

Brendon J. Rohan, Esq.  
POORE, ROTH & ROBINSON, P.C.  
1341 Harrison Avenue  
Butte, MT 59701  
(406) 497-1200  
(406) 782-0043 (Fax)

**FILED**

JUL 16 2015

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

Attorneys for ACE Fire Underwriters Insurance Company, Century Indemnity Company, Indemnity Insurance Company of North America, ACE American Reinsurance Company, ACE Indemnity Insurance Company, Pacific Employers Insurance Company, Bankers Standard Fire & Marine, ACE American Insurance Company, and Bankers Standard Insurance Company

IN THE WORKERS' COMPENSATION COURT  
OF THE STATE OF MONTANA

---

CASSANDRA SCHMILL, )

Petitioner, )

v. )

LIBERTY NORTHWEST INSURANCE )  
CORPORATION, )

Respondent/Insurer, )

and )

MONTANA STATE FUND, )

Intervenor. )

---

WCC No. 2001-0300

**AFFIDAVIT OF SAVERIO M.  
ROCCA, ESQ.**

1. **AFFIDAVIT OF SAVERIO M. ROCCA, ESQ.**

DOCKET ITEM NO. 6/5

STATE OF PENNSYLVANIA )  
County of Philadelphia, PA ) : ss.

Saverio M. Rocca, Esq., being first duly sworn, states that I have personal knowledge of the following facts:

1. I am General Counsel – Global Litigation for the Ace Group.
2. I am authorized to make the statements set forth in this affidavit on behalf of ACE American Reinsurance Company and to bind it by these statements.
3. I swear under oath that ACE American Reinsurance Company should be dismissed from the above-entitled action because it did not write workers' compensation insurance in the State of Montana between July 1, 1987, through June 21, 2001. It has not written insurance coverage of any kind since 1994.
4. 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 may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of ACE American Reinsurance Company. After such 90 days, if no objection is lodged by counsel for Petitioner, the Court will dismiss the insurer from this action based on the sworn statements made by me in this affidavit.

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

DATED this 8<sup>th</sup> day of July, 2015.

  
SAVERIO M. ROCCA, ESQ.

2. **AFFIDAVIT OF SAVERIO M. ROCCA, ESQ.**

Subscribed and sworn to before me this 8<sup>th</sup> day of July, 2015.

Marie C. Morrill

(signature)

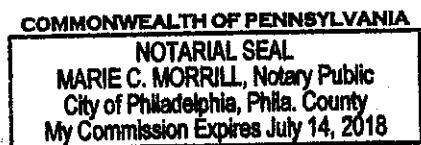
MARIE C. MORRILL

(print name)

Notary Public for the State of Pennsylvania

Residing at 436 WALNUT ST.

My Commission Expires: 7/14/2018



3. **AFFIDAVIT OF SAVERIO M. ROCCA, ESQ.**

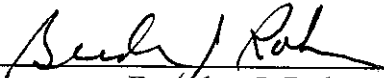
**CERTIFICATE OF SERVICE BY MAILING**

This is to certify that on the 13<sup>th</sup> day of July, 2015, the foregoing attached AFFIDAVIT OF SAVERIO M. ROCCA, ESQ. was duly served upon the following attorneys of record by depositing a true copy thereof in the United States mails, postpaid, addressed as follows, to-wit:

Laurie Wallace, Esq.  
Bothe & Lauridsen, P.C.  
P.O. Box 2020  
Columbia Falls, Montana 59912

Attorneys for Petitioner

POORE, ROTH & ROBINSON, P.C.

By   
Brendon J. Rohan