

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

2025 MTWCC 5

WCC No. 2025-00947

SHANA BUSHILLA

Petitioner

vs.

REPUBLIC INC. CO.

Respondent/Insurer.

**ORDER CHANGING CAPTION
AND
ORDER REJECTING FILING**

¶ 1 The parties submitted a Joint Stipulation for Dismissal With Prejudice (Joint Petition) for the Court's approval. For the following reasons, the filing is rejected. The parties are invited to resubmit a Joint Petition addressing the Court's concerns.

¶ 2 Intermountain Claims is listed in the caption as a Respondent/Insurer. The caption in this matter is changed, as reflected above, to remove Intermountain Claims. Third-party administrators (TPAs) are not proper parties before this Court unless there is a compelling reason for the TPA to be named in the suit.¹

¶ 3 Debra Daniels is listed and has signed the Joint Petition as "Attorney for Respondents." Ms. Daniels is a Senior Claims Examiner for Intermountain Claims. There is no record of Ms. Daniels listed as an attorney in the Montana State Bar Attorney Search website nor does the Montana Supreme Court Clerk have any record of Ms. Daniels as a licensed attorney.

¹ *Cissell v. Emp. Comp. Ins. Co.*, 2012 MTWCC 12 (The court noted that Brentwood Services acted as the TPA for the insurer, Employers Compensation Ins. Co., in adjusting the Petitioner's claim. Court's position: As it has in past cases, the WCC reiterated that a TPA will not be named in the caption of a workers' compensation case as a matter of course. It must be shown that there is a "compelling reason" for the TPA to be named in the suit.)

¶ 4 There is a multitude of case law holding that insurance companies, TPAs, corporations, limited liability companies, and partnerships cannot appear before Montana's courts unless it is represented by an attorney.²

¶ 5 Republic Inc. Co. and counsel for Shana Bushilla are **ordered** to each file a statement with this Court explaining why a non-attorney is signing documents filed with this Court representing they are an attorney admitted to practice in Montana. This statement shall be filed by close of business October 27, 2025. Following review of these statements, the Court may set a show cause hearing to determine if sanctions are appropriate.

¶ 6 Should the parties wish to obtain the Court's approval of their Joint Petition, they shall file a Joint Petition with an attorney licensed to practice in Montana signing for Republic Inc. Co. Should the parties request Intermountain Claims be named as a party, they must show compelling reasons for doing so.

¶ 7 Pursuant to the foregoing, the filing of the Joint Petition is **rejected without prejudice**. The Clerk is instructed to remove this filing from the docket and return the filing to Petitioner.

DATED this 20th day of October, 2025.

(SEAL)

/s/ Lee Bruner
Judge Lee Bruner

c: John Doubek
Courtesy Copy: Debra Daniels

² See *Weaver v. Graybill*, 246 Mont. 175, 178, 803 P.2d 1089, 1091 (1990).