

*Murphy Law Firm*  
619 Second Avenue South  
P.O. Box 3226  
Great Falls, MT 59403-3226  
Telephone (406) 452-2345  
Fax (406) 452-2999

**FILED**

**MAY 1 1 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

*Thomas J. Murphy, Attorney*  
*Charla K. Tadlock, Attorney*

*Lou Joi Poelman, Paralegal*  
*Sandra Lee Gilbert, Paralegal*

May 10, 2005

MSI Insurance/ Country Insurance  
Claims Department  
P O Box 64035  
St. Paul, MN 55164

RE: Reesor Common Fund Action

*0676*

Dear Claims Department:

I received a copy of enclosed cover sheet, which was attached to the Reesor Summons and Notice of Attorney Fee Lien. Your note asked me to forward your note to the insured/patient and confirm the policy number and insurance company.

This will inform you that the Reesor Common Fund Action applies to all workers compensation insurance companies who provided workers compensation insurance coverage in Montana between 7/1/1987 and 12/22/2004. If your company provided workers compensation insurance in Montana between those dates, then your company may owe additional ("retroactive") workers' compensation benefits to multiple claimants.

The Reesor Common Fund Action applies to workers compensation claims involving injured elderly workers. Pursuant to the unconstitutional operation of §39-71-710 MCA, injured elderly workers were denied full permanent partial disability benefits between 7/1/1987 and 12/22/2004. If your company invoked §39-71-710 MCA to deny injured elderly workers full permanent partial disability benefits, then your company may owe additional ("retroactive") workers' compensation benefits. If you have further questions about this matter, please ask your attorney to contact the Montana Workers Compensation Court or me. Thank you.

Sincerely yours,

Thomas J. Murphy

TJM/ljp

enc: MSI Insurance/Country Insurance Cover Sheet  
Reesor v. Montana State Fund Summons

cc. Montana Workers' Compensation Court (no enc.)