

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 CONNECTICUT)

County of Hartford ) : ss.

¶1 I, Kimberly D'Amato, being first duly sworn upon oath, depose and say:

¶2 I, Kimberly D'Amato, am a Home Office Consultant of **Property & Casualty Insurance Company of Hartford**.

¶3 In my capacity as Home Office Consultant of Property & Casualty Insurance Company of Hartford, I am authorized to make the statements set forth in this affidavit on behalf of Property & Casualty Insurance Company of Hartford and to bind Property & Casualty Insurance Company of Hartford by these statements.

¶4 After a review of our records, I swear under oath that Property & Casualty Insurance Company of Hartford 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;

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Property & Casualty Insurance Company of Hartford has 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 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 Property & Casualty Insurance Company of Hartford. 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 4 day of August, 2011.

Kimberly D'Amato  
Kimberly D'Amato

Home Office Consultant

Signed and sworn to before me this 4<sup>th</sup> day of AUGUST, 2011.

Lisa M. Vivarelli  
[Signature of Notary]

LISA M. VIVARELLI

[Typed, stamped, or printed Name of Notary]

Notary Public for the State of CONNECTICUT

Residing at \_\_\_\_\_

My commission expires: \_\_\_\_\_ 2011

(NOTARIAL SEAL)

**LISA M. VIVARELLI**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES MAR. 31, 2014