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FILED

DEC - 1 2005

OFFICE OF WORKERS' COMPENSATION JUDGE HELENA, MONTANA

Attorneys for Continental Western Insurance Company

## IN THE WORKERS' COMPENSATION COURT STATE OF MONTANA

DALE REESOR,	)
Petitioner,	) ) ) WCC No. 2002-0676 )
MONTANA STATE FUND,  Respondent/Insurer.	) AFFIDAVIT OF JOHN F. THELEN ) )
STATE OF IOWA ) : ss. County of Polk )	

- I, John F. Thelen, being first duly sworn, depose and sayeth as follows:
- 1. That I am the Secretary of Continental Western Insurance Company.
- 2. That I am authorized to make this Affidavit on behalf of Continental Western Insurance Company.
  - 3. That I have personal knowledge of the matters set forth in this Affidavit.

## 1. <u>AFFIDAVIT OF JOHN THELEN</u>

That Continental Western Insurance Company has not paid a worker's 4. compensation claim in the State of Montana that is actually or potentially within the class of claims addressed in this litigation, as described in the Summons and Amended Notice of Attorney Lien filed April 22, 2005.

Further Affiant sayeth not.

DATED this 17<sup>th</sup> day of November, 2005.

JOHN F. THELEN

Subscribed and sworn to before me this day of November, 2005.

(signature)

**Gregory Kendrick** 

(print name)

Notary Public for the State of Iowa

My Commission Expires: 1.22.08