

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

**FILED**

MAR - 8 2012

Cassandra Schmill

Petitioners

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

vs.

Liberty Northwest Insurance Corp., et al.

Respondent/Insurers.

AFFIDAVIT

STATE OF Iowa )  
County of Scott ) : ss.

- 1 I Lawrence E. Gorman (NAME), being first duly sworn upon oath, depose and say:
- 2 I, Lawrence E. Gorman am the Vice President, Claims of Bituminous Casualty Corporation ("Bituminous Casualty")
- 3 In my capacity as Vice President, Claims of Bituminous Casualty, I am authorized to make the statements set forth in this affidavit on behalf of Bituminous Casualty and to bind Bituminous Casualty by these statements.
- 4 After a review of our records, I swear under oath that Bituminous Casualty should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

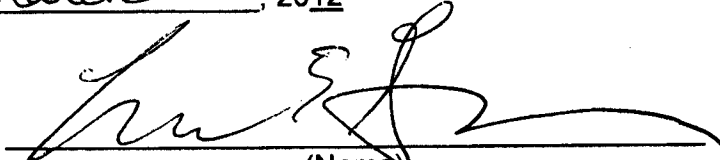
DOCKET ITEM NO. 512

- \_\_\_\_\_ (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;
- Bituminous Casualty 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 Bituminous Casualty. 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 2nd day of March, 2012

  
 \_\_\_\_\_  
 (Name)

Vice President, Claims  
 \_\_\_\_\_  
 (Title)

Signed and sworn to before me this 2nd day of March, 2012.



(SEAL)

Lori S. Paulus  
 \_\_\_\_\_  
 Notary Public for the State of Iowa  
 Residing at: Long Grove, Iowa  
 My Commission Expires: 9-19-12