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March 11, 2005

Via Fax to (406) 444-7798 and U.S. Mail

Honorable Mike McCarter  
Workers' Compensation Court  
P. O. Box 537  
Helena, MT 59624

**FILED**

MAR 11 2005

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

RE: Rausch, et al. v. Montana State Fund  
Ruhd v. Liberty Northwest Insurance Corporation  
WCC No. 9907-8274R1

Dear Judge McCarter:

On my return to the office after about a week and a half absence I reviewed the FFR/Ruhd minute entries, orders, and related materials. I asked for a copy of the confidentiality agreement on file with the Court be sent to me because I wanted to verify exactly what document the Court in its Order Approving Confidentiality Agreement dated February 18, 2005, was approving.

In looking at the Court's minute entry of February 17, 2005, at p.2 at the bottom appears the following statement: "Mr. Jones questioned the inclusion of 'expert witnesses' in the authorization to the Rausch attorneys and we settled on replacing that language with a reference to healthcare providers so that medical advice can be obtained concerning questioned impairment ratings." In reviewing the confidentiality agreement signed by Mr. Roberts, Mr. Beck, and Mr. Dale, it does not appear that change was made. Specifically on p.1 under the third "WHEREAS" paragraph appears the phrase "and expert witnesses and consultants."

On the same page under ¶1 appears the phrase "and expert witnesses and consultants."

Also at ¶2 on p.1 appears the phrase "and expert witnesses." Rather than ask that the three attorneys execute a new confidentiality agreement, I am requesting the Court issue an order deleting those phrases from the confidentiality agreement and replacing them with "healthcare provider."

By a copy of this letter to Lon, Monte, and Steve, I am notifying them of this communication with you and the request for a change in the confidentiality agreement.

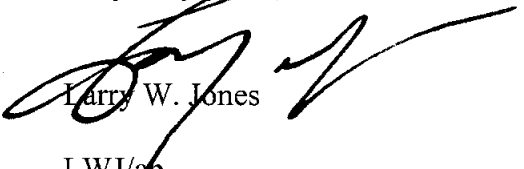
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I look forward to hearing from you.

Very truly yours,

  
Larry W. Jones

LWJ/ap

c: Lon Dale (Via Fax to 549-7077 & U.S. Mail)  
Stephen Roberts (Via Fax to (406) 585-0087 and U.S. Mail)  
Monte Beck (Via Fax to (406) 586-8960 & U.S. Mail)

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