

January 20, 2005

[Claimant Name and Address]

Re: *Flynn and Miller v. Montana State Fund and Liberty Northwest Ins. Corp.*
WCC Nos. 2000-0222 and 2003-0771

Dear _____:

As a result of the Montana Supreme Court decision in *Flynn v. State Comp. Ins. Fund*, 2002 MT 279, 312 Mont. 410, 60 P.3d 397, you **may** be entitled to receive additional workers' compensation benefits **if** you paid fees or costs in obtaining social security disability benefits and your workers' compensation benefits were reduced on account of your social security benefits. You are qualified to receive additional benefits if:

1. You received temporary total disability or permanent total disability workers' compensation benefits at any time between July 1, 1974, and December 5, 2002; and
2. Your workers' compensation benefits were reduced on account of receiving social security disability benefits; and
3. You paid an attorney or other representative and/or incurred other costs in connection with the proceedings to obtain your social security disability benefits; and
4. You have not settled your workers' compensation claim.

In order to determine your eligibility for further benefits or credits, you must submit verification of your eligibility by completing and mailing the enclosed questionnaire and verification to the Montana Workers' Compensation Court, P.O. Box 537, Helena, MT 59624-0537 by September 4, 2005. If you fail to submit this information by such date, you will not be considered for additional benefits.

Sincerely,

Mike McCarter
Judge

MM/jb
Enclosures