

MONTANA WORKERS' COMPENSATION COURT

Minute Book Hearing No. 3957  
Volume XX

Helena, Montana  
July 25, 2008

CASSANDRA SCHMILL

Laurie Wallace

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

and

MONTANA STATE FUND

Bradley J. Luck  
Thomas E. Martello

WCC No. 2001-0300

A telephone conference came on this date in the above matter at the request of the Court. Laurie Wallace participated on behalf of Petitioner. Bradley J. Luck and Thomas E. Martello participated on behalf of Montana State Fund. Liberty Northwest Insurance Corporation did not participate in the telephone conference.

Mr. Luck advised that MSF would provide information to Ms. Wallace regarding the issue of deceased claimants. If the parties cannot resolve their differences on this issue, counsel will notify the Court and a briefing schedule will be set.

Briefing as to whether the attorney fee should be calculated before or after the SSDI offset is deducted from the total *Schmill* benefits owed is set as follows:

Simultaneous opening briefs are due on or before August 8, 2008  
Simultaneous reply briefs are due on or before August 18, 2008

MSF will provide its list, method of compilation, and notification procedure for potential beneficiaries to Ms. Wallace for her approval.

Counsel believe agreement can be reached as to the attorney fee overlap with other common fund cases. A status report is due on or before August 25, 2008, as to the deceased claimant issue, the attorney fee overlap issue, and the claimant list and notification procedure.

JAMES JEREMIAH SHEA  
Judge

Minute Entry e-mailed to parties of record on July 25, 2008.  
JMB/JB

Docket Item No. 440