THOMAS J. MURPHY
Murphy Law Firm
P.O. Box 3226
Great Falls, MT 59403-3226
Phone: 406-452-2345
Fax: 406-452-2999
Attorneys for Petitioner

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OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

DALE REESOR, Petitioner, vs. MONTANA STATE FUND Respondent/Insurer	)	WCC No. 2002-0676 Response to Motion to Dismiss From Hortica Insurance

The petitioner responds to the motion to dismiss, dated 7/13/05, and the Reply Brief, dated 8/29/05, from Hortica Insurance, f/k/a Florists' Mutual Insurance Company. Based on the statements contained in the Affidavit of agent Brent A. Bates, the statements of counsel made in the reply brief, and in reliance on the truthfulness of those statements, petitioner does not oppose dismissal of Hortica Insurance, f/k/a Florists' Mutual Insurance Company without prejudice.

DATED this 2nd day of September, 2005.

Thomas J. Murphy
Attorney for the Petitioner Reesor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of September, 2005, a copy of the foregoing Response was served upon the Attorney for the Respondent by mailing a true and correct copy of said document via first class mail to:

Daniel J. Whyte
Keller, Reynolds, Drake
P. O. Box 598
Helena, MT 59624

Thomas J. Murphy
Attorney for Petitioner

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