

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001 - 0300

CASSANDRA SCHMILL

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION, OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Respondent/Insurer,

MONTANA STATE FUND

Intervenor.

FILED

MAR - 7 2012

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 Middlesex Insurance Company. (NAME OF INSURER OR SELF-INSURER).

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

¶4 After a review of our records, I swear under oath that Middlesex 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):

484

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

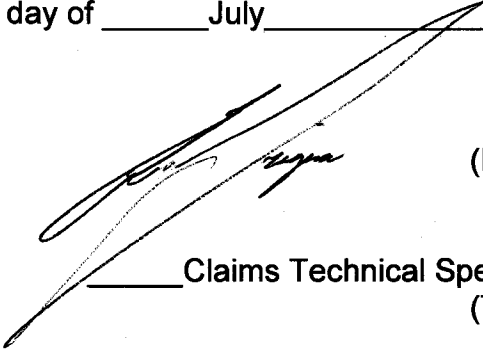
_____ (NAME OF INSURER OR SELF-INSURER)
does not have any Montana claims;

Middlesex 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;

¶5 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
Middlesex 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.

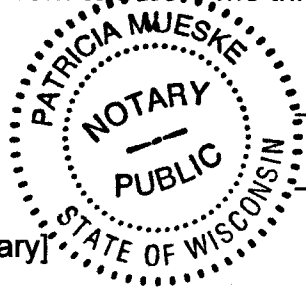
¶6 I declare under penalty of perjury that the foregoing is correct.


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