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FILED

OCT - 6 2003

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

THE WORKERS' COMPENSATION COURT IN THE STATE OF MONTANA

ROBERT FLYNN,

Petitioner,

v.

STATE COMPENSATION
INSURANCE FUND,

Respondent.

WCC No. 2000-0222

NOTICE OF APPEAL

NOTICE is hereby given that the above-named Respondent/Insurer hereby appeals to the Supreme Court of the State of Montana from the Decision and Order Regarding Retroactivity and Attorney Fees entered in this action on August 5, 2003.

The Appellant certifies that this appeal is subject to the mediation process required by Rule 54, Mont. R. App. P.

DATED this 6th day of October, 2003.

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By Tom Martello
Tom Martello, Esq.

CERTIFICATE OF MAILING

The undersigned, a representative of the Montana State Fund, hereby certifies that on the 10 day of October, 2003, he/she mailed a true and correct copy of the foregoing *Notice of Appeal*, postage prepaid, to the following:

Rex Palmer, Esq.
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Cindy Hawkins