

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001 - 0300

CASSANDRA SCHMILL

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer,

MONTANA STATE FUND

Intervenor.

FILED

MAR - 7 2012

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

AFFIDAVIT

STATE OF Wisconsin_____) : ss.
County of Portage__)

¶1 I, Eric M. Fugina_____ (NAME), being first duly sworn upon oath, depose and say:

¶2 I, Eric M. Fugina_____ (NAME), am the Claims Technical Specialist, Sr._____

(POSITION) of Sentry Select Insurance Company_____
(NAME OF INSURER OR SELF-INSURER).

¶3 In my capacity as Claims Technical Specialist, Sr.____ (POSITION) of Sentry Select Insurance Company____ (NAME OF INSURER OR SELF-INSURER), I am authorized to make the statements set forth in this affidavit on behalf of Sentry Select Insurance Company____ (NAME OF INSURER OR SELF-INSURER) and to bind Sentry Select Insurance Company____ (NAME OF INSURER OR SELF-INSURER) by these statements.

¶4 After a review of our records, I swear under oath that Sentry Select Insurance Company____ (NAME OF INSURER OR SELF-INSURER) should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

_____ (NAME OF INSURER OR SELF-INSURER)
has never written workers' compensation insurance in the state of Montana;

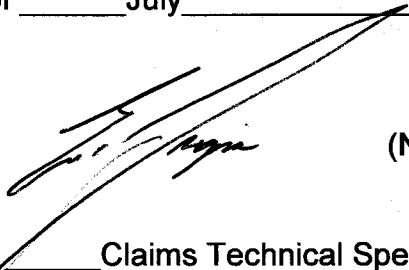
_____ (NAME OF INSURER OR SELF-INSURER)
does not have any Montana claims;

Sentry Select Insurance Company _____ (NAME OF INSURER OR SELF-INSURER) has no claimants meeting the Court's criteria in this matter as set forth in the summons;

¶15 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[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Sentry Select Insurance Company _____ (NAME OF INSURER OR SELF-INSURER). After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

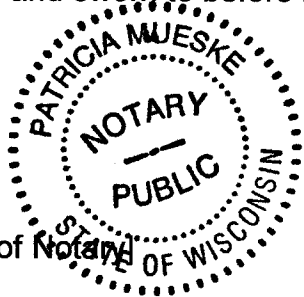
¶16 I declare under penalty of perjury that the foregoing is correct.


DATED this 22nd day of July, 2011.


(Name)

Claims Technical Specialist, Sr.
(Title)

Signed and sworn to before me this 22nd day of July, 2011.





[Signature of Notary]
Patricia Mueske

[Typed, stamped, or printed]

Name of Notary _____

(NOTARIAL SEAL)

_____ 2011

Notary Public for the State of Wisconsin
Residing at Wisconsin Rapids, WI
My commission expires: 01-18-2015