

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

CASSANDRA SCHMILL

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANA STATE FUND

Intervenor

FILED

OCT - 2 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

AFFIDAVIT

STATE OF CONNECTICUT)
 : ss.
County of Fairfield)

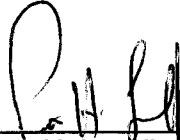
1. I, Peter H. Lovell, being first duly sworn upon oath, depose and say:
2. I, Peter H. Lovell, am the Senior Vice President & General Counsel of Hudson Insurance Company ("HIC").
3. In my capacity as Senior Vice President and General Counsel of HIC, I am authorized to make the statements set forth in this affidavit on behalf of HIC and to bind HIC by these statements.
4. After a review of our records, I swear under oath that HIC should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

- HIC has never written workers' compensation insurance in the state of Montana;
- HIC does not have any Montana claims;
- HIC has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- HIC 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 Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which Petitioner's counsel may conduct discovery and investigation for the limited purpose of providing or disproving the foregoing statement(s) made by me on behalf of HIC. After such 90 days, if no objection is lodged by the Petitioner's counsel, 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 26th day of September, 2006.



Peter H. Lovell
Senior Vice President and General Counsel
Hudson Insurance Company



Corinne Brennan
Notary Public for the State of Connecticut
Residing at: 114 Woodside Green, Stamford, CT 06905
My Commission Expires: February 28, 2010

(SEAL)



September 28, 2006

Via Regular Mail

Montana Worker's Compensation Court
P. O. Box 537
1625 11th Avenue
Helena, Montana 59624-0537

Attention: Clerk of Court

Re: Cassandra Schmill v. Liberty Northwest Insurance Corporation

Please find enclosed affidavits for Hudson Insurance Company, Odyssey America Reinsurance Corporation, Clearwater Select Insurance Company and Clearwater Insurance Company regarding the above matter.

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dina G. Daskalakis', is written over the typed name.

Dina G. Daskalakis
Assistant Vice President & Counsel

DGD:cb
Encls.

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