

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001 - 0300

FILED

FEB 11 2013

CASSANDRA SCHMILL

Petitioner

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer,

MONTANA STATE FUND

Intervenor.

AFFIDAVIT

STATE OF Pennsylvania

: ss.

County of Montgomery

1. I, Linda C. Hohn, being first duly sworn upon oath, depose and say:
2. I, Linda C. Hohn, am the Vice President for **Penn Star Insurance Co.**
3. In my capacity as Vice President of **Penn Star Insurance Co.**, I am authorized to make the statements set forth in this affidavit on behalf of **Penn Star Insurance Co.** and to bind **Penn Star Insurance Co.** by these statements.
4. After a review of our records, I swear under oath that **Penn Star Insurance Co.** should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):
 - X **Penn Star Insurance Co.** has never written workers' compensation insurance in the State of Montana;
 - X **Penn Star Insurance Co.** does not have any Montana claims;

DOCKET ITEM NO. 571

X **Penn Star Insurance Co.** has no claimants meeting the Court's criteria in this matter as set forth in the summons;

Penn Star Insurance Co. 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 **Penn Star Insurance Co.** 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 4th day of February 2013.

Linda C. Hohn
Linda C. Hohn

Vice President

Signed and sworn to before me this 4th day of February 2013.

Patricia A. Kirk
[Signature of Notary]
Patricia A. Kirk
Typed, stamped, or printed Name of Notary

Notary Public for the State of Pennsylvania
(NOTARIAL SEAL)

Residing at _____

My commission expires: April 8, 2014

