

Steven W. Jennings
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Attorneys for Insurance Company
as listed on Attachment "A"

FILED

MAY 16 2013

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL,

Petitioner,

vs.

LIBERTY NORTHWEST INSURANCE
CORPORATION,

Respondent/Insurer,

and

MONTANA STATE FUND,

Intervenor.

WCC No. 2001-0300

**MOTION TO DISMISS AFFIDAVIT
INSURERS**


COMES NOW the following Respondent/Insurers (as listed on Exhibit A) and move this Court to dismiss them from the above-entitled action pursuant to this Court's *Memo* of December 7, 2005. Over 90 days have expired since the affidavits were filed and opposing counsel has advised she agrees they can be dismissed from the *Schmill* common fund claim. See attached Exhibit B (*Letter from Laurie Wallace to J. Poole dated May 6, 2013*). This motion is further supported by the affidavits filed on the following dates:

- SCOR Reinsurance Co. (Docket 562 – filed 08/21/2012)
- General Security Reinsurance Co. (Docket 563 – filed 08/21/2012)
- Arrowood Indemnity Co. fka Royal Indemnity Co. (Docket 564 – filed 08/29/2012)

DOCKET ITEM NO 588

- Arrowood Indemnity Co. successor in interest to Security Insurance Co. of Hartford (Docket 565 – filed 08/29/2012)
- Arrowood Indemnity Co. successor in interest to Security Ins. Co. of Hartford, who was successor in interest to Grocers Insurance Co. (Docket 566 – filed 08/29/2012)
- Arrowood Indemnity Co. successor in interest to Guaranty National Insurance Co (Docket 567 – filed 08/29/2012)
- Penn Star Insurance Co. (Docket 571 – filed 02/11/2013)

Dated this 14th day of May 2013.



 STEVEN W. JENNINGS
 Crowley Fleck PLLP
 P O Box 2529
 Billings, MT 59103-2529

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the following counsel of record, by the means designated below, this 14th day of May 2013:

- U.S. Mail
- FedEx
- Hand-Delivery
- Facsimile
- Email

Ms. Laurie Wallace
 Bothe & Lauridsen, P.C.
 P. O. Box 2020
 Columbia Falls, MT 59912


 STEVEN W. JENNINGS

- SCOR Reinsurance Co.
- General Security Reinsurance Co.
- Arrowood Indemnity Co. fka Royal Indemnity Co.
- Arrowood Indemnity Co. successor in interest to Security Insurance Co. of Hartford
- Arrowood Indemnity Co. successor in interest to Security Ins. Co. of Hartford, who was successor in interest to Grocers Insurance Co.
- Arrowood Indemnity Co. successor in interest to Guaranty National Insurance Co
- Penn Star Insurance Co.



Bothe & Lauridsen, P.C.
Attorneys at Law

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JOHN H. BOTHE
(1951-1996)

May 6, 2013

Ms. Jackie Poole
Clerk of Workers'
Compensation Court
P.O. Box 537
Helena, MT 59624-0537

RE: SCHMILL v. LIBERTY NW INS. CORP.
WCC No. 2001-0300

Dear Jackie:

The following is a list of the insurers we agree to dismiss from the common fund claim in regard to the *Schmill* matter:

Arrowood Indemnity Co. fka Royal Indemnity Co.
Arrowood Indemnity Co. success in interest to Security Ins. Co. of Hartford
Arrowood Indemnity Co. successor in interest to Security Ins. Co. of Hartford, who was
successor in interest to Grocers Ins. Co.
Arrowood Indemnity Co. success in interest to Guaranty National Ins. Co.
Penn Star Ins. Co.
General Security Insurance co.
SCOR Reinsurance Co.

Thank you for your assistance in regard to this matter. Should you have any questions concerning this matter, please contact me directly.

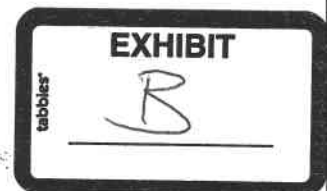
Sincerely,



LAURIE WALLACE
BOTHE & LAURIDSEN, P.C.

LW/rs

cc: Steve Jennings



DOCKET ITEM NO. 587

FILED

MAY - 8 2013

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

C R O W L E Y | F L E C K PLLP
ATTORNEYS

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jbaewer@crowleyfleck.com

May 14, 2013

Workers' Compensation Court
P. O. Box 537
Helena, MT 59624-0537

RE: *Schmill v. Liberty NW Ins. Co. & MT State Fund*
WCC No.: 2001-0300

Dear Clerk of Court:

Enclosed please find the original and one copy of Affidavit Insurers *Motion to Dismiss Affidavit Insurers*, with the list of specific insurers attached as Exhibit A. After filing the original, please time-stamp the copy and return it to our office in the enclose postage prepaid envelope.

If you have any questions, please call.

Sincerely,



JENNILEE C. BAEWER, PLS
Legal Assistant to Steven W. Jennings

Enclosures

c: clients, w/o enc.