

FILED

AUG 11 2015

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Greg S. Farnik, Litigation Counsel
Republic Group
5525 LBJ Freeway
Dallas, TX 75240
Telephone (972) 788-6105
Greg.Farnik@RepublicGroup.com

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

CASSANDRA SCHMILL

Petitioner

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANA STATE FUND

Intervenor.

AFFIDAVIT

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

1. I, John DuMar, being first duly sworn upon oath, depose and say:
2. I, John DuMar, am the Vice President, Corporate Reinsurance of Southern Insurance Company.
3. In my capacity as Vice President of Southern Insurance Company, I am authorized to make the statements as set forth in this affidavit on behalf of Southern Insurance Company and to bind Southern Insurance Company by these statements.
4. After review of our records, I swear under oath that Southern Insurance Company should be dismissed from the above-entitled action for any or all of the following reasons:

DOCKET ITEM NO. 622

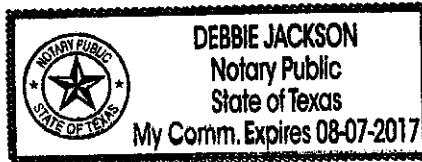
- a. Southern Insurance Company has never written workers' compensation insurance in the state of Montana;
 - b. Southern Insurance Company does not have any Montana claims; and
 - c. Southern Insurance Company has no claimant meeting the Court's criteria in this matter as set forth in the summons.
5. 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 Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statements made by me on behalf of Southern Insurance Company. After such 90 days, if no objection is lodged by Petitioner's counsel, the Court will dismiss the 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 5th day of August, 2015.

John W DuMar
Name

Vice President
Title

Signed and sworn to before me this 5th day of August, 2015.



Debbie Jackson
Notary for the State of Texas
My Commission Expires: 8/7/17