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OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

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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

**STIPULATED MOTION TO PERMIT
LATE RESPONSE TO SUMMONS.**

COMES NOW, Respondent, Republic Indemnity of California, and the Plaintiff, Cassandra Schmill, and submit this stipulated motion requesting that this Court issue an order permitting Republic Indemnity of California to file a late response to the summons issued in this matter. This motion is supported by the following brief.

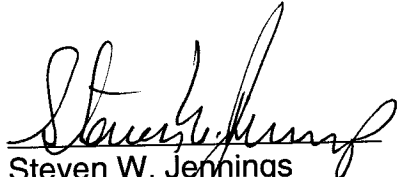
BRIEF

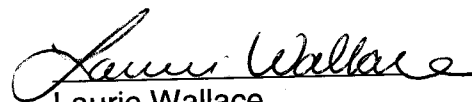
Counsel for Republic indemnity of California represents the Great American Insurance Group in this matter. That group consists of several entities including Republic Indemnity of America and Republic indemnity of California. On January 23, 2006, counsel responded to the Summons in this case on behalf of Republic Indemnity Company of America but not Republic Indemnity Company of California. Due to the similarity in names counsel did not realize that he had failed to also respond on behalf of the separate and distinct entity that is Republic Indemnity of California. After discovering this error, counsel for Republic Indemnity of California and counsel for

Cassandra Schmill have conferred and agreed to submit this stipulated motion. Should the Court grant this motion, Republic Indemnity of California intends to submit the attached Response to Summons adopting by reference that Response filed by Republic Indemnity of America on January 23, 2006 (Docket No. 152).

WHEREFORE Respondent, Republic Indemnity of California, and the Plaintiff, Cassandra Schmill respectfully request this Court to issue an order permitting Republic Indemnity Company of California to file to the attached Response to Summons.

Dated this 26th day of December 2006.


Steven W. Jennings
Attorney for Respondent
Republic Indemnity of California


Laurie Wallace
Attorney for Petitioner

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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

December 26, 2006

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

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

Dear Clerk:

Enclosed please find the original and one copy of a Stipulation Motion to Permit Late Response to Summons, Motion to Dismiss and a Response to Summons in the above-referenced matter. After filing the originals, please conform the copies and return them to our office in the envelope provided.

Also enclosed is a proposed Order for the Judge's review and signature. Thank you in advance for your assistance with this matter.

Sincerely yours,

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

Jennilee C. Bawer
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Legal Secretary to Steven W. Jennings

Enclosures