

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001 - 0300

**FILED**

AUG 29 2012

**CASSANDRA SCHMILL**

Petitioner

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

vs.

**LIBERTY NORTHWEST INSURANCE CORPORATION**

Respondent/Insurer,

**MONTANA STATE FUND**

Intervenor.

**AFFIDAVIT**

STATE OF North Carolina)

: ss.

County of Mecklenburg)

1. I, Robert Baer, being first duly sworn upon oath, depose and say:
2. I, Robert Baer, am the Assistant Vice President for **Arrowood Indemnity Company, successor in interest to Security Insurance Company of Hartford, successor in interest to Grocers Insurance Company ("Grocers")**.
3. In my capacity as Assistant Vice President of **Grocers**, I am authorized to make the statements set forth in this affidavit on behalf of **Grocers** and to bind **Grocers** by these statements.
4. After a review of our records, I swear under oath that **Grocers** 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.

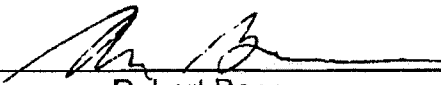
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- Grocers** has never written workers' compensation insurance in the State of Montana;
- Grocers** does not have any Montana claims;
- Grocers** has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- Grocers** was or is in liquidation during the period in question set forth in the amended summons served upon me.

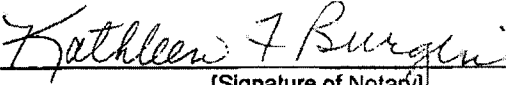
¶15 I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of **Grocers**. 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.

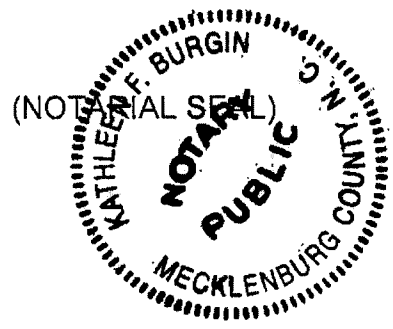
¶16 I declare under penalty of perjury that the foregoing is correct.

DATED this 28th day of August 2012.

  
 \_\_\_\_\_  
 Robert Baer  
 Assistant Vice President, Arrowood Indemnity Company

Signed and sworn to before me this 28th day of August 2012.

  
 \_\_\_\_\_  
 [Signature of Notary]  
 Kathleen F. Burgin  
 \_\_\_\_\_  
 [Typed, stamped, or printed Name of Notary]



Notary Public for the State of North Carolina  
 Residing at Charlotte  
 My commission expires: 06/22/2016