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IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

FILED

WCC No. 2001-0300

JUN 03 2008

CASSANDRA SCHMILL

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

and

MONTANA STATE FUND

Intervenor.

AFFIDAVIT

STATE OF RHODE ISLAND

County of Providence

I, Brian Lajoie, being first duly sworn upon oath, depose and say:

I, Brian Lajoie, am the Claims Manager of Transport Insurance Company.

In my capacity as Claims Manager of Transport Insurance Company, I am authorized to make the statements set forth in this Affidavit on behalf of Transport Insurance Company and to bind Transport Insurance Company by these statements.

After a review of our records, I swear under oath that Transport Insurance Company should be dismissed from the above-entitled action for any or all of the following reason:

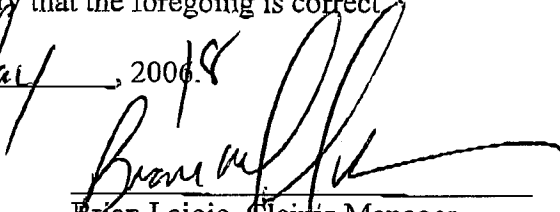
Transport Insurance Company has no claimants meeting the Court's criteria in this matter set forth in the Amended Summons and Notice of Attorney Fee Lien.

DOCKET ITEM NO. 428

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 may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement made by me on behalf of Transport Insurance Company. After such 90 days, if no objection is lodged by counsel for Petitioner, the Court will dismiss Transport Insurance Company from this action based on the sworn statement made by me in this Affidavit.

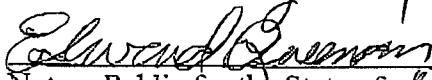
I declare under penalty of perjury that the foregoing is correct.

DATED this 5 day of May, 2008.



Brian Lajoie, Claims Manager
Transport Insurance Company

Signed and sworn to before me this 5th day of May, 2008.


Notary Public for the State of MT
Residing at Cambelard, MT
My Commission Expires: 11/6/2011

(SEAL)