

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

**WCC No. 2001-0300**

**Cassandra Schmill**

**Petitioner**

**vs.**

**Liberty Northwest Insurance Corporation et al.**

**Respondent/Insurer.**

**FILED**

**JAN 30 2006**

**OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA**

**AFFIDAVIT**

STATE OF Pennsylvania                                )  
  ):       ss.  
County of Montgomery                                )

¶ 1 I, Linda M. Higgins, being first duly sworn upon oath, depose and say:

¶ 2 I, Linda M. Higgins, am the Vice President, Workers' Compensation and Medical Management of Harleysville Insurance Company.

¶ 3 In my capacity as Vice President, Workers' Compensation and Medical Management of Harleysville Insurance Company, I am authorized to make the statements set forth in the affidavit on behalf of Harleysville Insurance Company and to bind Harleysville Insurance Company by these statements.

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

- Harleysville Insurance Company has never written workers' compensation insurance in the state of Montana;
- \_\_\_\_\_ (NAME OF INSURER OR SELF-INSURER) does not have any Montana claims;
- \_\_\_\_\_ (NAME OF INSURER OR SELF-INSURER) has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- \_\_\_\_\_ (NAME OF INSURER OR SELF-INSURER) 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 Worker's Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Harleysville Insurance Company. After such 90 days, if no objection is lodged by counsel for Petitioner[s], 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 25<sup>th</sup> day of JANUARY, 2006

Linda M. Higgins Linda M. Higgins  
 (Name)  
VP, WC + Med Mgt, CLAIMS  
 (Title)

Signed and sworn to before me this 25<sup>th</sup> day of January, 2006.

Angela M. Wiebel  
 Notary Public for the State of Pa  
 Residing at: Montgomery  
 My Commission Expires: 10/21/06

(SEAL)

Notarial Seal  
 Angela M. Wiebel, Notary Public  
 Lower Salford Twp., Montgomery County  
 My Commission Expires Oct. 21, 2006  
 Member, Pennsylvania Association of Notaries