

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. 04-797

MONTANA STATE FUND,

Petitioner,

v.

WORKERS' COMPENSATION COURT OF THE STATE
OF MONTANA, HONORABLE MIKE McCARTER,
WORKERS' COMPENSATION COURT JUDGE,

Respondent,

and

ROBERT FLYNN and CARL MILLER, Individually and on
Behalf of Others Similarly Situated,

Claimants,

and

LIBERTY NORTHWEST INSURANCE CORPORATION,

Intervenor.

ORDER

FILED

DEC 7 - 2004

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

The Montana State Fund has petitioned for a writ of supervisory control asking the Court to approve or disapprove of an order of the Workers' Compensation Court in its Cause Nos. WCC No. [REDACTED] and WCC No. 2003-0771. This order requires the State Fund to disclose to the Attorney for the claimants confidential information concerning claimants that may be entitled to further benefits.

We deem it appropriate to seek a response to the petition from counsel for Mr. Flynn and Mr. Miller and counsel for Liberty Northwest Insurance Corporation.

NOW, THEREFORE, IT IS ORDERED as follows:

1. Counsel for Mr. Robert Flynn and Mr. Carl Miller, and counsel for Liberty Northwest Insurance Corporation shall have twenty (20) days from the date of this Order to file a summary response to the Petition of the Montana State Fund indicating whether they

concur or disagree with the order of the Workers' Compensation Court which is the subject of the petition for supervisory control herein.

2. The Clerk of this Court shall mail a copy of this order to the Workers' Compensation Court and all counsel of record.

DATED this 7th day of December 2004.

Karla M. Gray

Chief Justice

John Warner

Fabricea Cottler

William Reuphart

Jeri Rice

Justices

OFFICE OF
WORKERS COMPENSATION JUDGE
HELENA, MONTANA

DEC - 9 2004

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