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Attorneys for Respondent

**FILED**

**AUG 30 2004**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

KELLY WILD,

Petitioner,

v.

MONTANA STATE WORKERS'  
COMPENSATION

Respondent.

WCC No. 2001-0286

**STATE FUND'S PROGRESS REPORT  
OF AUGUST 27, 2004**

COMES NOW the Montana State Workers' Compensation Fund, pursuant to this Court's directive of August 17, 2004, and hereby advises the Court of the progress the parties have made regarding the Joint Statement of Stipulated Facts.

On July 26, 2004, Geoffrey Angel filed a Substitution of Counsel with his Court, indicating that he was "now the attorney of record in this matter for all claimants other

than Kelly Wild . . . ." The State Fund fails to understand how Mr. Angel can represent a class of claimants when he does not represent the class representative. Obviously, that is a legal issue which will need to be analyzed through legal briefing.


The State Fund has not heard from Mr. Angel regarding the proposed Joint Statement of Stipulated Facts. In an effort to continue moving matters forward, the State Fund recently sent Mr. Angel a Confidentiality Agreement and the current version of the proposed Joint Statement of Stipulated Facts. Even though the State Fund sent a Confidentiality Agreement and a proposed Joint Statement of Stipulated Facts to Mr. Angel, it reserves the right to challenge Mr. Angel's ability to represent the class in this matter because he is not the attorney for the class representative.

DATED this 27<sup>th</sup> day of August, 2004.

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Attorneys for Respondent:

By   
for Bradley J. Luck

#### CERTIFICATE OF MAILING

The undersigned, of GARLINGTON, LOHN & ROBINSON, PLLP, Attorneys for Respondent, hereby certifies that on this 27<sup>th</sup> day of August, 2004, she mailed a copy of the foregoing *State Fund's Progress Report of August 27, 2004*,

postage prepaid, to the following persons:

Geoffrey Angel  
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*Sandra E. Coleman*

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