

Bockman, Jacqueline

From: Shea, Jim
Sent: Tuesday, August 26, 2008 9:26 AM
To: 'tommurphy@qwestoffice.net'; 'bjluck@GARLINGTON.COM'; Martello, Tom
Cc: Bockman, Jacqueline; Blaner, Jeanine; Simon, Paul
Subject: Stavenjord v. State Fund

Counsel,

I was doing some research this morning on the issue of filing the settlement documents in this case under seal. Some of the following legal authority arguably may not apply here but I think it would facilitate our discussion if everyone would look it over in advance of our conference call. This is by no means an exhaustive list, so if you are aware of any other legal authority which may be applicable to this issue, please call it to my attention.

Mont. Const., Art. 2, § 9. Right to know.

MCA § 39-71-2314. State fund subject to laws applying to state agencies.

MCA § 2-6-102. Citizens entitled to inspect and copy public writings.

MCA § 2-9-303. Compromise or settlement of claim against state.

MCA § 39-71-224. Documents exempt from disclosure – separation of exempt material from nonexempt.

Pengra v. State, 2000 MT 291.

Thank you for your attention to this matter.

James Jeremiah Shea
Judge
Montana Workers' Compensation Court
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