

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

FILED

MAR - 8 2012

Cassandra Schmill

Petitioner

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

vs.

Liberty Northwest Insurance Corporation

Respondent/Insurer.

AFFIDAVIT

STATE OF Illinois)
) : ss.
County of Lake)

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

¶2 I, Kathleen Sturgeon (NAME), am the Senior Regulatory Counsel (POSITION) of Evanston Insurance Company ("Evanston") (NAME OF INSURER OR SELF-INSURER).

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

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

- _____ (NAME OF INSURER OR SELF-INSURER) has never written workers' compensation insurance in the state of Montana;
- Evanston (NAME OF INSURER OR SELF-INSURER) does not have any Montana claims;
- _____ (NAME OF INSURER OR SELF-INSURER) 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.

¶15 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 Evanston (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.

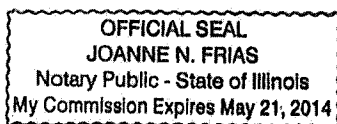
¶16 I declare under penalty of perjury that the foregoing is correct.

DATED this 16th day of July, 2008¹⁰

Kathleen A. Steacy
(Name)

Senior Regulatory Counsel
(Title)

Signed and sworn to before me this 16th day of July, 2008¹⁰



(SEAL)

Joanne N. Frias
Notary Public for the State of Illinois
Residing at: Northbrook, IL
My Commission Expires: 5/21/2014