

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC NO. 2004-1120

ASARCO, INCORPORATED

Petitioner

vs.

KEITH L. FOSTER

Respondent.

**FILED**

AUG 16 2004

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

ORDER SETTING BRIEFING SCHEDULE  
ON PETITION FOR DECLARATORY RULING

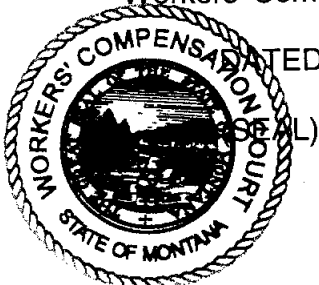
¶1 A **Petition for Declaratory Ruling** was filed in the Workers' Compensation Court and served pursuant to the provisions of Title 39, chapter 71, MCA. Respondent's counsel, Mr. Thomas A. Budewitz, has been contacted and has agreed to accept service on behalf of the respondent.

¶2 IT IS HEREBY ORDERED that:

1. An agreed statement of facts must be filed in the Workers' Compensation Court on October 1, 2004.
2. The petitioner serve its initial brief by October 15, 2004 .
3. Respondent must then serve his brief by October 29, 2004.
4. Petitioner's reply brief must be served by November 8, 2004.
5. If oral argument is necessary, a date will be set after the briefing has been completed.

This Order is signed by the Deputy Clerk of Court at the direction of the Judge of the Workers' Compensation Court.

DATED in Helena, Montana, this 16<sup>th</sup> day of August, 2004.



*Clara Wilson*  
CLARA WILSON  
Deputy Clerk of Court

c: Mr. Todd A. Hammer  
Mr. Thomas A. Budewitz