

1625 11TH AVENUE
P.O. BOX 537
HELENA, MT 59624-0537



PHONE 406-444-7794
FAX 406-444-7798
TDD 406-444-0532
WWW.WCC.DLI.MT.GOV

WORKERS' COMPENSATION COURT

JAMES JEREMIAH SHEA
JUDGE

October 6, 2008

Ed Smith
Clerk of Montana Supreme Court
Justice Building
215 No. Sanders
Helena, MT 59620-3003

Re: Cassandra Schmill v. Liberty Northwest Insurance Corporation and
Montana State Fund
WCC No. 2001-0300
Supreme Court No. 08-0407

Dear Mr. Smith:

Documents docketed with the Workers' Compensation Court in the above-entitled matter are listed on the following pages. The entire original Workers' Compensation Court file is hand-delivered this date with the exception of a file marked "confidential." That confidential file is not being transmitted due to the fact that information pertaining to other common fund claimants is included in the file and is not pertinent to this appeal.

If you have any questions regarding this information please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marian A. Collins".

Marian A. Collins
Deputy Clerk of Court

MAC
c: all counsel of record via website

Enclosures

DOCKET ITEM NO. 452



Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 1

Plan: 2

Petitioner: Cassandra Schmill
Respondent: Liberty Northwest Insurance Corporation
Employer: Muralt's Truck Plaza

Petitioner's Attorney Laurie Wallace
Respondent's Attorney: Randall J. Colbert
Respondent's Attorney: Larry W. Jones
Respondent's Attorney: Bradley J. Luck
Additional Attorney Ronald W. Atwood
Additional Attorney William R. Bieler
Additional Attorney Mark E. Cadwallader
Additional Attorney KD Feedback
Additional Attorney Bryce R. Floch
Additional Attorney Oliver H. Goe
Additional Attorney Norman H. Grosfield
Additional Attorney Brian J. Hopkins
Additional Attorney Robert F. James
Additional Attorney Mary Jaraczeski
Additional Attorney Steven W. Jennings
Additional Attorney Rebecca L. Summerville
Additional Attorney Leo S. Ward
Additional Attorney Daniel J. Whyte
Additional Attorney Kelly M. Wills

DOCKET

| | Date Filed | Description | Pages |
|---|------------|--|-------|
| 1 | 03/12/2001 | Petition For Hearing. | 3 |
| 2 | 03/12/2001 | Scheduling Order (6/18/01 MSO). | 3 |
| 3 | 03/12/2001 | ~Clerk's Certificate Of Service. | 1 |
| 4 | 04/04/2001 | Notice Of Service Of Discovery. | 2 |
| 5 | 04/04/2001 | Response To Petition For Hearing. | 3 |
| 6 | 04/06/2001 | Notice Of Service. | 2 |
| 7 | 04/27/2001 | Notice Of Service. | 2 |
| 8 | 05/11/2001 | Petitioner's List Of Witnesses And Exhibits. | 2 |
| 9 | 05/17/2001 | Affidavit Of Jaimie Kern. | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 2

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|---------------|--|-------|
| 10 05/17/2001 | Motion For Summary Judgment And Supporting Brief (Respondent). | 3 |
| 11 05/29/2001 | Petitioner's Response To Respondent's Motion For Summary Judgment. | 2 |
| 12 05/30/2001 | Notice Of Service Of Discovery. | 2 |
| 13 06/04/2001 | Telephone Conference Call - Minute Book Hearing #3119. | 1 |
| 14 06/12/2001 | Stipulation For Submission On Agreed Facts. | 3 |
| 15 06/15/2001 | Notice Of Constitutional Challenge. | 1 |
| 16 06/22/2001 | Notice Of Intent Not To Intervene. | 2 |
| 17 06/22/2001 | ~Decision And Judgment. | 6 |
| 18 07/03/2001 | Motion To Reconsider And Request For Briefing Schedule (Respondent). | 2 |
| 19 08/13/2001 | Brief In Support Of Motion For Reconsideration (Respondent). | 8 |
| 20 08/31/2001 | Order Denying Motion For Reconsideration. | 1 |
| 21 09/13/2001 | Motion To Stay Judgment And Supporting Brief (Respondent). | 3 |
| 22 09/13/2001 | Notice Of Appeal (Respondent). | 2 |
| 23 09/13/2001 | ~Clerk's Certificate Of Service (Notice Of Appeal). | 1 |
| 24 09/20/2001 | Order Granting Stay Of Judgment And Waiving Bond. | 1 |
| 25 09/21/2001 | Original Court File Hand Delivered To The Supreme Court. | |
| 26 09/21/2001 | ~No Transcript Ordered, Submitted On Briefs. | |
| 27 10/17/2001 | Mediator's Report (Not Settled). | 2 |
| 28 04/11/2003 | Supreme Court Decision (#820). | 12 |
| 29 04/25/2003 | Order Authorizing Withholding. | 2 |
| 30 04/30/2003 | Remittitur Received From The Supreme Court. | 1 |
| 31 05/06/2003 | Affidavit Of Bradley J. Luck. | 2 |
| 32 05/06/2003 | State Fund's Motion To Intervene And Brief In Support. | 7 |
| 33 05/07/2003 | Original Court File Returned From The Supreme Court. | |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 3

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|---------------|---|-------|
| 34 05/21/2003 | Order Permitting Intervention. | 1 |
| 35 06/25/2003 | Conference In Helena - Minute Book Hearing #3339. | 1 |
| 36 07/03/2003 | Transcript Of Proceedings (6/25/03). | 45 |
| 37 07/14/2003 | Notice Of Attorney Fee Lien. | 2 |
| 38 08/27/2003 | Motion For Stay And Request For Direction On Implementation (Intervenor). | 4 |
| 39 08/28/2003 | Conference In Helena - Minute Book Hearing #3352. | 2 |
| 40 09/12/2003 | Transcript Of Proceedings (8/28/03). | 52 |
| 41 10/24/2003 | Second Status Report To Court. | 3 |
| 42 02/12/2004 | Stipulation Regarding Prospective Claims. | 2 |
| 43 02/13/2004 | Order Regarding Claims. | 1 |
| 44 02/13/2004 | Status Report To The Court. | 3 |
| 45 02/20/2004 | Telephone Conference - Minute Book Hearing #3426. | 2 |
| 46 02/27/2004 | Joint Statement Of Stipulated Facts. | 11 |
| 47 03/26/2004 | Order Extending Time To File Brief. | 1 |
| 48 03/29/2004 | Liberty's Brief Regarding Common Fund And Retroactive Application. | 15 |
| 49 03/29/2004 | State Fund's Opening Brief Regarding Retroactivity, Common Fund Entitlement, Common Fund Fees And Global Lien Of Schmill's Counsel. | 29 |
| 50 03/29/2004 | Petitioner's Brief Regarding Common Fund And Retroactivity Issues. | 15 |
| 51 04/13/2004 | Liberty's Reply Brief. | 3 |
| 52 04/14/2004 | Petitioner's Reply Brief. | 8 |
| 53 04/14/2004 | State Fund's Answer Brief Regarding Retroactivity, Common Fund Entitlement, Common Fund Fees And Global Lien Of Schmill's Counsel. | 8 |
| 54 06/04/2004 | Decision And Judgment Regarding Common Fund Issues. | 20 |
| 55 06/22/2004 | Conference Call - Minute Book Hearing #3467. | 1 |
| 56 06/25/2004 | Order Amending And Clarifying Judgment. | 1 |
| 57 06/25/2004 | Order Staying Judgment. | 1 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 4

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|---------------|---|-------|
| 58 06/30/2004 | Notice Of Appeal (Respondent). | 2 |
| 59 07/01/2004 | Clerk's Certificate Of Service (Notice Of Appeal). | 1 |
| 60 07/06/2004 | Petitioner's Notice Of Cross Appeal. | 2 |
| 61 07/06/2004 | Clerk's Certificate Of Service (Notice Of Cross Appeal). | 1 |
| 62 07/07/2004 | Stipulation For Abeyance. | 2 |
| 63 07/08/2004 | Intervenor's Notice Of Appeal. | 2 |
| 64 07/08/2004 | Clerk's Certificate Of Service (Intervenor's Notice Of Appeal). | 1 |
| 65 08/04/2004 | Mediator's Report (Not Settled). | 1 |
| 66 08/16/2004 | Original Court File And Transcripts Hand Delivered To The Supreme Court. | |
| 67 04/22/2005 | Supreme Court Order. | 1 |
| 68 06/07/2005 | Supreme Court Decision (#855). | 11 |
| 69 07/06/2005 | Original Court File Returned From The Supreme Court. | |
| 70 07/14/2005 | In-Person Conference - Minute Book Hearing #3623. | 9 |
| 71 07/18/2005 | Responsive Letter From Cadwallader To Clerk Of Court (UEF)(7/15/05). | 2 |
| 72 07/26/2005 | Transcript Of Proceedings (7/14/05). | 145 |
| 73 08/30/2005 | Copy Of Letter From Thomas J. Murphy To Bradley J. Luck (8/29/05). | 1 |
| 74 09/16/2005 | Letter From Thomas J. Harrington To Judge Shea With Attached Draft Of Order Authorizing Withholding (9/15/05). | 4 |
| 75 09/21/2005 | Memo From Judge Shea To Common Fund Litigation Files With Attached Letter From Judge Shea To John Connor (9/21/05). | 2 |
| 76 09/26/2005 | Summons And Notice Of Attorney Fee Lien. | 7 |
| 77 09/27/2005 | E-mail From Court To All Common Fund Counsel. | 4 |
| 78 09/30/2005 | Letter From John P. Connor To Judge Shea (Commission On Unauthorized Practice) (9/24/05). | 1 |
| 79 12/07/2005 | Amended Summons And Notice Of Attorney Fee Lien. | 9 |
| 80 12/07/2005 | Court Note - Minute Book Hearing #3647. | 1 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 5

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|--|-------|
| 81 12/07/2005 | [Docketed Out Of Order--Filed 12/06/05] Letter From Murphy To Judge Shea (11/23/05) | 2 |
| 82 12/07/2005 | [Docketed Out Of Order--Filed 12/06/05] Memo To Counsel And All Parties Of Record With Blank Affidavit Form. | 3 |
| 83 12/12/2005 | Affidavit (Lyndon Property Insurance - J. Dale Koester). | 2 |
| 84 12/12/2005 | Affidavit (Triad Guaranty Insurance Corporation - Eric B. Dana). | 2 |
| 85 12/14/2005 | Affidavit (Permanent General Assurance Corporation - John B. Allyn). | 2 |
| 86 12/15/2005 | Affidavit (Quanta Indemnity Company - Martha Bannerman). | 2 |
| 87 12/15/2005 | Affidavit (Armed Forces Insurance Exchange - Ardith G. Bequette). | 2 |
| 88 12/16/2005 | Affidavit (National Indemnity Company - Rod Rathbun). | 2 |
| 89 12/19/2005 | Notice of Appearance And Filing Of Affidavit Of Dismissal (Lumber Mutual Insurance Company). | 1 |
| 90 12/19/2005 | Affidavit (Lumber Mutual Insurance Company - David Cariglia). | 2 |
| 91 12/19/2005 | Affidavit (Yosemite Insurance Company - A. Bruce Casteel). | 2 |
| 92 12/19/2005 | Affidavit (Quanta Indemnity Company - John Carr). | 2 |
| 93 12/19/2005 | Affidavit (American Fuji Fire & Marine Insurance Company - Nigel J. Griffey). | 2 |
| 94 12/19/2005 | Affidavit (Shelby Casualty Insurance Company - George E. Cash). | 2 |
| 95 12/20/2005 | Affidavit (Occidental - John Mininger). | 2 |
| 96 12/20/2005 | Affidavit Of Larry A. Crotser (Gerling America Insurance Company). | 2 |
| 97 12/20/2005 | Affidavit (Euler American Credit Indemnity Company - Gary H. Shapiro). | 2 |
| 98 12/20/2005 | Affidavit (Great Midwest Insurance Company - Gary R. Thomas). | 2 |
| 99 12/20/2005 | Affidavit (Motors Insurance Corporation - Mary Ann Townsend). | 2 |
| 100 12/20/2005 | Affidavit (CIM Insurance Company - Mary Ann Townsend). | 2 |
| 101 12/20/2005 | Affidavit (MIC Property & Casualty Insurance Corp. - Mary Ann Townsend). | 2 |
| 102 12/21/2005 | Letter (Allied Insurance - Form Letter--Unable To Match To Any Claim For Processing). | 1 |
| 103 12/21/2005 | Affidavit (Atlanta International Insurance - Marie Rante). | 2 |
| 104 12/22/2005 | Affidavit (Triton Insurance Company - Marla Dena Lee). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 6

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|--|-------|
| 105 12/23/2005 | Affidavit (Bristol West Insurance Company - Eric S. Gordon). | 2 |
| 106 12/23/2005 | Affidavit (United Fire & Casualty - Neal R. Scharmer). | 2 |
| 107 12/25/2005 | Affidavit (Caterpillar Insurance Company - Donald J. Meyers). | 2 |
| 108 12/27/2005 | Affidavit (ACIG Ins. Co. - Susie McGee). | 2 |
| 109 12/27/2005 | Affidavit (Harco National Ins. Co. - David F. Kronbach). | 2 |
| 110 12/27/2005 | Affidavit (Nationwide Agribusiness - Nicolle Schippers). | 2 |
| 111 12/27/2005 | Affidavit (Phico Ins. Co. - R. Peter Ericson). | 2 |
| 112 12/27/2005 | Affidavit (Verex Assurance, Inc. - Jeannie B. Green). | 2 |
| 113 12/27/2005 | Affidavit (Alea North America Ins. Co. - Suzanne R. Fetter). | 2 |
| 114 12/27/2005 | Affidavit (Merastar Ins. Co. - Stephen W. Brandt). | 2 |
| 115 12/27/2005 | Affidavit (AXA Re America Ins. Co. - Susan B. Wilcher). | 2 |
| 116 12/27/2005 | Affidavit (AXA Corporate Solutions Ins. Co. - Susan B. Wilcher). | 2 |
| 117 12/27/2005 | Affidavit (Brotherhood Mutual Insurance Company - Michael J. Allison). | 2 |
| 118 12/28/2005 | Affidavit (Providence Property & Casualty Insurance Company - L. John Ratzel, Jr.). | 2 |
| 119 12/28/2005 | Affidavit (Frankenmuth Mutual Insurance Company - Morrall M. Claramunt). | 2 |
| 120 12/28/2005 | Letter From Court To Michael J. Allison (Brotherhood Mutual Ins. Co.) (12/28/05). | 2 |
| 121 12/29/2005 | Affidavit (American Centennial Insurance Company - Luann M. Petrellis). | 2 |
| 122 12/29/2005 | Motion To Dismiss Wesco Insurance Company, Brief In Support And Supporting Affidav | 2 |
| 123 12/30/2005 | Affidavit (Florists' Mutual Ins. Co. - William W. Niemietz). | 2 |
| 124 01/03/2006 | Affidavit (Credit General Insurance Company - Douglas L. Hertlein). | 2 |
| 125 01/03/2006 | Affidavit (First Financial Insurance Company - Charles S. Whiffen). | 2 |
| 126 01/03/2006 | Affidavit (Alamance Insurance Company - Charles S. Whiffen). | 2 |
| 127 01/04/2006 | Affidavit (American Mutual Liability Insurance Company - Sandra MacGregor O'Brien). | 2 |
| 128 01/04/2006 | Affidavit (AMI Liquidating Trust, successor to the former operations of American Mutual Insurance Company of Boston - Sandra MacGregor O'Brien). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 7

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|--|-------|
| 129 01/06/2006 | Affidavit (American Commerce Insurance Company - Gerald Fels). | 2 |
| 130 01/09/2006 | Affidavit (Bristol West Insurance Company - Gregory J. Hammond). | 2 |
| 131 01/09/2006 | Affidavit (Security National Insurance Company - Gregory J. Hammond). | 2 |
| 132 01/09/2006 | Affidavit (National American Insurance Company Of California - Kevin Grant). | 2 |
| 133 01/09/2006 | Affidavit (Coregis Insurance Company - David Newkirk). | 2 |
| 134 01/09/2006 | Affidavit (Employers Reinsurance Corporation - David Newkirk). | 2 |
| 135 01/09/2006 | Affidavit (Westport Insurance Corporation - David Newkirk). | 2 |
| 136 01/09/2006 | Affidavit (Western Agricultural Insurance Company - David McNeill). | 2 |
| 137 01/09/2006 | Affidavit (National American Insurance Company Of California, Successor In Interest Of Mission American Insurance Company - Kevin Grant). | 2 |
| 138 01/12/2006 | Affidavit (Americas Insurance Company - Jonathan Francis). | 2 |
| 139 01/13/2006 | Affidavit (State Farm Fire & Casualty Company - David E. Bauer). | 2 |
| 140 01/17/2006 | Affidavit (International Indemnity Company - Harvey L. Sivley). | 2 |
| 141 01/17/2006 | Affidavit (Employers Mutual Casualty Company - Leon Zander). | 2 |
| 142 01/17/2006 | Affidavit (Union Insurance Company Of Providence - Leon Zander). | 2 |
| 143 01/17/2006 | Affidavit (Dakota Fire Insurance Company - Leon Zander). | 2 |
| 144 01/17/2006 | Affidavit (EMCASCO Insurance Company - Leon Zander). | 2 |
| 145 01/18/2006 | Affidavit (National Indemnity Company - Rod Rathbun). | 2 |
| 146 01/20/2006 | Motion To Dismiss Protective Insurance Company And Sagamore Insurance Company; Affidavit (Protective Insurance Company - Craig Morfas); Affidavit (Sagamore Insurance Company - Craig Morfas). | 6 |
| 147 01/20/2006 | Affidavit (DaimlerChrysler - Jeffrey J. Muzyk). | 2 |
| 148 01/20/2006 | Western Energy Company's Response To Amended Summons And Notice Of Attorney Fee Lien (With Attached Affidavit - Western Energy Company - Marvin I. Kron Jr.). | 4 |
| 149 01/20/2006 | Montana Resources, L.L.P.'s Motion For Extension Of Time To Respond To Amended Summons And Notice Of Attorney Fee Lien. | 3 |
| 150 01/20/2006 | Motion For Extension Of Time To File Response And Brief In Support (American Alternative Insurance Company, American Re-Insurance Company). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 8

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 151 01/20/2006 | Unopposed Motion For Extension Of Time To Respond To Summons (American Summit Ins. Co., Fairmont Insurance Company, Fairmont Premier Insurance Company, Fairmont Specialty Insurance Company, Gray Insurance Company, And TIG Insurance Company) | 3 |
| 152 01/23/2006 | Telephone Memorandum - Laurie Wallace And Steven W. Jennings (1/23/06). | 1 |
| 153 01/23/2006 | Response To Summons (AIG National Insurance Company; AIU Insurance Company; American Home Assurance Company; American International Insurance Company; American International Pacific Insurance Company; American International Specialty Lines Insurance; Birm | 5 |
| 154 01/23/2006 | Affidavit (SeaBright Insurance Company - D. Drue Wax). | 2 |
| 155 01/23/2006 | Affidavit (Villanova Insurance Company - Bruce Daley). | 2 |
| 156 01/23/2006 | Affidavit (Shell Pipeline Co., LP. - Jeffrey E. Bullen). | 2 |
| 157 01/23/2006 | Affidavit (Shell Western E&P - Jeffrey E. Bullen). | 2 |
| 158 01/23/2006 | Respondent Uninsured Employers' Fund Response To Amended Summons And Notice Of Attorney Fee Lien. | 6 |
| 159 01/23/2006 | Affidavit (Mitsui Sumitomo Marine Management - Dave Leskauskas). | 1 |
| 160 01/23/2006 | Villanova Insurance Company's (In Liquidation) Joinder In Brief Of Reliance Insurance Company (In Liquidation) Seeking Dismissal From Common Fund Actions. | 2 |
| 161 01/23/2006 | Affidavit (American Fire & Casualty; Avomark Ins. Co.; The Ohio Casualty Ins. Co.; Ohio Security Ins. Co.; West American - Warner Marshall). | 2 |
| 162 01/23/2006 | Emailed Response To Amended Summons Of Louisiana Pacific Corporation. | 5 |
| 163 01/23/2006 | Emailed - Response To Amended Summons Of J.H. Kelly LLC. | 5 |
| 164 01/23/2006 | Motion For Extension Of Time (Royal & Sunallinace; Lumbermans Underwriting; Alliance ASARCO; Benefis; Continental Casualty Co.; Golden Sunlight Mines; NW Healthcare, Corp.; NW Energy, LLC; FH Stoltze Land & Lumber; Safeway. | 2 |
| 165 01/23/2006 | Affidavit Of Andrea J. Morgan For And On Behalf Of Swiss Reinsurance America Corporation. | 2 |
| 166 01/23/2006 | Affidavit Of Alfred W. Bodi For And On Behalf Of North American Elite Insurance Company. | 1 |
| 167 01/23/2006 | Notice Of Representation; Certificate of Service; Affidavit Of Reliance Insurance Company (In Liquidation) - Gail M. Burgess. | 3 |
| 168 01/23/2006 | Respondent Teck Cominco American Incorporated's Unopposed Motion For Extension Of Time To Answer Summons. | 2 |
| 169 01/23/2006 | Notice Of Appearance Of Argonaut Insurance Co., Argonaut Midwest Insurance Co., And Argonaut Northwest Insurance Co. | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 9

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|---------------|--|-------|
| 17001/23/2006 | Notice Of Appearance Of Trinity Universal Insurance Co. Of Kansas, Trinity Universal Insurance Co. And Security National Insurance Company. | 2 |
| 17101/23/2006 | Notice Of Appearance Of Ohio Casualty Insurance Co., West American Insurance Co., American Fire And Casualty Co., Great American Insurance Co. Of New York, Great American Alliance Insurance Co., Great American Insurance Co., Great American Assurance Co., | 2 |
| 17201/23/2006 | Notice Of Appearance Of Smurfit Stone Container Enterprises, Inc. (Formerly Smurfit Stone Container Corporation). | 2 |
| 17301/23/2006 | Notice Of Appearance Of Montana Schools Group Insurance Authority. | 2 |
| 17401/23/2006 | Notice Of Appearance Of American Hardware Mutual Insurance Company. | 2 |
| 17501/23/2006 | Notice Of Appearance Of Montana Municipal Insurance Authority. | 2 |
| 17601/23/2006 | FAX-E-Mail Affidavit (GuideOne Specialty Mutual Insurance Company - Sam Waters). | 2 |
| 17701/23/2006 | FAX-E-Mail Affidavit (GuideOne Mutual Insurance Company - Sam Waters). | 2 |
| 17801/23/2006 | MACo Workers' Compensation Trust's Response To Amended Summons. | 2 |
| 17901/23/2006 | Response To Summons (Missoula County And Missoula County Workers' Compensation Group Insurance Authority). | 2 |
| 18001/23/2006 | Response To Summons (Qwest Corporation). | 2 |
| 18101/23/2006 | Affidavit (Heritage Casualty Insurance Company - John B. Euwema). | 2 |
| 18201/23/2006 | Affidavit (AIG Premier Insurance Company - John B. Euwema). | 2 |
| 18301/24/2006 | Motion To Dismiss And Affidavit (Millers First Insurance Company - Angela M. Schulmeister). | 4 |
| 18401/24/2006 | Affidavit (Amerisure Insurance Company - Paul Sommers). | 2 |
| 18501/24/2006 | Affidavit (Evergreen National Indemnity Company - Charles D. Hamm). | 2 |
| 18601/24/2006 | Affidavit (Converium Reinsurance (North America) Inc. - Corcoran H. Byrne). | 2 |
| 18701/24/2006 | Affidavit (Converium Insurance (North America) Inc. - Roger Cyr). | 2 |
| 18801/25/2006 | Affidavit (Georgia-Pacific Corp. - Andrew Nelson). | 2 |
| 18901/25/2006 | Order (Granting Teck Cominco's Motion For Extension Of Time). | 1 |
| 19001/25/2006 | Order Extending Time To Respond For Montana Resources, L.L.P. | 1 |
| 19101/25/2006 | Order Granting Extension Of Time To Respond To Summons. | 1 |

Montana Workers' Compensation Court

10/06/2008

Page 10

WCC #: 2001-0300

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 192 01/26/2006 | Unopposed Motion For Extension Of Time (Arch Insurance Company, Florists' Mutual Insurance Company, The Navigators Group, Inc.) | 2 |
| 193 01/26/2006 | Notice Of Appearance And Answer To Amended Summons (American Ambassador Casualty Co.; Employers Ins. Co. Of Wausau; The First Liberty Ins. Corp.; Liberty Ins. Corp.; Liberty Ins. Underwriters Inc.; Liberty Mutual Fire Ins. Co.; Liberty Mutual Ins. Co.; Li | 2 |
| 194 01/26/2006 | Motion For Extension Of Time And Supporting Brief (Liberty Northwest Insurance Corporation). | 2 |
| 195 01/26/2006 | Affidavit (Midwest Employers Casualty Co. - Leo Winstead). | 2 |
| 196 01/26/2006 | Affidavit (Starnet Insurance Company - Carol J. Lapunzina). | 2 |
| 197 01/26/2006 | Affidavit (Continental Western Insurance Company - John F. Thelen). | 2 |
| 198 01/26/2006 | Affidavit (Berkley Regional Insurance Company - John F. Thelen). | 2 |
| 199 01/26/2006 | Affidavit (Union Insurance Company - John F. Thelen). | 2 |
| 200 01/27/2006 | Petitioners' Response To Missoula County And Missoula County Workers' Compensation Insurance Authority's Response To Amended Summons And Notice Of Attorney Fee Lien. | 2 |
| 201 01/27/2006 | Petitioners' Response To Qwest Corp.'s Response To Amended Summons And Notice Of Attorney Fee Lien. | 2 |
| 202 01/27/2006 | Petitioner's Objection To Insurer's Motion For Extension Of Time (Royal & Sunalliance; Lumberman's Underwriting; Alliance; ASARCO, Inc.; Benefits; Continental Casualty Co.; Golden Sunlight Mines, Northwest Healthcare Corp.; Northwestern Energy, LLC; F.H. | 2 |
| 203 01/30/2006 | Order Extending Time To Respond For Arch Insurance Company, Florists' Mutual Insurance Company, And The Navigators Group, Inc. | 1 |
| 204 01/30/2006 | Affidavit (American West Insurance Company - John F. Thelen). | 2 |
| 205 01/30/2006 | Affidavit (Harleysville Insurance Company - Linda M. Higgins). | 2 |
| 206 02/01/2006 | Affidavit (Providence Washington Insurance Company - Nancy Resende). | 2 |
| 207 02/01/2006 | Affidavit (York Insurance Company - Nancy Resende). | 2 |
| 208 02/01/2006 | Affidavit Of Elliot S. Orol (The Navigators Group, Inc.). | 2 |
| 209 02/02/2006 | Motion To Dismiss With Supporting Affidavit (FedEx Express, Inc. - Darron Perkins). | 4 |
| 210 02/03/2006 | Motion To Dismiss Gray Insurance Company. | 2 |
| 211 02/03/2006 | Affidavit Of John Sanchez (Gray Insurance Company). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 11

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 212 02/03/2006 | Motion To Dismiss Platte River Insurance Company W/ Affidavit Of Carmen Raha For A On Behalf Of Platte River Insurance Company And Affidavit Of Stuart M. De Haaff. | 3 |
| 213 02/03/2006 | Reply In Support Of Motion For Extension (Lumberman's Underwriting Alliance, ASARCO, Inc., Benefis Healthcare, Continental Casualty Co., Golden Sunlight Mines, Northwest Healthcare Corp., Northwestern Energy, LLC, F.H. Stoltze Land & Lumber Co., Plum Cree | 3 |
| 214 02/06/2006 | Motion To Dismiss Fairmont Specialty Insurance Company W/ Affidavit Of Kathy San Felipe. | 3 |
| 215 02/06/2006 | Affidavit (Hanover - Cathy Babiec). | 2 |
| 216 02/07/2006 | Motion To Dismiss American Summit Insurance Company W/ Affidavit Of John Pleskovitch. | 3 |
| 217 02/07/2006 | Unopposed Motion For Extension Of Time To Respond To Summons (Fairmont Insuran Company, Fairmont Premier Insurance Company, And TIG Insurance Company). | 3 |
| 218 02/07/2006 | Platte River Insurance Company's Notice Of Filing. | 2 |
| 219 02/08/2006 | Affidavit Of Brent Bates (Hortica f/k/a Florists' Mutual Insurance Company). | 2 |
| 220 02/08/2006 | Order Granting Extension Of Time To Respond To Summons (Fairmont Insurance Company, Fairmont Premier Insurance Company, And TIG Insurance Company). | 1 |
| 221 02/10/2006 | Amended Affidavit (National Indemnity Company - Rod Rathbun). | 2 |
| 222 02/13/2006 | Affidavit (Bancinsure, Inc. - Jodi Edwards). | 2 |
| 223 02/13/2006 | Response To Summons (American Alternative Insurance Corp.; American Re-Insurance Company; Centre Insurance Company; Clarendon National Insurance Company; Everes National Insurance Company; Evanston Insurance Company; Markel Insurance Compar Old Republi | 4 |
| 224 02/13/2006 | Response To Summons (American Economy Insurance Company, American States Insurance Company, American States Preferred Insurance Company, First National Insurance Company Of America, General Insurance Company Of America, Safeco Insurance Company Of America | 3 |
| 225 02/14/2006 | Notice Of Representation (Lumberman's Underwriting Alliance; ASARCO, Inc.; Benefis Healthcare; Continental Casualty Co.; Golden Sunlight Mines; Northwest Healthcare, Corp.; Northwestern Energy, LLC; F.H. Stoltze Land & Lumber Co.; Plum Creek Timber Co. In | 2 |
| 226 02/14/2006 | Affidavit (Direct National Insurance Companyf/k/a National Insurance Underwriters - L. Jackson Walker). | 2 |
| 227 02/15/2006 | Affidavit Of Joseph S. Labell (Arch Insurance Group, Inc.). | 2 |
| 228 02/21/2006 | Supplemental Response To Summons (Missoula County And Missoula County Workers 2 Compensation Group Insurance Authority). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 12

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 229 02/21/2006 | Unopposed Motion For Extension (Qwest Corporation). | 2 |
| 230 02/22/2006 | Letter From Terrance O. Couchman (TIG Insurance Company) To Court (2/16/06). | 1 |
| 231 02/22/2006 | Montana Resources, L.L.P.'s Motion For Extension Of Time To Respond To Amended Summons And Notice Of Attorney Fee Lien. | 3 |
| 232 02/22/2006 | Affidavit Of Daniel Gibson For And On Behalf Of Fort Wayne Health And Casualty Insurance Company. | 1 |
| 233 02/23/2006 | Order Extending Time To Respond For Montana Resources, L.L.P. | 1 |
| 234 02/23/2006 | Order Extending Time To Respond For Lumberman's Underwriting Alliance; ASARCO, Inc.; Benefis Healthcare; Continental Casualty Co.; Golden Sunlight Mines; Northwest Healthcare, Corp.; Northwestern Energy, LLC; F.H. Stoltze Land & Lumber Co.; Plum Creek Tim | 1 |
| 235 02/23/2006 | Order Extending Time To Respond For Qwest Corporation. | 1 |
| 236 02/24/2006 | Respondent Teck Cominco American Incorporated's Response To The Court's Summor | 4 |
| 237 03/01/2006 | Letter From Steven S. Carey To Court (2/27/06). | 1 |
| 238 03/08/2006 | Letter From Timothy S. Kelsey (Mitsui Sumitomo Insurance Group) To Laurie Wallace, Esq. (3/06/06). | 1 |
| 239 03/10/2006 | Motion To Dismiss (FedEx Ground Package System, Inc.) (With Attached Affidavit). | 2 |
| 240 03/10/2006 | Notice Of Appearance Of United States Liability Ins. Co. And Filing Of Affidavit Of J. Richard Peterson, Jr. | 1 |
| 241 03/10/2006 | Affidavit (J. Richard Petersen, Jr.) (United States Liability Insurance Company). | 2 |
| 242 03/13/2006 | Response To Summons (Fairmont Ins. Co.; Fairmont Premier Ins. Co.; TIG Ins. Co.). | 4 |
| 243 03/13/2006 | Affidavit (Montana Resources - Tad Dale). | 2 |
| 244 03/15/2006 | Letter (copy) From Andrea L. Nelson (Georgia-Pacific Corp.) To Laurie Wallace (3/13/06) | 1 |
| 245 03/15/2006 | Certificate Of Service By Mailing (Continental Western Insurance Company's Response To Discovery Requests; Union Insurance Company's Response To Discovery Requests American West Insurance Company's Response To Discovery Requests; MidWest Employers Casual | 3 |
| 246 03/16/2006 | Order Of Dismissal (Platte River Insurance Company). | 1 |
| 247 03/16/2006 | Notice of Service Of Discovery (FedEx Express, Inc.'s Response To Petitioner's Discovery Requests). | 2 |
| 248 03/16/2006 | Notice of Service Of Discovery (Millers First Insurance Company's Response To Petitioner's Discovery Requests). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 13

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 249 03/16/2006 | Motion To Strike Motion To Dismiss And Affidavit In Support Thereof (FedEx Ground Package System, Inc.). | 2 |
| 250 03/20/2006 | Order Granting Motion To Strike Motion To Dismiss And Affidavit In Support Thereof (Docket Entry #239 Is STRICKEN). | 1 |
| 251 03/22/2006 | Qwest's Supplemental Response To Amended Summons And Notice Of Attorney Fee Lien. | 2 |
| 252 03/23/2006 | Response To Amended Summons (Lumberman's Underwriting Alliance; ASARCO, Inc.; 2 Benefis Healthcare; Continental Casualty Co.; Golden Sunlight Mines; Northwest Healthcare, Corp.; Northwestern Energy, LLC; F.H. Stoltze Land & Lumber Co.; Plum Creek Timber Co. | 2 |
| 253 04/26/2006 | Motion to Dismiss Trinity Universal Insurance Co., of Kansas, Trinity Universal Insurance Co., and Security National Insurance Co. (With Attached Affidavit of Doug Mahan). | 3 |
| 254 05/02/2006 | Affidavit Of Darrel M. Seife (Bankers Multiple Line). | 2 |
| 255 05/02/2006 | Certificate Of Service (Affidavit Of Darrel M. Seife). | 1 |
| 256 05/08/2006 | Letter From Laurie Wallace To Court (Dismissal Of Insurers) (5/08/06). | 2 |
| 257 05/08/2006 | Affidavit (Teck Cominco American Incorporated - C. Bruce DiLuzio). | 2 |
| 258 05/23/2006 | E-Mail Letter From Laurie Wallace To Court (Dismissal of Insurers) (5/23/06). | 1 |
| 259 05/30/2006 | Order of Dismissal (ACIG Ins. Co.; AIG Premier Ins. Co.; Alamance Ins. Co.; Alea NA Ins. Co.; American Centennial Ins. Co.; American Commerce Ins. Co.; American Fuji Fir & Marine Ins. Co.; AMI Liquidating Trust, successor to the former operations of Amer | 3 |
| 260 06/21/2006 | E-Mail From Laurie Wallace To Court (Dismissal of Insurers) (6/21/06). | 1 |
| 261 06/22/2006 | Order of Dismissal (Florists Mutual Insurance Company and Gray Insurance Company). | 1 |
| 262 06/22/2006 | E-Mail From Laurie Wallace To Court (Dismissal of Insurers) (6/20/06). | 1 |
| 263 06/27/2006 | Order Of Dismissal (Employers Reinsurance Corporation and Westport Insurance Corporation). | 1 |
| 264 06/28/2006 | E-Mail From Laurie Wallace To Court (6/27/06). | 10 |
| 265 06/28/2006 | Memo From Court To Laurie Wallace (6/28/06). | 4 |
| 266 07/12/2006 | Affidavit of Sandy I. Mayernik (Republic Western Insurance Co.). | 3 |
| 267 08/08/2006 | Letter From Laurie Wallace To Court (8/07/06). | 1 |
| 268 08/08/2006 | Memo From Court To Parties and Counsel (Setting In-Person Conference on 9/20/06). | 1 |
| 269 08/21/2006 | Letter From Laurie Wallace To Bockman (Dismissing Qwest). | 1 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 14

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 270 08/22/2006 | Order Of Dismissal (Qwest). | 1 |
| 271 08/22/2006 | Motion To Dismiss And Supporting Affidavit (Lumberman's Underwriting Alliance). | 2 |
| 272 08/24/2006 | E-Mail From Court To Mr. Floch (8/24/06). | 1 |
| 273 08/24/2006 | Petitioner's Objection to LUA's Motion to Dismiss. | 2 |
| 274 09/06/2006 | Affidavit Of Michael Madden (Infinity Insurance Group; Atlanta Specialtiy Ins.). | 2 |
| 275 09/06/2006 | Affidavit Of Michael Madden (Infinity Insurance Group; Leader Insurance). | 2 |
| 276 09/06/2006 | E-Mail Correspondence From Laurie Wallace To Court (9/06/06). | 1 |
| 277 09/08/2006 | E-Mail Correspondence From Laurie Wallace To Court (9/08/06). | 1 |
| 278 09/11/2006 | Respondent Teck Cominco American Incorporated's Response To the Court's Summon | 2 |
| 279 09/15/2006 | Order Of Dismissal (American Fire & Casualty Co.; American Mutual Liability Ins. Co.; Atlanta International Ins. Co.; Avomark Ins. Co.; Evergreen National Indemnity Co.; Fort Wayne Health/Casualty Ins. Co.; Guideone Mutual Ins. Co.; Hanover Ins. Co.; Lumb | 2 |
| 280 09/18/2006 | Copy Of Letter From Laurie Wallace To KD Feedback (9/15/06). | 2 |
| 281 09/19/2006 | Request to Attend Hearing Via Telephone (Michael P. Heringer). | 3 |
| 282 09/20/2006 | Letter From Julie Pollack To Court (With Affidavit of North American Speciality Ins. Co.) (9/18/06). | 2 |
| 283 09/20/2006 | Hearing In Helena - Minute Hearing #3750. | 2 |
| 284 09/20/2006 | Notice of Appearance and Joinder of Response to Summons (Plum Creek Management Co. LP and Plum Creek Timber Co. LP). | 2 |
| 285 09/21/2006 | Affidavit Of Mike Davies (Allianz Global Risks). | 2 |
| 286 09/25/2006 | Order Of Dismissal (Mission American Ins. Co.; Reliance Ins. Co.; Reliance Universal Ins. Co.; United Pacific Ins. Co.) | 1 |
| 287 09/25/2006 | Letter From Barbara McCarthy of Washington Casulaty Company To Court (9/19/06). | 1 |
| 288 09/25/2006 | Affidavit (LaQuita Goodwin of Medical Assurance). | 2 |
| 289 09/25/2006 | Affidavit (Barbara McCarthy of Washington Casualty). | 2 |
| 290 09/28/2006 | Affidavit (Angela Floyd Murphy) (Pennsylvania Manufactures' Association Ins. Co.). | 2 |
| 291 09/29/2006 | Affidavit (Donald R. Bellinger) (Majestic Ins. Co.). | 2 |
| 292 10/02/2006 | Order Authorizing Withholding. | 2 |

Montana Workers' Compensation Court

WCC #: 2001-0300

Plan: 2

10/06/2008

Page 15

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 293 10/02/2006 | Affidavit (Metropolitan Property and Casualty Ins. Co. - Maura C. Travers). | 2 |
| 294 10/02/2006 | Affidavit (Metropolitan Direct Property and Casualty Ins. Co. - Maura C. Travers). | 2 |
| 295 10/02/2006 | Affidavit (Metropolitan General Ins. Co. - Maura C. Travers). | 2 |
| 296 10/02/2006 | Affidavit (Economy Fire & Casualty Co.). | 2 |
| 297 10/02/2006 | Affidavit (Economy Preferred Ins. Co. - Maura C. Travers). | 2 |
| 298 10/02/2006 | Affidavit (Economy Premier Assurance Company - Maura C. Travers). | 2 |
| 299 10/02/2006 | Affidavit (Country Mutual Ins. Co. - Jeffrey Gendron). | 2 |
| 300 10/02/2006 | Affidavit (Country Casualty Ins. Co. - Jeffrey Gendron). | 2 |
| 301 10/02/2006 | Affidavit (Country Preferred Ins. Co. - Jeffrey Gendron). | 2 |
| 302 10/02/2006 | Affidavit (Modern Service Ins. Co. - Jeffrey Gendron). | 2 |
| 303 10/02/2006 | Affidavit (Hudson Ins. Co. - Peter H. Lovell). | 2 |
| 304 10/02/2006 | Affidavit (Odyssey America Reinsurance Corp.). | 2 |
| 305 10/02/2006 | Affidavit (Clearwater Select Ins. Co. f/k/a Overseas Partners US Reinsurance Company [CSIC] - Peter H. Lovell). | 2 |
| 306 10/02/2006 | Affidavit (Clearwater Ins. Co. - Peter H. Lovell). | 2 |
| 307 10/03/2006 | Order of Dismissal (Allianz Global Risks US Insurance Co., AMCO Insurance Company, Atlanta Specialty Ins. Co., Leader Insurance Company, Medical Assurance Co., Inc., Teck Cominco American Inc., Washington Casualty Company). | 1 |
| 308 10/11/2006 | Letter From K. Wills to Court (Dismissal of Bankers Multiple Line - 10/10/06). | 1 |
| 309 10/11/2006 | Letter From K. Wills to Court (Dismissal of Reliance Insurance Company - 10/10/06). | 1 |
| 310 10/11/2006 | Affidavit (Zenith Insurance Co. - Robert Hernandez). | 2 |
| 311 10/11/2006 | Transcript of Proceedings (09/20/06). | 52 |
| 312 10/11/2006 | Motion to Permit Connie Lee Insurance Company to File a Response to the Summons Issued Herein. | 2 |
| 313 10/12/2006 | Response to Summons (Montana State Fund). | 4 |
| 314 10/13/2006 | Memo From Court To Kelly M. Wills (10/13/06). | 1 |
| 315 10/16/2006 | Order of Dismissal (Clearwater Insurance Company, Clearwater Select Insurance Company f/k/a Overseas Partners , US Reinsurance Company, Country Mutual Insurance | 1 |

Montana Workers' Compensation Court

10/06/2008

Page 16

WCC #: 2001-0300

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|--|-------|
| | Company, Country Casualty Insurance Company, Country Preferred Insurance Compan Hudson Insur | |
| 316 10/16/2006 | Affidavit (J.H. Kelly, LLC - Barbara Jones). | 3 |
| 317 10/16/2006 | Motion to Dismiss (With Attached Affidavit of Great West Casualty Company - Terry J. Keime). | 2 |
| 318 10/20/2006 | Status Report and Request for Dismissal. | 1 |
| 319 10/20/2006 | Order of Dismissal (Odyssey American Reinsurance Corporation; Republic Western Insurance Company). | 1 |
| 320 10/23/2006 | Letter From Laurie Wallace to Court (Re Great West Casualty Co.) (10/20/06). | 1 |
| 321 10/30/2006 | Order (Granting Connie Lee Ins. Co.'s Request to File a Response to the Summons). | 1 |
| 322 10/30/2006 | Connie Lee Insurance Company's Response to the Summons Issued Herein. | 2 |
| 323 10/30/2006 | Letter From Laurie Wallace To Judge Shea (10/27/06). | 3 |
| 324 11/08/2006 | Order Delineating Issues to be Briefed. | 3 |
| 325 11/13/2006 | Motion to Add Additional Issues to be Briefed in the Briefing Schedule Set Forth in this Court's Order Delineating Issues to be Briefed (AIU INS. COMPANY; AMERICAN INTERNATIONAL PACIFIC INS. COMPANY; AMERICAN HOME ASSURANCE COMPANY; BIRMINGHAM FIRE INS. | 6 |
| 326 11/14/2006 | Order Denying Motion to Add Additional Issues to be Briefed. | 2 |
| 327 11/15/2006 | Response to Amended Summons and Notice of Attorney Fee Lien. | 3 |
| 328 11/16/2006 | Copy of Letter From Laurie Wallace to Steven Jennings (Great West Casualty Co.). | 1 |
| 329 11/16/2006 | Affidavit of Kenneth G. Richards, Attorney of Commercial Lines for Integon National Insurance Company, National and General Assurance Company, and MIC General Insurance Corporation. | 2 |
| 330 11/16/2006 | Motion for Stay and Memorandum in Support (Montana State Fund). | 6 |
| 331 11/17/2006 | E-Mail From Court to Parties of Record (11/17/06). | 2 |
| 332 11/17/2006 | Order of Dismissal (Metropolitan Property and Casualty Insurance Company, Metropolitan Direct Property and Casualty Insurance Company, Metropolitan General Insurance Company, Rpublic Western Insurance Company, Zenith Insurance Company) | 1 |
| 333 11/20/2006 | Affidavit (First Professionals Insurance Company - Robert Wortelboer). | 2 |
| 334 11/21/2006 | Conference Call - Minute Book Hearing #3776. | 1 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 17

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 335 11/21/2006 | Affidavit of David A. Seiser for Church Mutual Insurance Company. | 2 |
| 336 11/21/2006 | Motion to Stay and Brief in Support [11/20/06] (AIU Ins. Co.; American International Pacific Ins. Co.; American Home Assurance Co.; Birmingham Fire Ins. Co.; Commerce Industry Ins. Co.; Granite State Ins. Co.; Ins. Co. Of The State Of Pennsylvania; Nati | 3 |
| 337 11/29/2006 | Notice of Appearance and Answer to Amended Summons (Wausau Underwriters Insurance Company and CUMIS Insurance Society, Inc.). | 2 |
| 338 11/29/2006 | Order of Dismissal (Great West Casualty Company and First Professionals Insurance Company). | 1 |
| 339 11/30/2006 | Affidavit (Lumbermen's Underwriting Alliance - Marianna Valer). | 2 |
| 340 11/30/2006 | Motion to Dismiss and Supporting Brief W/ Affidavit (Montana Electric and Telephone Pool - Susan M. Olander). | 2 |
| 341 12/04/2006 | Letter From Laurie Wallace to Court (Re METSPool) (12/01/06). | 1 |
| 342 12/04/2006 | Motion to Dismiss (With Supporting Affidavit of FM Ins. Co. and Factory Mutual Ins. Co. William H. Dunn III). | 2 |
| 343 12/06/2006 | Order of Dismissal (Affiliated FM Insurance Company and Factory Mutual Insurance Company, collectively referred to as FM Global). | 1 |
| 344 12/06/2006 | Transcript of Proceedings (11/21/06). | 25 |
| 345 12/08/2006 | Affidavit (Professionals Advocate Ins. Co. - Neil W. Billings). | 2 |
| 346 12/11/2006 | Order Vacating and Resetting Briefing Schedule. | 2 |
| 347 12/12/2006 | Order of Dismissal (Professionals Advocate Insurance Company). | 1 |
| 348 12/18/2006 | Petitioner's Opening Brief Regarding Retroactivity. | 7 |
| 349 12/18/2006 | Response to Petitioner's Claim for Common Fund Attorneys' Fees. | 4 |
| 350 12/20/2006 | Order of Dismissal (Indiana Lumberman's Mutual Insurance Company). | 1 |
| 351 12/28/2006 | Stipulated Motion to Permit Late Response to Summons. | 2 |
| 352 12/28/2006 | Order Allowing the Late Filing of Republic Indemnity Company of California's Response Summons. | 1 |
| 353 12/28/2006 | Response to Summons (Republic Indemnity of California). | 2 |
| 354 01/05/2007 | Order of Dismissal (Church Mutual Insurance Company). | 1 |
| 355 01/16/2007 | Respondent Safeco Companies Brief in Response to Petitioner's Opening Brief Regarding Retroactivity (American Economy Insurance Company, American States Insurance Company of America, American States Preferred Insurance Company, First National | 11 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 18

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|--|-------|
| | Insurance Co | |
| 356 01/16/2007 | State Fund's Answer Brief Regarding Retroactivity. | 10 |
| 357 01/16/2007 | Respondent Insurer's Response Brief to Petitioner's Opening Brief Regarding Retroactiv (AIU Ins. Co., Am. Int'l Pac. Ins. Co., Am. Home Assur. Co., Birmingham Fire Ins. Co., Commerce & Industry Ins. Co., Granite State Ins. Co., Ins. Co. of the State of | 12 |
| 358 01/18/2007 | Respondent Liberty Northwest's Reply Brief. | 2 |
| 359 01/22/2007 | Respondent Uninsured Employers' Fund Response to Order Delineating Issues to be Briefed (Dated 12/07/06/Docketed Out of Order). | 2 |
| 360 01/25/2007 | Order of Dismissal (Integon National Ins. Co., MIC General Ins. Corp.). | 1 |
| 361 01/31/2007 | Petitioner's Reply Brief. | 8 |
| 362 03/15/2007 | Order of Dismissal (Montana Electric & Telephone Pool). | 1 |
| 363 03/22/2007 | Motion to Dismiss Lumberman's Underwriting Alliance. | 2 |
| 364 03/23/2007 | Petitioner's Response to Lumberman Underwriting Alliance's Motion to Dismiss. | 2 |
| 365 04/04/2007 | Reply in Support [of] Motion to Dismiss Lumberman's Underwriting Alliance. | 2 |
| 366 04/10/2007 | Notice (Intent to Appoint Jay Dufrecheau as Special Master). | 1 |
| 367 04/11/2007 | Order Granting Petitioner Extension of Time to Conduct Discovery. | 2 |
| 368 04/17/2007 | Montana State Fund's Interim Payment Letters. | |
| 369 04/23/2007 | Order (Appointing Jay Dufrechou as Special Master). | 1 |
| 370 04/23/2007 | Montana State Fund Interim Payment Letters. | |
| 371 04/25/2007 | Montana State Fund's Interim Payment Letters. | |
| 372 04/27/2007 | Affidavit (Federated Mututal Insurance Company and Federated Service Insurance Company). | 2 |
| 373 05/16/2007 | Montana State Fund's Interim Payment Letters. | |
| 374 06/04/2007 | Letter From Special Master Jay P. Dufrechou to Court (06/01/2007). | 1 |
| 375 06/06/2007 | Order of Dismissal (Federated Mutual Insurance Company and Federated Service Insurance Company). | 1 |
| 376 06/06/2007 | Petitioner's Motion to Compel Response to Discovery Requests from Lumbermen's Underwriting Alliance. | 3 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 19

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 377 06/15/2007 | Lumberman's Response to Petitioner's Motion to Compel. | 2 |
| 378 07/02/2007 | Montana State Fund's Interim Payment Letters. | |
| 379 07/10/2007 | Order Adopting Order of Special Master (Findings and Conclusions by Special Master on Petitioner's Motion to Compel Responses to Discovery Requests to Lumberman's underwriting Alliance). | 7 |
| 380 07/10/2007 | Order Adopting Order of Special Master (Findings and Conclusions by Special Master on 16 Issues Presented Pursuant to December 11, 2006, Order of the Workers' Compensation Court). | 16 |
| 381 07/31/2007 | Notice of Service (LUA's Responses to Petitioner's Discovery Letter). | 2 |
| 382 08/09/2007 | Notice of Special Master's Request for Status With Attached Request for Status Report on Outstanding Issues and Disputes. | 2 |
| 383 08/09/2007 | Letter From Laurie Wallace To Court (Requesting Dismissal of Lumbermen's Underwriting Alliance). | 1 |
| 384 08/09/2007 | Order of Dismissal (Lumbermen's Underwriting Alliance (a/k/a Lumberman's Underwriting Alliance)). | 1 |
| 385 08/30/2007 | Petitioner's Motion to Strike Affidavit of Vanliner Ins. Co. and Supporting Brief. | 3 |
| 386 08/30/2007 | Respondent Insurers' Status Report to Special Master (AIU Ins. Co.; Am. International Pacific Ins. Co.; Am. Home Assurance Co.; Birmingham Fire Ins. Co.; Commerce & Indus. Ins. Co.; Granite State Ins. Co.; Ins. Co. of the State of Pennsylvania; National U | 5 |
| 387 08/30/2007 | Respondents' Motion to Stay Proceedings (AIU Ins. Co.; Am. International Pacific Ins. Co.; Am. Home Assurance Co.; Birmingham Fire Ins. Co.; Commerce & Indus. Ins. Co.; Granite State Ins. Co.; Ins. Co. of the State of Pennsylvania; National Union Fire Ins | 8 |
| 388 08/31/2007 | Respondent Safeco Companies Notice of Joinder in Motion to Stay (American Economy Ins. Co.; American States Ins. Co. of America; American States Preferred Ins. Co.; First National Ins. Co. of America; General Ins. Co. of America; Safeco Ins. Co. of Americ | 2 |
| 389 08/31/2007 | Respondent Safeco Companies Notice of Joinder in Status Report to Special Master (American Economy Ins. Co.; American States Ins. Co. of America; American States Preferred Ins. Co.; First National Ins. Co. of America; General Ins. Co. of America; Safeco I | 2 |
| 390 08/31/2007 | Liberty's Status Report to Special Master. | 2 |
| 391 08/31/2007 | Status Report, Request for Stay, and Notice of Joinder (Montana State Fund). | 6 |
| 392 09/04/2007 | Petitioner's Status Report to Special Master. | 2 |
| 393 09/06/2007 | E-Mail From Court to Dan Whyte and Laurie Wallace. | 1 |
| 394 09/10/2007 | Unopposed Motion for Extension of Time (Vanliner Ins. Co.). | 2 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 20

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 395 09/12/2007 | Order for Extension of Time. | 1 |
| 396 09/13/2007 | Petitioner's Response to Responding Insurers' Motion to Stay Proceedings. | 6 |
| 397 09/18/2007 | Moving Respondent's Unopposed Motion for Extension to File Reply Brief Regarding Its Motion to Stay Proceedings (AIU Ins. Co.; Am. International Pacific Ins. Co. ; Am. Home Assur. Co.; Birmingham Fire Ins. Co.; Commerce & Indus. Ins. Co.; Granite State In | 5 |
| 398 09/19/2007 | Order Granting Respondents an Extension to File Reply Brief to Motion to Stay Proceedings. | 2 |
| 399 09/19/2007 | Liberty's Request for Stay. | 2 |
| 400 09/19/2007 | Respondent Safeco Companies Unopposed Motion for Extension to File Reply Brief Regarding its Motion to Stay Proceedings. | 2 |
| 401 09/20/2007 | Order Granting Respondent Safeco Companies' Unopposed Motion for Extension to File 1 Reply Brief Regarding its Motion to Stay Proceedings. | 1 |
| 402 09/28/2007 | Moving Insurers' Reply Brief to Petitioner's Response to Motion to Stay Proceedings (All 9 Ins Co; American Int'l Pacific Ins Co; American Home Assurance Co; Birmingham Fire Ins Co; Commerce & Industry Ins Co; Granite State Ins Co; Ins Co Of The State Of Pe | 9 |
| 403 09/28/2007 | Respondent Safeco Companies Notice of Joinder in Reply Brief Regarding Motion to Stay Proceedings (American Economy Ins. Co.; American States Ins. Co. of America; American States Preferred Ins. Co.; First National Ins. Co. of America; General Ins. Co. of | 2 |
| 404 10/26/2007 | Affidavit of Jeannine Novak (Vanliner Insurance Company). | 2 |
| 405 10/26/2007 | Telephone Memorandum (Laurie Wallace to Court). | 1 |
| 406 11/15/2007 | E-Mail From Laurie Wallace to Court (Requesting Dismissal of Vanliner Ins. Co.). | 1 |
| 407 11/16/2007 | Order of Dismissal (Vanliner Insurance Company). | 1 |
| 408 01/31/2008 | Affidavit of Rick Clark (Montana Loggers Exchange). | 2 |
| 409 01/31/2008 | Affidavit of Rick Clark (American Interstate Ins. Co.). | 2 |
| 410 02/14/2008 | Order Adopting Order of Special Master (Findings and Conclusions by Special Master on Request for Stay, Regarding Additional Issues Raised by Some Insurers, and Regarding Requests by Petitioner). | 7 |
| 411 02/25/2008 | Letter From Greg E. Overturf to Court Requesting Extension of Time to File Statement Regarding an Attorney Fee Hearing to March 7, 2008. | 1 |
| 412 02/25/2008 | Order Granting Extension of Time (MSF to File Statement Whether an Attorney Fee Hearing is Appropriate With Regard to Claimants). | 1 |
| 413 03/07/2008 | Motion and Brief in Support of Defendants' Unopposed Motion to Extend Filing Deadline [AIU Ins. Co., American Int'l Pac. Ins. Co., American Home Assurance Co., Birmingham | 4 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 21

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|--|-------|
| 414 03/07/2008 | Fire Ins. Co., Commerce & Industry Ins. Co., Granite State Ins. Co., Ins. Co. Of The Statement Regarding Appropriateness of Attorney Fee Hearing (Montana State Fund). | 4 |
| 415 03/10/2008 | Respondent Safeco Companies Unopposed Motion and Brief to Extend Filing Deadlines 3 (American Economy Ins. Co., American States Ins. Co. of America, American States Preferred Ins. Co., First National Ins. Co. of America, General Ins. Co. of America, Safeco | 3 |
| 416 03/10/2008 | Order Granting Extension of Time (for "gateway" legal issues). | 1 |
| 417 03/17/2008 | Liberty's Statement Regarding Appropriateness of Attorney Fee Hearing. | 2 |
| 418 04/10/2008 | Order of Dismissal (American Interstate Insurance Company and Montana Loggers Exchange). | 1 |
| 419 04/14/2008 | Responding Insurers' Brief and Motion to Dismiss on "Gateway Legal Issues" (AIU Ins. Co., Am. Int'l Pacific Ins. Co., Am. Home Assur. Co., Birmingham Fire Ins. Co., Commerce & Industry Ins. Co., Granite State Ins. Co., Ins. Co. Of The State Of Penn., Nat' | 21 |
| 420 04/14/2008 | Respondent Safeco Companies' Notice of Joinder in Opening Brief Regarding Gateway 2 Legal Issues (American Economy Ins. Co.; American States Ins. Co. of America, American States Preferred Ins. Co., First Nat'l Ins. Co. of Am., General Ins. Co. of Am., Safec | 2 |
| 421 04/24/2008 | Order Requesting Petitioner's Brief on Appropriateness of Attorney Fee Hearing. | 1 |
| 422 05/05/2008 | Petitioner's Response to Responding Insurers' "Gateway Legal Issues" and Motion to 10 Dismiss. | 10 |
| 423 05/05/2008 | Petitioner's Statement Regarding Appropriateness of Attorney Fee Hearing. | 2 |
| 424 05/14/2008 | Notice of Joinder of Opening Brief Regarding Gateway Legal Issues. | 2 |
| 425 05/16/2008 | Order Regarding Appropriateness of Attorney Fee Hearing. | 2 |
| 426 05/19/2008 | E-Mail Correspondence Between Bryce Floch, Laurie Wallace, and the Court Regarding 3 Lumberman's Underwriting Alliance Joining Opening Brief Regarding Gateway Legal Issues. | 3 |
| 427 05/23/2008 | Amended Notice of Joinder of Opening Brief Regarding Gateway Legal Issues. | 2 |
| 428 06/03/2008 | Affidavit (Transport Insurance Company). | 2 |
| 429 06/16/2008 | Responding Insurers' Statement on Implementation Issues (AIU Ins Co, American Int'l 9 Pacific Ins Co, American Home Assurance Co, Birmingham Fire Ins Co, Commerce & Industry Ins Co, Granite State Ins Co, Ins Co Of The State Of Penn, Nat'l Union Fire Ins Co | 9 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 22

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 430 06/16/2008 | Respondent Safeco Companies' Concurrence in Responding Insurers' Statement on Implementation Issues (American Economy Ins. Co., American States Ins. Co. of America, American States Preferred Ins. Co., First National Ins. Co. of America, General Ins. Co. o | 2 |
| 431 06/16/2008 | Respondent Safeco Companies' Notice of Joinder in Reply Brief Regarding Motion to Dismiss on "Gateway Legal Issues" (American Economy Ins. Co., American States Ins. Co. of America, American States Preferred Ins. Co., First National Ins. Co. of America, Ge | 2 |
| 432 06/16/2008 | Responding Insurers' Reply in Support of their Motion to Dismiss on "Gateway Legal Issues". | 911 |
| 433 06/20/2008 | Joint Status Report of Petitioner and Liberty Northwest. | 2 |
| 434 06/23/2008 | Joint Status Report of Petitioner and the Montana State Fund. | 3 |
| 435 06/23/2008 | Certificate of Service (Joint Status Report of Petitioner and the Montana State Fund). | 1 |
| 436 06/25/2008 | Response to Amended Summons (Economy, Fire & Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., subsidiaries of Travelers Property and Casualty Ins. Co.). | 2 |
| 437 06/25/2008 | Affidavit of Thomas A. Marra (Economy, Fire & Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., subsidiaries of Travelers Property and Casualty Ins. Co.). | 3 |
| 438 06/26/2008 | Notice of Joinder of Reply Brief in Support of Motion to Dismiss (ASARCO, Inc., Benefis Healthcare, Continental Casualty Co., Golden Sunlight Mines, Northwest Healthcare, Corp., Northwestern Energy, LLC, F.H. Stoltze Land & Lumber Co., Plum Creek Timber | 2 |
| 439 06/27/2008 | Order of Dismissal (Economy, Fire & Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., subsidiaries of Travelers Property and Casualty Ins. Co.). | 1 |
| 440 07/25/2008 | Telephonic Conference - Minute Book Hearing No. 3957. | 1 |
| 441 07/29/2008 | Order Adopting Order of Special Master - Findings and Conclusions of Special Master Denying Responding Insurers' Motion to Dismiss on "Gateway Legal Issues". | 11 |
| 442 08/08/2008 | Petitioner's Brief Regarding Calculation of Attorney Fees. | 4 |
| 443 08/13/2008 | E-Mail Communication from Martello to Wilson Requesting Extension of Time to File Answer Brief on Fee Calculation Issue. | 1 |
| 444 08/18/2008 | Montana State Fund's Response Brief Regarding Calculation of Attorney Fees. | 4 |
| 445 08/26/2008 | Petitioner's Reply to State Fund's Brief Regarding Calculation of Attorney Fees. | 3 |
| 446 08/27/2008 | [Copy of] Respondent Safeco Companies' Notice of Appeal (American Economy Insurance Company; American States Insurance Company of America; American States Preferred Insurance Company; First National insurance Copany of America; General Insurance Company o | 4 |

Montana Workers' Compensation Court

10/06/2008

WCC #: 2001-0300

Page 23

Plan: 2

DOCKET

| Date Filed | Description | Pages |
|----------------|---|-------|
| 447 08/27/2008 | [Copy of] Notice of Appeal (AIU Ins Co, Am Int'l Pacific Ins Co, Am Home Assurance Co Birmingham Fire Ins Co, Commerce & Industry Ins Co, Granite State Ins Co, Ins Co Of The State Of Pennsylvania, Nat'l Union Fire Ins Co Of Pittsburgh, PA, New Hampshire | 3 |
| 448 08/28/2008 | Respondent's Montana Municipal Insurance Authority and Montana Schools Group Workers' Compensation Program's Notice of Appeal. | 3 |
| 449 09/12/2008 | Notice of Filing (Supreme Court Notice of Appeal - August 27, 2008). | 1 |
| 450 09/17/2008 | [Uninsured Employers' Fund] Notice of Substitution of Counsel (Filed in Supreme Court | 5 |
| 451 10/06/2008 | Original Workers' Compensation Court file hand-delivered this date with the exception of the file marked "confidential." | |