



Mitsui Sumitomo Insurance Group

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VIA FEDEX AND FACSIMILE TO 406.892.0207

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OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Re: WCC No. 2001-0300
Schmill v. Liberty NW Ins. Corp., et al.

Dear Ms. Wallace:

Thank you for your February 6 letter. I spoke to David Leskauskas, Senior Vice President of Claims and signatory on the affidavit previously submitted in this matter. Please note the following information in response to the questions posed in your letter:

All claim history for Mitsui Sumitomo Insurance Company of America ("MSIA") and Mitsui Sumitomo Insurance USA, Inc. ("MSU") is stored in a single data base. The IT department ran a query against this database requesting a listing of ALL MSIA and MSU claims for the State of Montana with loss dates after July 1, 1987. The query returned a list of 57 claims. Three of these claims were Workers Compensation medical only claims. None of the claims had a loss date within the July 1, 1987 through June 22, 2001 period. The three claims identified had loss dates of 9/29/01, 4/22/04 and 10/15/04. None of these claims were occupational disease claims and there were no claims that involved payment of total disability benefits.

I trust you will find the above responsive to your inquiry and that this information will bring this matter to a close. Please feel free to contact me if you have any further questions or concerns. Thank you.

Sincerely,


Timothy S. Kelsey
Assistant Counsel

Cc: Montana Workers' Compensation Court
P.O. Box 537
Helena, Montana 59624-0537

D. Leskauskas

Mitsui Sumitomo Marine Management (U.S.A.), Inc., for
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