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COPY

**FILED**

AUG 25 2022

ANGIE SPARKS, Clerk of District Court  
By ~~MARY M GOYINS~~ Deputy Clerk

**MONTANA FIRST JUDICIAL DISTRICT COURT  
LEWIS & CLARK COUNTY**

<p>DANA ROLAN, on her own behalf and on behalf of the class she represents,</p> <p style="text-align: right;">Plaintiffs,</p> <p>vs.</p> <p>NEW WEST HEALTH SERVICES, DARWIN SELECT INSURANCE COMPANY and ALLIED WORLD ASSURANCE COMPANY and DARWIN NATIONAL ASSURANCE COMPANY,</p> <p style="text-align: right;">Defendants.</p>	<p>Cause No. DDV 2010-91</p> <p>Honorable Christopher D. Abbott</p> <p><b>PLAINTIFFS' RULE 37(a) MOTION</b></p>
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**COME NOW** plaintiffs on their own behalf and as assignee of the rights of New West Health Services and bring this Motion pursuant to M. R. Civ. P. 37(a) to compel the defendant Allied to produce its claims file covering the underlying

case. Plaintiff Rolan requested the claims file in 2018 and it still has not been produced.

This Motion is based upon the documents currently on file with this Court and the Brief in Support which is submitted herewith. Counsel for defendant Allied objects to this Motion.

DATED this 25<sup>th</sup> day of August, 2022.

THUESON LAW OFFICE



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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served true and accurate copies of the foregoing document upon counsel of record by the following means:

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DATED this 25<sup>th</sup> day of August, 2022.

  
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