

Commissioner of Securities and Insurance

Troy Downing
Commissioner



Office of the
Montana State Auditor

September 30, 2021

Legislative Fiscal Division
ATTN: Susie Lindsay
VIA EMAIL ONLY: SLindsay@mt.gov

RE: July 2021-September 2021 Quarterly Demand Report

Dear Ms. Lindsay:

In accordance with Section 4 of House Bill 358 (2021), the Office of the Montana State Auditor, Commissioner of Securities and Insurance ("CSI") submits the enclosed quarterly report for the period beginning July 1, 2021, and ending September 30, 2021.

The quarterly report lists, for the relevant period, all civil claims or complaints received by CSI or for which service of process has been perfected on CSI with initial demands seeking \$10,000 or more in monetary compensation, exclusive of initial demands made in mediations or settlement conferences in which court rules or orders preclude disclosure of demands. The report includes the identity of the court or entity of the state where each such claim or complaint has been filed. For purposes of the report, claims for injunctive relief are not considered as seeking monetary compensation.

Demands deemed to be frivolous by governmental entities need not be reported in the quarterly report, but a governmental entity must disclose the number of claims or complaints not disclosed under that exemption. The number of claims or complaints not disclosed under that exemption by CSI in the enclosed report is: 0. **Nothing in the report, including but not limited to CSI's disclosure of any claim or complaint, is to be construed as an admission that any claim or complaint is not frivolous or otherwise as a waiver of any defenses in connection with the claim or complaint.**

Please feel free to direct any questions about the quarterly report to Ben Eckstein, by email to Benjamin.Eckstein@mt.gov or by phone to (406) 444-3467.

Sincerely,

A blue ink handwritten signature, appearing to be "Ole Olson", with a long horizontal flourish extending to the right.

Ole Olson
Chief Legal Counsel

Commissioner of Securities and Insurance

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July 2021 - September 2021 Quarterly Demand Report

Claim/Complaint Name	Case Number	Summary of Claim/Complaint	Venue
Reservation Operations Center, LLC v. Scottsdale Insurance Company, et. al.	DC-15-1028	Alleged failure by state to serve process on a foreign insurer	Montana Eleventh Judicial District Court, Flathead County
Winsor v. State of Montana, et. al.	CDV-2021-113	Alleged violations of Montana Human Rights Act, Governmental Code of Fair Practices, Wrongful Discharge From Employment Act, and tort law in connection with termination of employment	Montana First Judicial District Court, Lewis and Clark County
Rupnow v. Office of the Montana State Auditor, et. al	CDV-2018-616	Alleged malicious prosecution, abuse of process, and violation of Montana constitutional rights related to maintenance of criminal prosecution	Montana Eighth Judicial District Court, Cascade County
Victory v. Office of the Montana State Auditor	ADV-2020-2020	Alleged violations of constitutional rights and other claims related to withholding of allegedly owed premium tax refund	Montana First Judicial District Court, Lewis and Clark County