

LAURIE WALLACE  
Bothe & Lauridsen, P.C.  
P.O. Box 2020  
Columbia Falls, MT 59912  
Telephone: (406) 892-2193  
Attorneys for Petitioner/Schmill

**FILED**

DEC 29 2016

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS COMPENSATION COURT OF THE STATE OF MONTANA  
IN AND FOR THE AREA OF KALISPELL  
BEFORE THE WORKERS' COMPENSATION JUDGE

CASSANDRA SCHMILL, )  
 )  
Petitioner, ) WCC NO. 2001-0300  
 )  
vs. ) AFFIDAVIT OF LAURIE WALLACE  
 )  
LIBERTY NW INS. CORP., )  
 )  
Respondent/Insurer, )  
 )  
and )  
 )  
MONTANA STATE FUND, )  
 )  
Intervenor. )  
\_\_\_\_\_ )  
  
STATE OF MONTANA )  
 ) : ss.  
County of Flathead )

I, LAURIE WALLACE, being first duly sworn, deposes and says:

1. According to prior pleadings filed by the Respondents in this case, Travelers and its subsidiary companies, Combined Benefits Ins. Co., and ASARCO, Travelers and its subsidiary companies and ASARCO each identified 2 claimants entitled to *Schmill* benefits, while Combined Benefits Ins. Co. identified 1 claimant entitled to benefits. Those 5 claimants are Julie Yohn (aka Julie Ann Engle), Debra Kemper, James Branstetter, Steven Leitzke, and Don Poole.

DOCKET ITEM NO. 716

E-12-29-16

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2. Of the 5 claimants who were sent a Notice of Attorney Fee Hearing by Respondents, I spoke directly with three: Steven Leitzke, Don Poole, and Julie Yohn. On 12-14-16 Mr. Leitzke advised me that he had no objection to my attorney fee request and that he would not be appearing at the hearing. On 12-15-16 Mr. Poole advised me that he had no objection to the attorney fees. And on 12-29-16 Ms. Yohn advised me that she had no objection to the attorney fee request and that she would not be attending the hearing.

3. I sent follow-up certified letters to the remaining 2 claimants on December 16, 2016. The letters directed to James Branstetter and Debra Kemper were returned. (Ex. 1) I did an internet search for phone numbers and left messages asking for a return phone call on 12/12, 12/14, 12/15, and 12/16, but was not contacted by either Mr. Branstetter or Ms. Kemper.

FURTHER, your Affiant sayeth not.

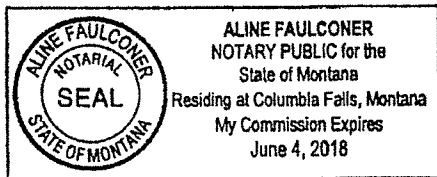
DATED this 29 day of December, 2016.

ATTORNEYS FOR PLAINTIFF

BOTHE & LAURIDSEN, P.C.  
P.O. Box 2020  
Columbia Falls, Montana 59912  
Telephone: (406) 892-2193

By: Laurie Wallace  
Laurie Wallace:

Subscribed and sworn to before me this 29<sup>th</sup> day of December, 2016.



Aline Faulconer  
Aline Faulconer  
Notary Public for the State of Montana  
Residing at Columbia Falls  
My Commission Expires: 6/4/18

