IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2001-0300

FILED

CASSANDRA SCHMILL

OCT - 2 2006

Petitioner

OFFICE OF WORKERS' COMPENSATION JUDGE HELENA, MONTANA

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer

MONTANA STATE FUND

Intervenor.

AFFIDAVIT

STATE OF RHODE ISLAND)
	: ss
County of Kent)

- 1. I, Maura C. Travers, being first duly sworn upon oath, depose and say:
- 2. I, Maura C. Travers, am the Secretary of Metropolitan Property and Casualty Insurance Company.
- 3. In my capacity as Secretary of Metropolitan Property and Casualty Insurance Company, I am authorized to make the statements set forth in this affidavit on behalf of Metropolitan Property and Casualty Insurance Company and to bind Metropolitan Property and Casualty Insurance Company by these statements.
- 4. After a review of our records, I swear under oath that Metropolitan Property and Casualty Insurance Company should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

(NAME OF INSURER OR SELF-INSURER) has never written workers' compensation insurance in the State of Montana;
(NAME OF INSURER OR SELF-INSURER) does not have any Montana claims;
Metropolitan Property and Casualty Insurance Company has no claimants meeting the Court's criteria in this matter as set forth in the summons.
(NAME OF INSURER OR SELF-INSURER) was or is in liquidation during the period in question set forth in the amended summons served upon me.

- 5. I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Metropolitan Property and Casualty Insurance Company. After such 90 days, if no objection is lodged by the Petitioner's counsel, the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.
- 6. I declare under penalty of perjury that the foregoing is correct.

DATED this 28th day of September, 2006.

Maura C. Travers

War C. (- E

Secretary (Title)

Signed and sworn to before me this 28th day of September, 2006.

Man Ornell
Notary Public for the State of Rhode Island

Residing at: Coventry, Rhode Island My Commission Expires: 6/29/09

(SEAL)

700 Quaker Lane, PO Box 350, Warwick, RI 02887 Tel 401 827-3841 Fax 401 827-2674 mmccabe@metlife.com



Michael J. McCabe

Counsel

September 28, 2006

Workers' Compensation Court P.O. Box 537 Helena, Montana 59624-0537

RE:

Schmill vs. Liberty Northwest Insurance Corporation, et al.

WCC No. 2001-0300

Amended Summons and Notice of Attorney Fee Lien

Dear Sir/Madam:

Please accept this letter as our formal response to the above referenced matter, specifically, we are enclosing fully executed Affidavits on behalf of

Metropolitan Property and Casualty Insurance Company Metropolitan Direct Property and Casualty Insurance Company Metropolitan General Insurance Company Economy Fire & Casualty Company Economy Preferred Insurance Company Economy Premier Assurance Company

for purposes of dismissing these companies from the Schmill case.

We understand that, if after 90 days, no objection is lodged by Petitioner's counsel, the Court will dismiss the above referenced companies from this action.

Thank you for your attention to this matter.

1 f. male

Very truly yours,

Michael J. McCabe

Counsel

MJM/soc

CC:

Laurie Wallace, Esq.

Bothe & Lauridsen, P.C.

P. O. Box 2020

Columbia Falls, Montana 59912

Enclosures (6 Affidavits)