

IN THE WORKERS COMPENSATION COURT OF THE STATE OF
MONTANA

WCC No. 2003-0840

FILED

CASSANDRA SCHMILL

DEC 12 2005

Petitioners

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION
And
MONTANA STATE FUND

AFFIDAVIT

STATE OF NORTH CAROLINA

County of FORSYTH

1 I, Eric B. Dana, being first duly sworn upon oath, depose and say:

2 I, Eric B. Dana, am the Senior Vice President and Chief Financial Officer
of TRIAD GUARANTY INSURANCE CORPORATION.

3 In my capacity as Senior Vice President and Chief Financial Officer of
TRIAD GUARANTY INSURANCE CORPORATION I am authorized to make
the statements set forth in this affidavit on behalf of TRIAD GUARANTY
INSURANCE CORPORATION and to bind TRIAD GUARANTY INSURANCE
CORPORATION by these statements.

4 After a review of our records, I swear under oath that TRIAD
GUARANTY INSURANCE CORPORATION should be dismissed from the
above entitled action for any or all of the following reasons (check any or all
that apply):

DOCKET ITEM NO. 84

TRIAD GUARANTY INSURANCE CORPORATION has never written workers' compensation insurance in the state of Montana;

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 counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of TRIAD GUARANTY INSURANCE CORPORATION. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-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 7th day of December 2005.

Eric B. Dana

Eric B. Dana
SVP and CFO

Signed and sworn to before me this 7th day of December 2005.

Bethie S. Cox

Notary Public for the State of North Carolina
Residing at: Davie County

My Commission Expires: March 18, 2009