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FILED

FEB - 3 2006

OFFICE OF
 WORKERS' COMPENSATION JUDGE
 HELENA, MONTANA

Attorneys for Gray Insurance Company

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL,)	
)	
Petitioner,)	WCC NO. 2001-0300
)	
-vs-)	
)	
LIBERTY NORTHWEST INSURANCE)	
CORPORATION,)	AFFIDAVIT OF JOHN SANCHEZ
)	
Respondent/Insurer,)	
)	
and)	
)	
MONTANA STATE FUND,)	
)	
Intervenor.)	
)	

State of Louisiana)
 : ss
 Jefferson Parish)

- ¶ 1. I, John Sanchez, being first duly sworn upon oath, depose and say:
- ¶ 2. I, John Sanchez, am the Vice President of Claims for Gray Insurance Company.

Affidavit of John Sanchez

Affidavit of John Sanchez

¶ 3. In my capacity as Vice President of Claims for Gray Insurance Company, I am authorized to make the following statements set forth in this Affidavit on behalf of Gray Insurance Company and to bind Gray Insurance Company to these statements.

¶ 4. After a review of our records, I swear under oath that Gray Insurance Company should be dismissed from the above-entitled action for the following reasons:

Gray Insurance Company 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 counsel for Petitioner may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statements made by me on behalf of Gray Insurance Company. After such 90 days, if no objection is lodged by counsel for Petitioner, 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 31st day of January, 2006.

John Sanchez
Name

Vice President - Claims
Title

SIGNED AND SWORN TO before me this 31st day of January, 2006.

[Signature]
Printed Name: LISA S. MILLAR
Notary Public for the State of Louisiana
Residing in New Orleans, Louisiana
My commission expires: AT DEATH

(SEAL)

Affidavit of John Sanchez

UGRIN, ALEXANDER, ZADICK & HIGGINS, P.C.

JOHN D. ALEXANDER
NANCY P. CORY
MARK F. HIGGINS
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February 1, 2006

Our File: GR 75-01

Montana Workers Compensation Court
Jackie Bockman, Clerk of Court
P.O. Box 537
1625 11th Avenue
Helena, MT 59624-0537


Re: WCC No. 2001-0300
Schmill v. Liberty Northwest Ins. Co.

Dear Ms. Bockman:

Enclosed for filing please find the Motion to Dismiss Gray Insurance Company. Please conform the copy and return to me in the self-addressed, stamped envelope provided. Thank you.

Sincerely yours,

Ugrin, Alexander, Zadick & Higgins, P.C.

By: 
Mary K. Jaraczski

cc: F. Sibley (w/enclose)