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IN THE MONTANA ASBESTOS CLAIMS COURT

IN RE ASBESTOS LITIGATION,

Consolidated Cases.

Cause No. AC 17-0694

Hon. Amy Eddy

**STATE OF MONTANA’S MOTION FOR
ORDER RE: (1) HEARING TIME AND
LOCATION FOR JUDICIAL
APPROVAL ON TENTATIVE
SETTLEMENTS; AND (2) SETTING
SEPTEMBER 18, 2018, STATUS
CONFERENCE**

The State of Montana moves this Court to issue orders: (1) setting the hearing time and location for the judicial approval hearing on the tentative settlements between the State of Montana and plaintiffs and claimants represented by the McGarvey, Heberling, Sullivan & Lacey, P.C. firm (“MHSL/State” tentative settlement) and by the Kovacich Snipes, P.C. law firm and Tom L. Lewis (hereinafter collectively (“KS/State” tentative settlement)); and (2) setting the location for the September 18, 2018, status hearing.

On July 23, 2013, the State of Montana filed a *Notice of Tentative Settlements*.

Subsequently, during the July 24 and 25, 2018, hearing on the *Plaintiffs’ Motion for a Deferred*

STATE OF MONTANA’S MOTION FOR ORDER RE: (1) HEARING TIME AND
LOCATION FOR JUDICIAL APPROVAL ON TENTATIVE SETTLEMENTS; AND
(2) SETTING SEPTEMBER 18, 2018, STATUS CONFERENCE

Docket, the Court stated that for purposes of court approval of the MHSL/State and KS/State tentative settlements, the hearing would take place Wednesday, October 3, 2018. *Transcript of Proceedings* (“Tr.”), 278:8-12 (July 24, 25, 2018). The State of Montana is involved in ongoing insurance coverage litigation with National Indemnity Company (“NIC”). *National Indemnity Company v. State of Montana*, Montana First Judicial District Court, Lewis and Clark County, Cause No.: XDDV 2012-140. While NIC is informed the Court has set October 3, 2018, for the judicial approval hearing concerning the MHSL/State and KS/State tentative settlements, the State wishes to inform NIC of the time and location. Thus, the State respectfully requests an order setting the time and location of the October 3, 2018, judicial approval hearing.

On April 16, 2018, during the hearing concerning all cases, the Court set a hearing for 10:30 a.m., September 18, 2018, in Kalispell to continue any discussions concerning discovery. *Tr.*, 34:8-14 (April 16, 2018). For purpose of notice to any interested parties, the State of Montana respectfully requests a written order setting the September 18, 2018, hearing.

Respectfully submitted this 20th day of August, 2018.

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I, Dale R. Cockrell, hereby certify that I have served true and accurate copies of the foregoing *State of Montana's Motion for Order Re: (1) Hearing Time and Location for Judicial Approval on Tentative Settlements; and (2) Setting September 18, 2018, Status Conference* to the following on 08-20-2018:

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