

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

~~FILED~~

CASSANDRA SCHMILL

JAN 26 2006

Petitioner

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANTA STATE FUND

Intervenor.

AFFIDAVIT

STATE OF MISSOURI)
 : ss.
County of St. Louis)

¶ 1 I, LEO WINSTEAD, being first duly sworn upon oath, depose and say:

¶ 2 I, LEO WINSTEAD am a VICE PRESIDENT of MIDWEST EMPLOYERS CASUALTY COMPANY.

¶ 3 In my capacity as VICE PRESIDENT OF CLAIMS of MIDWEST EMPLOYERS CASUALTY COMPANY, I am authorized to make the statements set forth in this affidavit on behalf of MIDWEST EMPLOYERS CASUALTY COMPANY and to bind MIDWEST EMPLOYERS CASUALTY COMPANY by these statements.

¶ 4 After a review of our records, I swear under oath that MIDWEST EMPLOYERS CASUALTY COMPANY should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

DOCKET ITEM NO. 195

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LEE BRUNER
LISA A. LEVERT

January 25, 2006

Ms. Patricia J. Kessner
Clerk of Court
Workers' Compensation Court
1625 11th Avenue
P.O. Box 537
Helena, Montana 59624

Re: Cassandra Schmill v. Liberty Northwest Insurance Corporation and
Montana State Fund
WCC No. 2001-0300

Dear Ms. Kessner:

Enclosed for filing in the above-captioned matter are the original and one copy of the following:

1. Affidavit of Leo Winstead on behalf of Midwest Employers Casualty Company;
2. Affidavit of Carol J. Lapunzina on behalf of Starnet Insurance Company;
3. Affidavit of John F. Thelen on behalf of Continental Western Insurance Company;
4. Affidavit of John F. Thelen on behalf of Berkley Regional Company; and
5. Affidavit of John F. Thelen on behalf of Union Insurance Company.

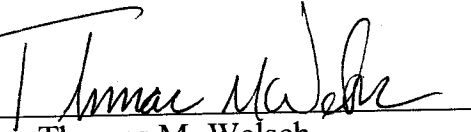
Ms. Patricia J. Kessner
January 25, 2006
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Please acknowledge receipt and filing date of the same by returning conformed copies in the stamped, pre-addressed envelope enclosed for your convenience.

Thank you.

Very truly yours,

POORE, ROTH & ROBINSON, P.C.

By 
Thomas M. Welsch

TMW:ct
Enclosures
cc: Laurie Wallace, Esq.