

FILED

JAN 23 2017

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

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Attorneys for Respondent/Insurer Liberty NW Ins. Corp

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL,

Petitioner,

v.

LIBERTY NW INS. CORP.,

Respondent/Insurer.

And

MONTANA STATE FUND,

Intervenor.

WCC No. 2001-0300

**STIPULATION FOR CLOSURE OF
SCHMILL COMMON FUND CASE
FOR LIBERTY AFFILIATED
COMPANIES**

COME NOW the above common fund Petitioner and her attorney, the Respondent Liberty NW Ins. Corp. and the workers' compensation insurers identified below, through their attorney, and submit the following STIPULATION FOR CLOSURE OF SCHMILL COMMON FUND CASE for the insurers identified below.

The insurers listed below and the Petitioner filed their STIPULATION FOR IMPLEMENTATION PLAN AND ORDER (Docket Item No. 619) on July 29, 2015, and the Court filed its ORDER ADOPTING SCHMILL IMPLEMENTATION PLAN (Docket Item No. 620) on July 29, 2015. On August 17, 2015 the parties filed with the Court their STIPULATION FOR SCHMILL IMPLEMENTATION PLAN FOR SAFECO AND THE OHIO CASUALTY INSURANCE COMPANY (DOCKET ITEM NO. 626) and the Court in its ORDER ADOPTING SCHMILL IMPLEMENTATION PLAN FOR SAFECO AND THE OHIO CASUALTY INSURANCE COMPANY filed August 18, 2015 (DOCKET ITEM NO. 627)

STIPULATION FOR CLOSURE OF COMMON FUND CASE

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DOCKET ITEM NO. 723

The Liberty affiliated companies as of the time of these pleadings subject to the above stipulations and orders include the following workers' compensation insurers;

American Economy Insurance Company (Safeco)
American States Insurance Company (Safeco)
Employers Insurance Company of Wausau
First National Insurance Company of America (Safeco)
General Insurance Company of America (Safeco)
LM Insurance Corporation
Liberty Insurance Corporation
Liberty Mutual Fire Insurance Company
Liberty Mutual Insurance Company
Liberty Northwest Insurance Corporation
Safeco Insurance Company of America
The First Liberty Insurance Corporation
The Ohio Casualty Insurance Company
Wausau Underwriters Insurance Company

The parties stipulate that with the exception noted in the paragraph immediately below that the insurers listed above have either complied with the ORDER ADOPTING *SCHMILL* IMPLEMENTATION PLAN or have filed an affidavit with the Court.

The parties stipulate that the two implementation plans have been completed and that only paragraph 16 of the plans requires further action. That paragraph provides as follows:

16. The Court will issue a closure order ending Liberty's responsibility to search for common fund cases and direct it to make a common fund review of a case, if any, that comes to its attention as a common fund case subject to payment such as one falling within the above inclusive dates and meeting the other criteria in which a payment was made after the date of the Court's closure order.

Other Liberty affiliated companies were previously dismissed by the agreement of the Petitioner and this Court's ORDER OF DISMISSAL, September 14, 2016, (DOCKET ITEM NO.694) and those insurers are not parties to this stipulation.

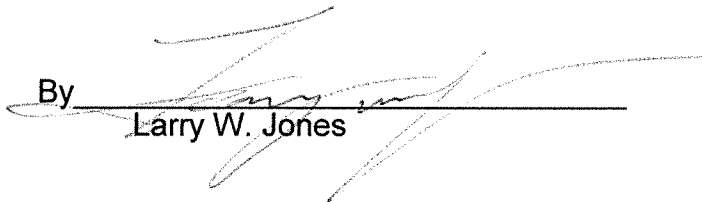
The parties request the Court to issue the attached closure order for all the parties governed by the two implementation plans and the Court's orders adopting them.

DATED this 9th day of January, 2017.

Attorney for Respondent/Insurers:

American Economy Insurance Company (Safeco)
American States Insurance Company (Safeco)
First National Insurance Company of America (Safeco)
General Insurance Company of America (Safeco)
Safeco Insurance Company of America
Ohio Casualty Insurance Company
Employers Insurance Company of Wausau
LM Insurance Corporation
Liberty Insurance Corporation
Liberty Mutual Fire Insurance Company
Liberty Mutual Insurance Company
Liberty Northwest Insurance Corporation
The First Liberty Insurance Corporation
Wausau Underwriters Insurance Company

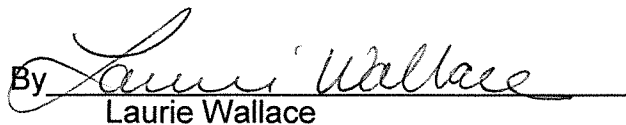
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By 
Larry W. Jones

DATED this 19 day of January, 2017.

Attorney for Petitioner and *Schmill* Common Fund
Claimants:

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By 
Laurie Wallace