

Daniel J. Whyte
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FILED

APR - 8 2005

Attorneys for Hortica f/k/a
Florists' Mutual Insurance Co.

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

EULA MAE HIETT,)	WCC NO. 2001-0278
)	
Petitioner,)	
)	
vs.)	
)	
MONTANA SCHOOLS GROUP INSURANCE)	NOTICE OF LIMITED
AUTHORITY,)	APPEARANCE
)	
Respondent/Insurer,)	
)	
MONTANA STATE FUND,)	
)	
Intervenor.)	

COMES NOW, the undersigned, and notifies the Court and counsel for the parties of the Limited Appearance of Daniel J. Whyte and the law firm of Keller, Reynolds, Drake, Johnson & Gillespie, P.C., in this matter on behalf of Hortica, f/k/a Florists' Mutual Insurance Co. This appearance is strictly limited to issues raised by this Court in its November 17, 2003 Notice.

By making this Limited Appearance, Hortica f/k/a Florists' Mutual Insurance Co., does not consent to be a party to this action or member of any class, nor do they consent to the sufficiency of notice, or jurisdiction of this Court. The appearance will be for the limited purpose of opposing class certification particularly as it relates to any potential class of defendants. Defendants are not appearing for purposes of any discovery or resolution of any factual or legal issues other than whether this Court should entertain a class action as proposed.

DATED this 6th day of April, 2005.

KELLER, REYNOLDS, DRAKE,
JOHNSON & GILLESPIE, P.C.



Daniel J. Whyte
50 South Last Chance Gulch
P.O. Box 598
Helena, MT 59624
Attorney for Hortica, f/ka Florists'
Mutual Insurance Co.

CERTIFICATE OF SERVICE

I, Daniel J. Whyte, hereby certify that I served a true and correct copy of **NOTICE OF LIMITED APPEARANCE**, to the following:

Sydney E. McKenna
815 E. Front St., #4A
P.O. Box 7009
Missoula, MT 59807-7009

Larry W. Jones
LAW OFFICE OF JONES & GARBER
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199 West Pine
P.O. Box 7909
Missoula, MT 59807-7909

DATED this 6th day of April, 2005.



Daniel J. Whyte

**KELLER, REYNOLDS, DRAKE
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SPEED MEMO

April 6, 2005

RE: *Eula Mae Hiett v. Montana Schools Group Insurance*
WCC No. 2001-0278

Enclosed for filing please find the **NOTICE OF LIMITED APPEARANCE** in the above-entitled matter. Thank you for your assistance in this matter.

Daniel J. Whyte

**TO: PATRICIA KESSNER
CLERK OF WORKERS'
COMPENSATION COURT
P O BOX 537
HELENA MT 59624**