

garlington|lohn|robinson



199 West Pine Street
P.O. Box 7909
Missoula, Montana 59807-7909
(406) 523-2500
Fax (406) 523-2595
www.garlington.com

FILED

OCT 11 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

David C. Berkoff
J. Michael Bouchee
Stephen R. Brown
Gary B. Chumrau
Randall J. Colbert
Lawrence F. Daly
Kathleen L. DeSoto
Candace C. Fetscher
Lucy T. France
Gary L. Graham
Charles E. Hansberry
Gregory L. Hanson
Malin Stearns Johnson
William Evan Jones
Maureen H. Lennon
Bradley J. Luck
Robert C. Lukes
Alan F. McCormick
Charles E. McNeil
Anita Harper Poe
Shane N. Reely
Larry E. Riley
Susan P. Roy
Robert E. Sheridan
Peter J. Stokstad
Kevin A. Twidwell
William T. Wagner
Kelly M. Wills

A. Craig Eddy, MD, JD
Of Counsel - Health Law

J. C. Garlington
1908 - 1995

Sherman V. Lohn
(Retired)

R. H. "Ty" Robinson
(Retired)

October 10, 2006

Ms. Jackie Bockman
Workers' Compensation Court
P.O. Box 537
Helena, MT 59624

RE: Common Fund - Bankers Multiple Line Ins. Co.

Dear Jackie:

More than 90 days has passed since an Affidavit was filed on behalf of this insurer seeking its dismissal from the *Rausch, et al., v. State Fund* common fund litigation. Since that time, we have not received any discovery requests nor any objections to our dismissal from the common fund litigation from Petitioner's counsel. Thus, we request that this insurer be dismissed from the common fund litigation.

Thank you for your attention to this matter.

Very truly yours,

GARLINGTON, LOHN & ROBINSON, PLLP


Kelly M. Wills

KMW:rm

c: Lon J. Dale, Esq.
Monte D. Beck, Esq.
Stephen D. Roberts, Esq.
Mr. Darrel Seife

DOCKET ITEM NO. 336