

WORKERS' COMPENSATION COURT

Hearing No. 3375
Volume XVI

Helena, Montana
November 4, 2003

ROBERT FLYNN

Rex Palmer

vs.

MONTANA STATE FUND

Bradley J. Luck,
Thomas J. Harrington and
Thomas E. Martello

WCC No. 2000-0222

A conference call was held this day with the above counsel to determine the status of the appeal and the settlement negotiations.

Mr. Luck indicated that there is a reasonable chance the settlement negotiation process is on track. Mr. Palmer is waiting for the paperwork from Mr. Luck so that he can validate the *Broeker* process to reach a level of satisfaction.

The Court suggested that the parties may want to request a stay of the appeal at the Supreme Court or dismiss the appeal as premature. An affidavit by this Court will be provided, if one is needed, if the parties find themselves running up against time deadlines. The parties indicated that they will discuss their options and make a decision as to what course to take.

MIKE McCARTER
Judge