

In the Worker' Compensation Court  
Of the State of Montana

WCC No. 2001-0300

CASSANDRA SCHMILL

v.

LIBERTY NORTHWEST INSURANCE CORPORATION

and

MONTANTA STATE FUND

**FILED**

SEP 28 2006

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

AFFIDAVIT

1. I Angela Floyd Murphy, being first duly sworn upon oath, depose and say:
2. I, Angela Floyd Murphy, am the Regional Workers' Compensation Claims Manager for the State of Montana for the Pennsylvania Manufacturers' Association Insurance Company.
3. In my capacity as Regional Workers' Compensation Claims Manager for the State of Montana for the Pennsylvania Manufacturers' Association Insurance Company ("PMAIC"), I am authorized to make the statements set forth in this Affidavit on behalf of PMAIC and to bind PMAIC by these statements.
4. After a review of PMAIC's records, I swear under oath that PMAIC should be dismissed from the above entitled action for any or all of the following reasons:
  - A. PMAIC has no claimants meeting the court's criteria in this matter as set forth in the summons;
  - B. For the period of time prior to and including June 22, 2001, for dates of occupational disease occurring on or after July 1, 1987, PMAIC had seven (7) occupational disease claims in the State of Montana;
  - C. No apportionment was taken by PMAIC on any of the seven (7) claims;

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- D. Two (2) of the seven (7) claims did not involve accepted or formally acknowledged injuries and were closed with no payment made;
  - E. Three (3) of the seven (7) claims were "medical only claims" with no apportionment taken; and
  - F. Two (2) of the seven (7) claims involved indemnity and medical benefits however, said benefits were paid in full by PMAIC, with no apportionment taken.
5. I understand that the Montana Workers' Compensation Court may allow a period of up to ninety (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 PMAIC. After such ninety (90) days, if no objection is lodged by counsel for Petitioner, the Court will dismiss PMAIC from this action based on the sworn statements made by me in this Affidavit.
6. I swear under penalty of perjury that the foregoing is correct.

DATED this 26<sup>th</sup> day of September, 2006.

Angela Guld-Murphy  
 (Name)  
REGIONAL CLAIMS MANAGER  
 (Title)

Signed and sworn to before me this 26<sup>th</sup> day of September 2006.

Bridget A. Byrne

Notary Public for the State of:

Pennsylvania

Residing at: 380 Sandy Parkway Blue Bell PA

My Commission Expires: July 7, 2007

(SEAL)

NOTARIAL SEAL  
 Bridget A. Byrne, Notary Public  
 Whitpain Twp., County of Montgomery  
 My Commission Expires July 7, 2007



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The Honorable James Jeremiah Shea  
Workers Compensation Court  
P.O. Box 537  
Helena, MT 59624-0537

Re: Cassandra Schmill v. Pennsylvania Manufacturer's Association  
Insurance Company, et.al  
Workers' Compensation Court of the state of Montana  
WCC No. 2001-0300

Dear Judge Shea,

Enclosed please find the original and one (1) copy of the Affidavit of Angela Floyd Murphy on behalf of the Pennsylvania Manufacturers' Association Insurance Company with reference to the above matter. By copy of this letter the Affidavit is being served on Petitioner's counsel Laurie Wallace.

If Your Honor has any questions about this Affidavit or needs any further information, please contact the undersigned at you convenience.

Very Truly Yours

Donald Borrell  
AVP-Assistant General Counsel  
TEL: 610-307-5108

cc: Laurie Wallace, Esquire  
Bothe & Lauridsen, P.C.