

May 8, 2007

Ms. Susan Francis  
34 Primrose Lane  
Gallatin Gateway, MT 59730

RE: Stavenjord v. Montana State Fund  
WCC No. 2000-0207  
Liberty Northwest Claim

Dear Ms. Francis:

In this Court's April 9, 2007, letter to you, you were advised that the Court would conduct a conference on April 26, 2007. Because this conference did not involve Liberty Northwest which, to date, is not a party to the *Stavenjord* matter, it was not feasible to address your request that Liberty release the \$5,246.20 which is the 25% that was withheld from your claim for a potential common fund attorney fee. Therefore, the Order this Court will issue regarding that conference cannot address your claim because neither you, nor Liberty, are parties to the action and the Montana Supreme Court has not certified this matter as a common fund.

The only way I can see that this Court may have jurisdiction to determine whether the funds being withheld can be released is if either you or Liberty were to file a petition in the Workers' Compensation Court seeking such a determination. I am not advising whether you should or should not pursue such a course of action. Whatever course you ultimately decide to take is entirely up to you.

Should you choose to petition the Court, you may contact the Court or consult the Court's web site if you have any procedural questions. Please be advised that Court personnel cannot provide you with legal advice. They can only answer procedural questions.

Sincerely,  
MONTANA WORKERS' COMPENSATION COURT

/s/ JAMES JEREMIAH SHEA  
James Jeremiah Shea  
JUDGE

JJS/JB

c: Thomas J. Murphy  
Bradley J. Luck  
Thomas E. Martello  
Larry W. Jones (courtesy copy)