

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. 04-737

FILED

NOV 09 2006

DEBRA STAVENJORD,  
Petitioner and Appellant,

v.

MONTANA STATE FUND,  
Respondent and Cross-Appellant.

)  
) *Ed Smith*  
) CLERK OF THE SUPREME COURT  
) STATE OF MONTANA

) ORDER  
) 9-27-04  
) WCC NO. 2000-0207  
)  
)

Debra Stavenjord, by counsel (Stavenjord), has filed a Petition for Rehearing. She seeks rehearing and reversal of this Court's unanimous decision to deny Common Fund status in this matter. The State Fund objects to the Petition. We decline to grant the Petition. However, should the Workers' Compensation Court determine that it will be impracticable or impossible for it to comply with our remand Order without the assistance of a Common Fund counsel, then and in that event the Workers' Compensation Court may enter an order to such effect, which order would then be amenable to review on appeal.

IT IS THEREFORE ORDERED that Stavenjord's Petition for Rehearing is DENIED.

IT IS FURTHER ORDERED that the Clerk of this Court serve this Order on all counsel of record, and on the Honorable James Shea, Workers' Compensation Court.

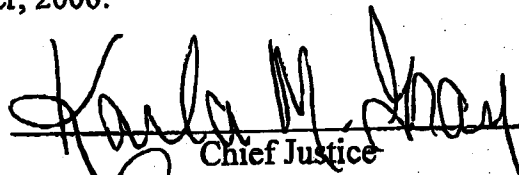
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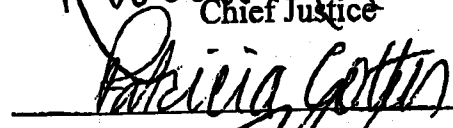
OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

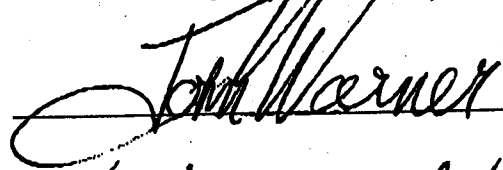
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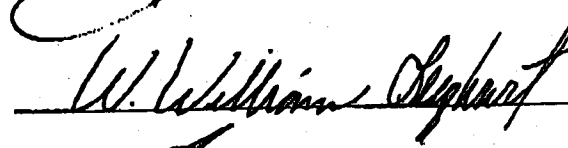
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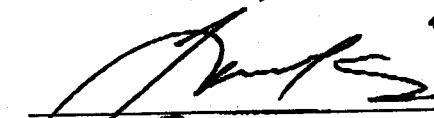
DATED this 9<sup>th</sup> day of November, 2006.

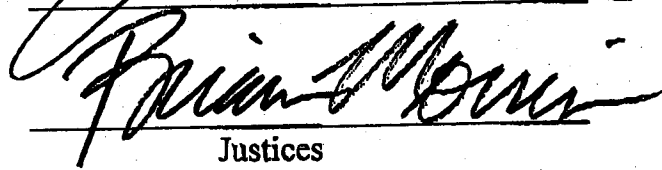
  
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Chief Justice

  
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Justices