

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

Cassandra Schmill

Petitioner

vs.

Montana State Fund

Respondent/Insurer.

FILED

DEC 15 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

AFFIDAVIT

STATE OF Kansas)
: ss.
County of Leavenworth)

¶1 I Ardith G. Bequette (NAME), being first duly sworn upon oath, depose and say:

¶2 I, Ardith G. Bequette (NAME), am the Corporate Secretary (POSITION) of Armed Forces Insurance Exchange (AFIE) (NAME OF INSURER OR SELF-INSURER).

¶3 In my capacity as Corporate Secretary (POSITION) of AFIE (NAME OF INSURER OR SELF-INSURER), I am authorized to make the statements set forth in this affidavit on behalf of AFIE (NAME OF INSURER OR SELF-INSURER) and to bind AFIE (NAME OF INSURER OR SELF-INSURER) by these statements.

¶4 After a review of our records, I swear under oath that AFIE (NAME OF INSURER OR SELF-INSURER) should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

DOCKET ITEM NO. 87

- AFIE (NAME OF INSURER OR SELF-INSURER) has never written workers' compensation insurance in the state of Montana;
- _____ (NAME OF INSURER OR SELF-INSURER) does not have any Montana claims;
- _____ (NAME OF INSURER OR SELF-INSURER) has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- _____ (NAME OF INSURER OR SELF-INSURER) was or is in liquidation during the period in question set forth in the amended summons served upon me.

¶15 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[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of _____ (NAME OF INSURER OR SELF-INSURER). After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

¶16 I declare under penalty of perjury that the foregoing is correct.

DATED this 9th day of December, 2005.

Audith H. Bequette
(Name)

Corporate Secretary
(Title)

Signed and sworn to before me this 9th day of December, 2005.



(SEAL)

Edith M. Jones
Notary Public for the State of Kansas
Residing at: Easton, Kansas
My Commission Expires: 2 November 2008

9 December 2005



Armed Forces Insurance Exchange

PO Box G

Ft Leavenworth, KS 66027-0700

Workers Compensation Court
ATTN: Jackie Bockman
PO Box 537
Helena, MT 59624-0537

Dear Ms. Bockman:

Thank you for your assistance in explaining what was needed in this matter. I have enclosed an affidavit for the following cases that are pending in the Montana Workers Compensation Court:

- WCC No. 2001-0286 – Wild vs. Montana State Fund
- WCC No. 2002-0676 – Reesor vs. Montana State Fund
- WCC No. 03-615 – Rausch vs. Montana State Fund
- WCC No. 2000-0222 – Flynn vs. Montana State Fund
- WCC No. 2001-0300 – Schmill vs. Montana State Fund

As I indicated to you earlier, Armed Forces Insurance Exchange (AFIE) does not and has not written workers compensation coverage in the state of Montana.

If any further information is needed, please do not hesitate to let me know. Again, thanks for all of your help.

Cordially,



ARDITH G. BEQUETTE, CPCU
Vice President Administration and
Corporate Secretary

Encl:
Affidavits (5)