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March 17, 2005

Judge Mike McCarter
1625 11th Avenue
PO Box 537
Helena, MT 59624-0537

FILED

MAR 17 2005

Re: *Flynn/Miller*
Social Security Offset Common Fund

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Dear Judge McCarter:

Attached is a copy of the ORDER CONSOLIDATING AND REQUIRING RESPONSE dated May 30, 2003, which we discussed this morning concerning the *Flynn/Miller* matter.

If you have any questions or concerns, please do not hesitate to contact this office.

Sincerely,
ATTORNEYS INC., P.C.

Rex Palmer /mmm
Rex Palmer

RP:mmm
Attachment

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2003-0771

CARL MILLER, Individually and on
Behalf of Others Similarly Situated

Petitioner

vs.

MONTANA STATE FUND

Respondent/Insurer.

FILED

MAY 30 2003

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

ORDER CONSOLIDATING AND REQUIRING RESPONSE

¶1 Respondent has moved to stay the proceedings in this case. However, it appears that the more appropriate way to handle this case is to consolidate it with the post-remand proceedings in *Flynn v. State Compensation Insurance Fund*, WCC No. 2000-0222.

¶2 THEREFORE IT IS HEREBY ORDERED that the motion to stay is **denied** and that this case be consolidated with *Flynn*.

¶3 IT IS FURTHER ORDERED that the State Fund file a response to the present Petition for Hearing within ten days. Counsel shall contact the Court and arrange a telephone conference to follow the filing of the response.

DATED in Helena, Montana, this 30th day of May, 2003.

(SEAL)



JUDGE

c: Mr. Rex Palmer
Mr. Bradley J. Luck
Mr. Greg E. Overturf
Submitted: May 27, 2003