

MONTANA WORKERS' COMPENSATION COURT

Minute Book Hearing No. 3776
Volume XIX

Helena, Montana
November 21, 2006

CASSANDRA SCHMILL

Laurie Wallace

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Larry W. Jones

and

MONTANA STATE FUND

Bradley J. Luck
Thomas E. Martello

WCC No. 2001-0300

A telephone conference call came on this date in the above matter at the request of Bradley J. Luck on Montana State Fund's motion for stay. Laurie Wallace appeared on behalf of Petitioner. Bradley J. Luck appeared on behalf of Montana State Fund. Larry W. Jones appeared on behalf of Liberty Northwest. Steve Jennings appeared on behalf of numerous insurers. Thomas E. Martello appeared in person on behalf of Montana State Fund.

As to the applicable dates set out to be briefed in the Court's November 8, 2006, Order, paragraphs 3a and 3b, the parties had previously entered into a stipulation of those dates and this issue need not be briefed.

The parties are to confer as to how they want the issue in paragraph 2a of the Court's November 8, 2006, Order to be framed. They are to e-mail their suggestions to the Court for issuance of a new Order setting a briefing schedule as to the issue of whether the definitions in *Flynn* are applicable to *Schmill* as far as final and settled and narrowing the question as to whether *Flynn* is applicable or distinguishable.

Briefing deadlines on paragraphs 3c and 3d of the Court's November 8, 2006, Order will remain the same.

JAMES JEREMIAH SHEA
Judge

Minute Entry e-mailed to parties of record on November 22, 2006.

JB

Docket Item No. 334