

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001 - 0300

FILED

CASSANDRA SCHMILL

MAR - 7 2012

Petitioner

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer,

MONTANA STATE FUND

Intervenor.

AFFIDAVIT

STATE OF Ohio

: ss.

County of Hamilton

¶1 I, Laurel P. Wolfenden, being first duly sworn upon oath, depose and say:

¶2 I, Laurel P. Wolfenden, am the Divisional Assistant Vice-President of Great American Insurance Company.

¶3 In my capacity as Divisional Assistant Vice-President of Great American Insurance Company, I am authorized to make the statements set forth in this affidavit on behalf of Great American Insurance Company pooled companies and bind Great American Insurance Company pooled companies by these statements. Great American Insurance Company pooled companies include:

Great American Insurance Company
Great American Alliance Insurance Company
Great American Insurance Company of New York
Great American Assurance Company
Great American Spirit Insurance Company

¶4 After a review of our records, I swear under oath that Great American Insurance Company should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

DO NOT WRITE IN THESE SPACES 493

_____ (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;

X - Great American Insurance Company pooled companies have 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 Great American Insurance Company pooled companies. 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 18th day of August, 2011.

Laurel P. Wolfenden

Laurel P. Wolfenden
Divisional Assistant Vice-President

Signed and sworn to before me this 9th day of August, 2011.

Karen L. Grosheim

[Signature of Notary]

KAREN L. GROSHEIM
NOTARY PUBLIC, STATE OF OHIO

[Typed, stamped, or printed name of Notary]

Notary Public for the State of Ohio
Residing at Cincinnati, OH
My commission expires: 2-20-16

(NOTARIAL SEAL)