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Attorneys for Allied World Assurance Co.

MONTANA FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY

DANA ROLAN, on her own behalf and on behalf of the class she represents,) Cause No. CDV-2010-91
)
) Judge Christopher Abbott
)
Plaintiffs,)
) **DEFENDANT**
vs.) **ALLIED WORLD ASSURANCE**
) **COMPANY'S MOTION FOR**
) **SUMMARY JUDGMENT**
NEW WEST HEALTH SERVICES,) **PURSUANT TO RULE 56**
DARWIN SELECT INSURANCE)
COMPANY and ALLIED WORLD)
ASSURANCE COMPANY and DARWIN)
NATIONAL ASSURANCE COMPANY,)
Defendants.)
_____)
)
ALLIED WORLD ASSURANCE)
COMPANY,)
Counterclaimant,)
)
vs.)
)
DANA ROLAN, on her own behalf and on behalf of the class she represents,)
)
Counterdefendants.)
_____)

The Montana Supreme Court reversed and remanded this case for a determination of a single issue: whether the \$1,000,000 “each Claim” limit or the \$3,000,000 aggregate limit applies to this claim. Pursuant to Rule 56, M.R.Civ.P., Allied World Assurance Company (“Allied”) moves for summary judgment declaring that the “each Claim” limit of \$1,000,000 is the most Allied must pay to indemnify New West for the Rolan class action complaint.

Plaintiff’s counsel has been contacted and opposes this motion.

DATED this 9th day of May, 2022.

NELSON LAW FIRM, P.C.
SHEEHY LAW FIRM

Attorneys for Defendant / Counterclaimant
Allied World Assurance Company

By /s/ Martha Sheehy
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 9th day of May, 2022, a copy of the foregoing was duly served by first class mail, postage prepaid, upon the following, as well as by email:

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