

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

FILED

JUN - 5 2012

Cassandra Schmill

Petitioner

vs.

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Liberty Northwest Insurance Corp., et al.

Respondent/Insurers

AFFIDAVIT

STATE OF CONNECTICUT)

: ss.

County of Fairfield)

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

¶2 I, Frank Bria (NAME), am the Vice President & Assistant General Counsel (POSITION) of General Reinsurance Corporation ("Gen Re") (NAME OF INSURER OR SELF-INSURER). ("VP & AGC")

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

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

DOCKET ITEM NO. 546

- _____ (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;
- Gen Re _____ (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 Gen Re (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 30th day of May, 2012

[Signature]
(Name)

V.P. - Assistant General Counsel
(Title)

Signed and sworn to before me this 30 day of May, 2012

[Signature]
Notary Public for the State of CT
Residing at: Donnell 20 Arden Way
My Commission Expires: 2/28/2014

(SEAL)

