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November 16, 2020

**Via First-Class Mail & Email**

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Robert B. Pfennigs P.O. Box 2269 Jardine, Stephenson, Blewett & Weaver, P.C. Great Falls, MT 59403	<a href="mailto:bpfennigs@jardinelaw.com">bpfennigs@jardinelaw.com</a>  <b>Stimson Lumber Company</b>

EXHIBIT

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Re: ***In Re Asbestos Litigation, Asbestos Claims Court for the State of Montana***

Dear Concerned Parties:

This letter is intended as a follow-up to Knight Nicastro MacKay's September 10, 2020 request for each party to pay its Court-ordered share of management fees and record collection costs for services performed by Litigation Abstract.

As previously discussed, Knight Nicastro MacKay transmitted full payment to Litigation Abstract to satisfy all past outstanding balances. Since that time, Litigation Abstract has continued its work and forwarded new invoices, attached.

In the meantime, some of you have forwarded payment for Litigation Abstract's services or have promised to do so. Others have indicated that they no longer wish to receive records going forward. Specifically, the State of Montana and Forman Watkins indicated in August that they do not want further work to be completed.<sup>1</sup> The remaining parties (Plaintiffs/MHSL and Maryland Casualty Company) apparently wish to continue to receive records from Litigation Abstract.<sup>2</sup> However, no new order on cost sharing has been signed by the Court and no new allocation formula has been approved.

We now request that MCC forward their pro-rata share payment of \$11,806.68 for August 2019 – June 2020 to Litigation Abstract, Attn: Accounts Payable, 500 N. Higgins Avenue, #109, Missoula, MT, 59802. Please copy Athena Patrick on your payment correspondence.

We now request that the State of Montana forward their pro-rata share of \$11,144.69 for August 2019 – June 2020 to Knight Nicastro MacKay, LLC, Attn: Accounts Payable, 1401 Walnut Street, Suite 200, Boulder, CO 80305. Please copy Athena Patrick on your payment correspondence.

<b>Parties</b>	<b>Aug. 2019 - June 2020</b>	<b>Total Due</b>
Plaintiffs	\$11,806.67 (paid)	\$0
Railroad	\$11,806.68 (paid)	\$0
MCC	\$11,806.68 (unpaid)	\$11,806.68
Lumber (IP)	\$11,806.68 (paid)	\$0
State of MT	\$11,806.68 (\$661.99 paid)	\$11,144.69

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<sup>1</sup> International Paper forwarded its final payment for \$11,806.68 prior to asking to be removed from the record recipients. The State of Montana, however, paid only \$661.99 prior to notifying Litigation Abstract and Knight Nicastro MacKay that it would not pay for additional work unless specifically requested. This left an outstanding balance of \$11,144.69 which was fronted by Knight Nicastro MacKay.

<sup>2</sup> Maryland Casualty Company indicated to Litigation Abstract that a check for the August 2019 – June 2020 balance was forthcoming. Since that time, Maryland Casualty Company has not paid any amounts owed. Maryland Casualty Company has also not indicated that they want Litigation Abstract to cease processing records.

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We now request that MCC, the State of Montana, and IP forward their pro-rata share of \$8,349.60 for June 2020 – August 2020 to Knight Nicastro MacKay, LLC, Attn: Accounts Payable, 1401 Walnut Street, Suite 200, Boulder, CO 80302. Please copy Athena Patrick on your payment correspondence.

<b>Parties</b>	<b>June 2020 – Aug. 31, 2020</b>	<b>Total Due</b>
Plaintiffs	\$8,349.60 (paid \$8,349.60)	\$0
Railroad	\$8,349.60 (paid in full)	\$0
MCC	\$8,349.60 (unpaid)	\$8,349.60
Lumber (IP)	\$8,349.60 (unpaid)	\$8,349.60
State of MT	\$8,349.60 (unpaid)	\$8,349.60

Please forward your pro-rata share payment of \$5,088.80 for September 2020 – October 2020 to Litigation Abstract, Attn: Accounts Payable, 500 N. Higgins Avenue, #109, Missoula, MT 59802. Please copy Athena Patrick on your payment correspondence.

<b>Parties</b>	<b>September 2020 – October 2020</b>	<b>Total Due</b>
Plaintiffs	\$5,088.81	\$5,088.81
Railroad	\$5,088.81	\$5,088.81
MCC	\$5,088.81	\$5,088.81
Lumber (IP)	\$5,088.81	\$5,088.81
State of MT	\$5,088.81	\$5,088.81

Litigation Abstract will distribute the collected records after Knight Nicastro MacKay confirms all parties have paid their pro-rata share.

In the event you dispute the amount owed by your client, please let us know the basis for your refusal to pay. If we cannot resolve this dispute through further discussion, Knight Nicastro MacKay will move the Court for another hearing on the apportionment of the costs of record collection. Knight Nicastro MacKay will propose a new pro-rata apportionment Order like the August 30, 2018 Order on Cost Sharing, attached.

Thank you for your attention to this matter.

Sincerely,

KNIGHT NICASTRO MACKAY, LLC



W. Adam Duerk

Enclosures as stated

Boulder ▪ Billings ▪ Kansas City ▪ Missoula ▪ Chicago ▪ Peoria ▪ St. Louis