records, I swear under oath that NAE should be dismissed from the above-entitled action for any or all of the following reasons:
  - (a) NAE has never written any written workers' compensation insurance in the state of Montana;
  - (b) NAE does not have any Montana workers' compensation insurance claims; and
  - (c) NAE has no claimants meeting the Court's criteria in this matter as set forth in the summons.
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 Petitioners' counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of NAE. After such 90 days, if no objection is lodged by the Petitioners' counsel, the Court will dismiss NAE from this action based on the sworn statements made by me in this affidavit
6. The above is true and correct to the best of my knowledge.



*Alfred W. Bodi*  
 Alfred W. Bodi.  
 Dated: January 23, 2006

So subscribed and sworn to before me this 23 day of January, 2006,  
*Catherine S. Dionne*  
 Notary Public for the State of New Hampshire - JUSTICE OF THE PEACE  
 My Commission Expires: 12/14/2007

DOCKET ITEM NO. 1266