

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 Corp., et al.

Respondent/Insurers

**AFFIDAVIT**

STATE OF New York )  
County of New York ) : ss.

¶1 I, Michael Baschwitz (NAME), being first duly sworn upon oath, depose and say:

¶2 I, Michael Baschwitz (NAME), am the Vice President (POSITION) of Centre Insurance Company (NAME OF INSURER OR SELF-INSURER).  
("Centre")

¶3 In my capacity as Vice President (POSITION) of Centre Ins. Co. (NAME OF INSURER OR SELF-INSURER), I am authorized to make the statements set forth in this affidavit on behalf of Centre Ins. Co. (NAME OF INSURER OR SELF-INSURER) and to bind Centre Ins. Co. (NAME OF INSURER OR SELF-INSURER) by these statements.

¶4 After a review of our records, I swear under oath that Centre Ins. Co. (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):

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- \_\_\_\_\_ (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;
- Centre Insurance Co. (NAME OF INSURER OR SELF-INSURER) has no claimants meeting the Court's criteria in this matter as set forth in the summons; and Flynn III, 2011 MT 300.
- \_\_\_\_\_ (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 Centre Ins. Co. (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 27<sup>th</sup> day of February, 2012

Michael Bantiff  
 \_\_\_\_\_  
 (Name)  
Vice President  
 \_\_\_\_\_  
 (Title)

Signed and sworn to before me this 27<sup>th</sup> day of February, 2012

Thomas F. Grogan  
 \_\_\_\_\_  
 Notary Public for the State of New York  
 Residing at: 50 Clinton Ave Ossining, NY  
 My Commission Expires: 11/30/2013

(SEAL)