

ERIK B. THUESON
58 South View Road
Clancy, MT 59634
Telephone: (406) 459-1792
ethueson@gmail.com
Attorney for Plaintiffs

FILED

MAY 27 2022

COPY

ANGIE SPARKS, Clerk of District Court
By **K KRESGE** 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 style="text-align: center;">PLAINTIFFS' MOTION TO AMEND</p> |
|---|---|

COME NOW Plaintiff Dana Rolan and the Class she represents and move the Court under M. R. Civ. P. 15 to grant a supplemental and Third Amended Complaint. The new allegations are against Allied World Assurance Company, which has been a party in this suit since 2017. The claims against Allied are made by Dana Rolan individually and as class representative. They are also made as the

assignee of claims Defendant New West Health Services has against Allied.

This Motion is based on papers currently on file and the allegations of the Third Amended Complaint which is attached to the brief in support.

Defendant Allied has been informed and objects.

DATED this 26th day of May, 2022.

THUESON LAW OFFICE



ERIK B. THUESON
58 South View Road
Clancy, MT 59634

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:

Robert Lukes
Garlington, Lohn & Robinson
350 Ryman St, PO Box 7909
Missoula MT 59807-7909
Attorneys for New West Health

- U.S. Mail
- Federal Express
- Hand-Delivery
- E-mail rclukes@garlington.com

Randall Nelson
Nelson Law Firm
2619 St. Johns Ave, Ste E
Billings MT 59102
Attorneys for Allied World

- U.S. Mail
- Federal Express
- Hand-Delivery
- E-mail rgnelson@nelsonlawmontana.com


Gary Zadick
Ugrin, Alexander, Zadick
#2 Railroad Square, Ste. B
PO Box 1746
Great Falls, MT 59403
Attorneys for New West Health

- U.S. Mail
- Federal Express
- Hand-Delivery
- E-mail gmz@uazh.com

Martha Sheehy
Sheehy Law Firm
PO Box 584
Billings MT 59103-0584
Attorneys for Allied World

- U.S. Mail
- Federal Express
- Hand-Delivery
- E-mail msheehy@sheehylawfirm.com

DATED this 27th day of May, 2022.


Elayne M. Simmons
elayne@thuesonlawoffice.com