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FILED

MAR 15 2017

OFFICE OF
WORKERS COMPENSATION JUDGE
HELENA, MONTANA

Attorneys for Plum Creek Mgmt. Co., LP, Plum Creek Timber Co. Inc. Plum Creek Timber Co. LP.

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL, vs. LIBERTY NORTHWEST INSURANCE CORPORATION, vs. MONTANA STATE FUND,	Petitioner, Respondent/Insurer, Intervenor.	WCC No. 2001-0300 AFFIDAVIT OF GAIL MARTIN
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STATE OF MONTANA)
 :
County of Missoula)

I, Gail Martin, being first duly sworn upon oath, depose and say:

1. I am a claims examiner with Sedgwick Claims Management Services. I handle and adjust workers' compensation claims in Montana for Weyerhaeuser which purchased what is commonly known as Plum Creek Timber Company with subsidiaries Plum Creek Mgmt. Co., LP, Plum Creek Timber Co. Inc. Plum Creek Timber Co. LP.

2. I and other adjusters at Sedgwick have been involved with determining the claims subject to the Court's criterial in this case;

3. I am authorized to make statements on behalf of our client companies for Weyerhaeuser, Plum Creek Timber Company with subsidiaries Plum Creek Mgmt. Co., LP, Plum Creek Timber Co. Inc. Plum Creek Timber Co. LP.

DOCKET ITEM NO. 732

4. I have reviewed the Amended Summons and Notice of Attorney Fee Lien filed in this matter. Pursuant to the criteria set forth in those pleadings and as further clarified in the cases entitled *Schmill v. Liberty Northwest*, 2003 MT 80, 315 Mont. 51, 67 P.3d 290; *Schmill v. Liberty Northwest*, 2005 MT 144, 327 Mont. 293, 114 P.2d 204; *Flynn v. Montana State Fund*, 2008 MT 394, 347 Mont. 146, 197 P.3d 1007; and *Flynn v. Montana State Fund*, 2011 MT 300, 363 Mont. 55, 267 P.3d 23; there are three claimants covered who appear to fall within the scope of the *Schmill* common fund and the attorney fee lien asserted by Petitioner's counsel in *Schmill*. The relevant information for these claimants are:

- Beverly Horner, 44325 Cornelius Rd, Ronan, MT 59864
(claim no, address)
YWMC10426

I have calculated the amount due the above claimant, and it is calculated as follows: \$219.50 x 7 weeks = \$1536.50.

- Kenneth Luke, 251 Courville Trail, Polson, MT 59860
(claim no, address)
YWMC10440

I have calculated the amount due the above claimant, and it is calculated as follows: \$219.50 x 10.5 weeks = \$2304.75.

- Richard Ruther, 183 Columbia Range Dr, Columbia Falls, MT 59912.
(claim no, address)
YWMC09461

I have calculated the amount due the above claimant, and it is calculated as follows: \$186.50 x 3.5 week = \$652.75

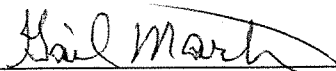
5. Our clients are withholding 25% of the above amounts as compensation for Petitioner's counsel common fund attorney fee lien. The remaining balances are being sent to these claimants. We are prepare to pay the 25% withheld to counsel for Petitioner, Laurie Wallace.

6. After a review of appropriate records, apart from the above, there are no further claimants meeting the applicable criteria. After payment of these sums, I swear under Plum Creek Mgmt. Co., LP, Plum Creek Timber Co. Inc. Plum Creek Timber Co. LP. should be dismissed from the above-and title action for the following reason:

Plum Creek Mgmt. Co., LP, Plum Creek Timber Co. Inc. Plum Creek Timber Co. LP have no further claimants meeting the court's criteria as set forth in the summons or amended summons.

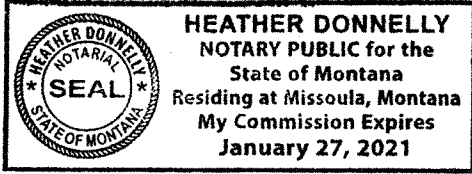
7. I declare under penalty of perjury that the foregoing is correct.

Dated this 11th day of March, 2017.



Gail Martin

Subscribed and sworn to me upon oath this 10th day of March, 2017.



(Seal)

Heather Donnelly
Heather Donnelly
[Type, Stamp or Print Name]

Notary Public for the State of _____

Residing at _____, _____

My commission expires _____, 20__.

CERTIFICATE OF SERVICE

I do hereby certify that on the 13th day of March, 2017, I served a copy of the foregoing in the above matter by mailing a copy thereof, first class postage prepaid to:

Laurie Wallace
Bothe & Lauridsen, PC
Attorney at Law
P.O. Box 2020
Columbia Falls, MT 59912



Todd A. Hammer