

**FILED**

**APR 27 2007**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

**WCC No. 2001-0300**

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**CASSANDRA SCMILL**

**Petitioner**

**vs.**

**LIBERTY NORTHWEST INSURANCE CORPORATION**

**Respondent/Insurer**

**MONTANA STATE FUND**

**Intervenor**

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**AFFIDAVIT**

STATE OF MINNESOTA )

: SS.

County of STEELE )

1. I, Laura Blahosky, being first duly sworn upon oath, depose and say:
2. I, Laura Blahosky, am Compliance Counsel of both Federated Mutual Insurance Company **and** Federated Service Insurance Company.
3. I in my capacity as Compliance Counsel of Federated Mutual Insurance Company **and** Federated Service Insurance Company, I am authorized to make the statements set forth in this affidavit on behalf of Federated Mutual Insurance Company **and** Federated Service Company and to bind both Federated Mutual Insurance Company **and** Federated Service Insurance Company by these statements.
4. After a review of our records, I swear under oath that Federated Mutual Insurance Company **and** Federated Service Insurance Company 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. 372

- \_\_\_\_\_ (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;
  - Federated Mutual Insurance Company and Federated Service Insurance Company have 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.
- 5 I understand that the Montana Workers' Compensation County may allow a period of up to 90 days for the date of filing this affidavit within which Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Federated Mutual Insurance Company and Federated Service Insurance Company. 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.
- 6 I declare under penalty of perjury that the foregoing is correct.

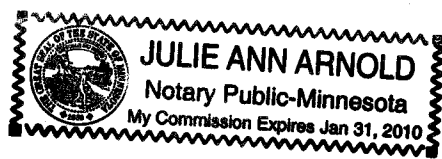
DATED this 18 day of April, 2007.

Daura K Blahesky  
 (Name)  
Compliance Counsel  
 (Title)

Signed and sworn to before me this 18th day of April, 2007.

Julie Ann Arnold  
 Notary Public for the State of MN  
 Residing at: 929 S Cedar Owatonna, MN 55060  
 My Commission Expires: 1-31-10

(SEAL)





121 East Park Square  
P.O. Box 328 • Owatonna, MN 55060  
Phone: (507) 455-5200 • 800-533-0472

April 18, 2007

CLERK OF COURT  
WORKERS COMPENSATION COURT  
1625 11<sup>TH</sup> AVENUE  
PO BOX 537  
HELENA, MT 59624-0537

**CERTIFIED MAIL**  
**RETURN RECEIPT**  
**REQUESTED**

RE: Schmill vs. Liberty Northwest Insurance Corp  
WCC No: 2001-0300

INSURERS: Federated Mutual Insurance Company  
Federated Service Insurance Company

Dear Sir or Madam:

Enclosed for filing in the above-referenced matter is an affidavit by Federated Mutual Insurance Company and Federated Service Insurance Company.

A diligent search of Montana worker's compensation claims of both Federated Mutual Insurance Company and Federated Service Insurance Company determined that there are no claimant's meeting the Court's criteria in Schmill. Therefore, we request the dismissal of both Federated Mutual Insurance Company and Federated Service Insurance Company from the above-captioned matter based upon the enclosed affidavit. It is our understanding that this can be accomplished without the necessity of a formal pleading. If the Court disagrees or has any questions, please contact me.

Sincerely,

Jeanne Hankerson  
Vice-President  
Director of Claims Legal & Compliance

Cc: Laurie Wallace  
Bothe & Lauridsen