

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

NOV 16 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

AFFIDAVIT OF KENNETH G. RICHARDS, ATTORNEY OF COMMERCIAL LINES
FOR INTEGON NATIONAL INSURANCE COMPANY, NATIONAL AND GENERAL
ASSURANCE COMPANY, AND MIC GENERAL INSURANCE CORPORATION

STATE OF MICHIGAN)
County of Oakland) : ss.

I, KENNETH G. RICHARDS, being first duly sworn upon oath, deposes, and says:

1. I, KENNETH G. RICHARDS, am the Attorney of Commercial Lines of Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation.

2. In my capacity as Attorney of Commercial Lines of Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation, I am authorized to make the statements set forth in this affidavit on behalf of Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation and to bind Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation by these statements.

3. After a review of our records, I swear under oath that Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation should be dismissed from the above-entitled action for any or all of the following reasons:

1. 0300

0300

DOCKET ITEM NO. 309

INTEGON NATIONAL INSURANCE COMPANY, NATIONAL AND GENERAL ASSURANCE COMPANY, AND MIC GENERAL INSURANCE CORPORATION HAS NO CLAIMANTS MEETING THE COURT'S CRITERIA IN THIS MATTER AS SET FORTH IN THE SUMMONS.

4. 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 proving or disproving Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation. 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.

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

DATED this 1st day of November, 2006.

Kenneth G. Richards
Kenneth G. Richards,
Attorney of Commercial Lines for
Integon National Insurance
Company, National and General
Assurance Company, and MIC
General Insurance Corporation

Signed and sworn to before me this 1st day of November, 2006.

Monica Scerri
(Signature)

Monica Scerri
(Printed Name)

Notary Public for the State of Michigan

Residing at: Oakland, Michigan

My Commission Expires: 7-19-2012

(SEAL)

MONICA SCERRI
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Jul 19, 2012
ACTING IN COUNTY OF Oakland

INDUSTRY

OCT 31 2006

RELATIONS

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2.

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November 14, 2006

Ms. Pat Kessner
Clerk of Court
WORKERS' COMPENSATION COURT
P. O. Box 537
Helena, MT 59624-0357

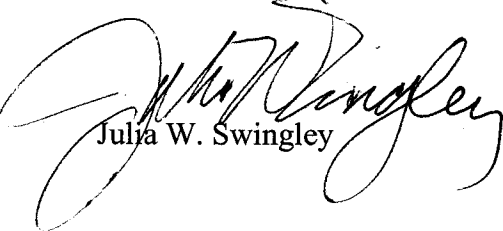
Re: Cassandra Schmill v. Liberty Northwest Insurance Corporation; No. 2001-0300

Dear Pat:

Enclosed for filing please find an original Affidavit from Ken Richards of Commercial Lines of Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation requesting that those insurers be dismissed from the above-referenced cause.

Please feel free to contact me with any questions. Thank you.

Sincerely,



Julia W. Swingley

JWS/vc

Enclosure

cc: Laurie Wallace, Esq.
Mr. Ken Richards