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FILED

OCT 11 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL,

Petitioner,

vs.

LIBERTY NORTHWEST INSURANCE
CORPORATION,

Respondent/Insurer,

and

MONTANA STATE FUND,

Intervenor.

WCC No. 2001-0300

MOTION TO PERMIT CONNIE LEE
INSURANCE COMPANY TO FILE A
RESPONSE TO THE SUMMONS
ISSUED HEREIN.

COMES NOW, Connie Lee Insurance Company and moves this Court for an order permitting it to file a response to the *Amended Summons and Notice of Attorney Fee Lien*, served in this case. Claimant's Counsel has been contacted regarding this motion and does not object. This motion is supported by the following brief:

BRIEF

On December 7, 2005, this Court issued an *Amended Summons and Notice of Attorney Fee Lien* ("Summons") to several Montana insurers to include Connie Lee Insurance Company. The Summons permitted the insurers to dispute the claimant's common fund claim. On January 23, 2006, Sentry Insurance Mutual Company filed a *Response to Summons* in which it set forth various defenses and objections relevant to the Claimant's assertion of a common fund.

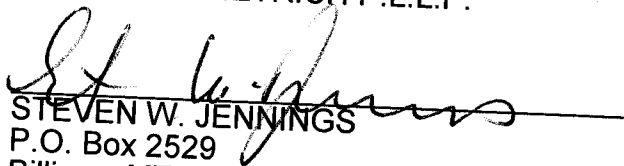
DOCKET ITEM NO. 312

Connie Lee Insurance Company was formerly known as Sentry Indemnity Company and was a subsidiary of Sentry Insurance Mutual Company. Sentry Indemnity was purchased by an entity completely unrelated to Sentry Insurance Mutual Company. Under the terms of the sale Sentry Insurance Mutual Company was to continue to act as the new owners' agent in administering all policies and claims underwritten by Sentry Indemnity Company and, after the name change, by Connie Lee Insurance Company. Accordingly, in its original response Sentry Insurance Mutual Company intended to also respond on behalf of Connie Lee Insurance Company but neglected to do so. In the event, this Court grants this motion Connie Lee Insurance Company intends to simply file a response adopting the *Response to Summons* filed by Sentry Insurance Mutual Company.

WHEREFORE, Respondent Sentry Insurance Mutual Company respectfully requests this Court to issue an order permitting it to file a response to the summons issued in this case.

Dated this 10th day of October 2006.

CROWLEY, HAUGHEY, HANSON,
TOOLE & DIETRICH P.L.L.P.



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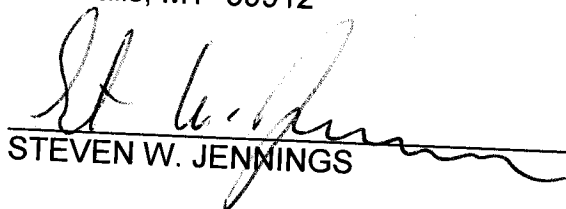
Attorneys for Connie Lee Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the following counsel of record, by the means designated below, this 10th day of October 2006:

- U.S. Mail
- FedEx
- Hand-Delivery
- Facsimile
- Email

Ms. Laurie Wallace
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Attorneys are licensed in Montana unless otherwise noted; * also licensed in North Dakota; # also licensed in Wyoming; + not licensed in Montana

October 10, 2006

Workers' Compensation Court
P. O. Box 537
Helena, MT 59624-0537

RE: *Cassandra Schmill v. Liberty NW Ins. Co. & MT State Fund*
WCC No. 2001-0300

Dear Clerk:

Enclosed please find the original and one copy of Connie Lee Ins. Co.'s Motion to Permit Connie Lee Ins. Co. to File a Response to the Summons Issued Herein. After filing the original, please conform the copy and return in the envelope provided.

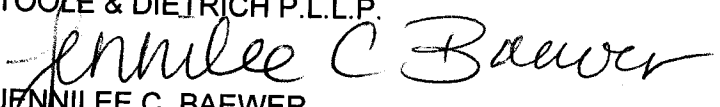
Also enclosed is a proposed Order for the Judge's review and signature.

I have also enclosed the original and one copy of Connie Lee's Response to the Summons, which can be filed upon the granting of the Order. Please conform the copy and return it, along with a signed copy of the Order, in the envelope provided once both have been filed with the Court.

Thank you in advance for your assistance with this matter.

Sincerely yours,

CROWLEY, HAUGHEY, HANSON,
TOOLE & DIETRICH P.L.L.P.


JENNILEE C. BAEWER
Legal Secretary to Steven W. Jennings