

BUREAU OF WORKMEN'S COMPENSATION
PETITION FOR HEARING

THIS FORM TO BE USED
1. All compensation claims.
2. Petition for change of order.
3. Petition to fix rate.
4. Reconsideration.

EMPLOYEE VIPOND, Loren, L. 30709 Adams Dr. Gibraltar 48175
SOCIAL SECURITY # 433-09-0103 DATE OF BIRTH 4/15/15
EMPLOYER Chrysler Corporation 5437 West Jefferson Detroit
INSURANCE COMPANY (not agent) _____

The applicant respectfully shows:

1. That this claim relates to a personal injury which occurred on or about January 31, 1975
at Cycle Wild - Chemical Division
Or to a disablement from occupational disease which occurred on or about 1974
at Trenton
2. That the injury or disablement occurred at Wayne, Michigan and in the following
manner: prolong exposure to asbestos, chemical solvent fumes and other
atmospheric pollutants

3. Nature of disability chronic obstructive pulmonary disease; hiatal hernia

4. If death resulted, give date of death _____ Relationship of applicant to deceased _____
5. Names of persons dependent upon injured employee on date of injury Rose Ann
6. Has compensation been paid or is compensation being paid for this injury? Yes _____ No _____
7. If adjustment of attorney or medical fees or funeral expense is sought, please state which and amount _____
8. The employer or insurance carrier is authorized to obtain Social Security records. Yes _____ No _____

Wherefore applicant requests that he be granted such relief as he is entitled to under the Workmen's Compensation Law of Michigan and that the Bureau set this matter for hearing so that the parties hereto may have a determination of their rights under the Workmen's Compensation Law.

Dated at Detroit, Michigan 11th day of November 19 76
BUREAU OF WORKMEN'S COMPENSATION, LANSING, MICH.

Name and address of Plaintiff's Attorney (if any)

MARSTON, SACHS, NUNN, KATES,
KATUSHIN & O'HARE, P.C.

By ROBERT G. HODGES

1000 Farmer Street
Detroit, Michigan 48226

Signed Loren Vipond
(Applicant must sign here)

30709 Adams Drive
Gibraltar, Michigan 48173

NOTE:—Either party to a dispute regarding compensation matters may apply to the Bureau for an adjustment of its claim. Three copies of this application must be mailed to the Bureau of Workmen's Compensation, Lansing, Michigan 48926. The applicant should keep one copy.

PLAINTIFF'S
EXHIBIT
CHR-253

BUREAU OF WORKMEN'S COMPENSATION

LANSING, MICHIGAN 48926

DECISION

LOREN VYOND

CHRYSLER CORPORATION

Sickness and Post Sickness Fund

Employee-Injury (1)

A hearing having been held April 18 1978 Detroit

Michigan on petition of (plaintiff) (LOREN VYOND) I find as follows:

That the above named employee (did) (RECEIVE) receive a personal injury arising out of and in the course of (his) (OWN) employment by the above named employer on December 13 1974 and, as of said date of injury, said employee had an average weekly wage of \$ 487.00 as (employee's) (last) (year) (before) (injury) and had the following dependents:

Wife - Rose Ann

IT IS THEREFORE ORDERED that said Defendant(s) pay compensation to said employee for partial disability to said employee from 19 to 19 inclusive, and at the rate of \$ from 19 to 19 inclusive, and partial/total disability to said employee from 19 to 19 inclusive, and at the rate of \$ from 19 to 19 inclusive, and partial/total disability to said employee from 19 to 19 inclusive, and at the rate of \$ from 19 to 19 inclusive, and further, that said employee is still totally/partially disabled and Defendant(s) shall pay compensation at the rate of \$ and further order of the Bureau, and that said Defendant(s) shall reimburse said employee \$ for (monthly worker's medical benefit, etc.) with interest thereon at the rate of 8% per annum from the date each weekly payment was due until paid. Maximum weekly benefit rates herein specified shall be adjusted as provided in Part II Sec. 94 if applicable.

IT IS THEREFORE ORDERED that the employee is entitled to receive from said defendant(s) compensation at the rate of \$ per week for the specific period of weeks from 19 for the term of and, that said Defendant(s) shall reimburse said employee \$ for (monthly worker's medical benefit, etc.) with interest thereon at the rate of 8% per annum from the date each weekly payment was due until paid. Maximum weekly benefit rates herein specified shall be adjusted as provided in Part II Sec. 94 if applicable.

IT IS THEREFORE ORDERED that said Defendant(s) shall pay compensation to said Applicant(s) at the rate of \$ per week as (total) (partial) dependents of (employee) from 19 until further order of the Bureau but not to exceed (450 (500) weeks from the date of death of said employee; and further, that said Defendant(s) shall pay \$ as follows: (monthly worker's medical benefit, etc.) with interest thereon at the rate of 8% per annum from the date each weekly payment was due until paid. Maximum weekly benefit rates herein specified shall be adjusted as provided in Part II Sec. 94 if applicable.

IT IS FURTHER ORDERED that defendant, Chrysler Corporation, shall pay compensation at the rate of \$106 per week from 12-14-74 and defendant, Sickness and Post Sickness Fund, shall reimburse defendant, Chrysler Corporation, for all payments made to the plaintiff over and above the sum of \$23,500 as the plaintiff is disabled because of a pneumoconiosis and other dust disease pursuant to M.S.A. 17.237 Subsection 311.

MAILED

JUL 05 1978

BUREAU OF WORKMEN'S COMP.

LANSING, MICH.

Signed this 16th day of July 1978

This order (is) (is not) stipulated by the parties.

Further compensation (will) (will not) be paid.

UNLESS A CLAIM FOR REVIEW IS FILED WITHIN FIFTEEN DAYS FROM THE DATE STAMPED HEREON AS "MAILING DATE," THIS ORDER SHALL STAND AS THE FINAL DECISION OF THE BUREAU OF WORKMEN'S COMPENSATION.

RE: J. I. C. M. D. LOREN L.

D/1: 1/31/75
1974

For want of sufficient knowledge or information, defendant neither admits nor denies that plaintiff has a hernia but if it be found that he has a hernia, defendant contends:

- (a) that it is not recent in origin
- (b) that it was not promptly reported
- (c) that it did not arise out of and in the course of his employment
- (d) that it is not the result of a strain in accordance with Section 401 (C), Chapter 4 of the compensation act.

CHRYSLER CORPORATION

BY: *[Signature]*
P. O. Box 1919
Detroit, Michigan 48231
Phone: 956-2952

DATED 1/1/77

STATE OF MICHIGAN
BUREAU OF WORKMEN'S COMPENSATION

V I T O R D. LORER L.

Plaintiff

D/I: 1/31/75
1974

-vs-

CHRYSLER CORPORATION

Defendant

DEFENDANT'S ANSWER

And now comes the above named defendant,

CHRYSLER CORPORATION, and for answer to Plaintiff's Petition

for Hearing says:

1. Plaintiff suffered no accident and sustained no accidental personal injury, or disease, or disability, which was due to causes and conditions which are characteristic of and peculiar to the business of the employer and which arose out of and in the course of employment with defendant company.
2. Plaintiff's present condition is not the result of any accidental personal injury, or disease, or disability which is due to causes and conditions which are characteristic of and peculiar to the business of the employer and which arose out of and in the course of employment with defendant company.
3. Plaintiff suffers no compensable disability or disease which is due to causes and conditions characteristic of and peculiar to the business of the employment with defendant company.
4. Plaintiff gave no proper notice and the defendant had no knowledge of any accidental personal injury arising out of and in the course of employment with the defendant company.
5. Plaintiff made no proper claim for compensation since it was neither given to the proper party nor within the time prescribed by law.
6. Defendant denies that plaintiff is entitled to any benefits provided by the Michigan Workmen's Compensation Act.

7602
R.175

Chrysler Corporation C.I.M.S. 417-08-11 P.O. Box 1919 Detroit, MI 48231
Lacey & Jones, Attys. 2100 Industrial Building Detroit, MI 48226

Horton Chemical

Loren L. Vipond 30709 Adams Dr. Gibraltar, Mich.
Harston, Sachs & Kumm, P.C. 1000 Farmer St. Detroit, MI. 48226

12J11-31-75, 1974

STATE OF MICHIGAN
DEPARTMENT OF LABOR
BUREAU OF WORKERS' DISABILITY COMPENSATION
LANSING, MICHIGAN

Spec X - dated 3/18/47
Bilateral Tinnitus
Record copy attached

ACKNOWLEDGMENT & NOTICE OF PRE-TRIAL HEARING

STATE OF MICHIGAN.

The disposition deadline on this case is nine (9) months from the date of this scheduled pre-trial. If not disposed deadline, the case will be dismissed.

DO NOT TYPE IN THESE SPACES - TYPE INFORMATION UNDER CAPTIONS

Plaintiff's Last Name	First Name	Initials	Address of Plaintiff (Street, City, State, Zip)
VIPOND	Loren	L.	30709 Adams Dr., Gibraltar, MI. 48171
Plaintiff's Business			
Date of Injury	Place of Injury	Case Number	
4-15-75	Chemical Plant	433-09-0103	
Nature of Injury			
Pulmonary Disease, bilateral hernia			
Employer's Name and Address			
Harston, Sachs, Kumm, 1000 Farmer St. Al			
Type of Insurance			
Self-insured			
Case No.	File No.	Case No.	
12J11-31-75	12J11-31-75		
Employer's Name and Address			
Chrysler Corp. 3000 Van Horn Rd., Farmington, MI			

File Bureau.
Before Administrative Law Judge
MICHIGAN PLAZA BUILDING, 1200
Michigan on the 1 day
at 9:30 o'clock
BUREAU OF WORKERS' DISABILITY COMPENSATION
Lansing
Director

Dated at Lansing, Michigan this 4 day of March, 1977

August 27, 1977

Mr. M. A. Bell
Workmen's Compensation
Chrysler Corporation
Trenton Chemical Division
Trenton Engine Plant
2000 Van Horn Road
Trenton, Michigan 48183

RE: Loren L. Vipond
Examined 8-25-77

Dear Mr. Bell:

This 62-year-old white male, former Chrysler worker from 1947, retired in 1975. He began working as a production worker for one year. He then worked as a foreman in charge of production in the Chemical Division. He would work with production and also the area manufactured cement and brake shoes. Subsequently, he worked as a general foreman until his retirement. His work prior to Chrysler was in the U. S. Army and also worked in a soft drink factory. He had a good attendance record. His past hospitalizations were: one, two times for hernia repair and one time for removal of a kidney; two, two times for lung trouble with coughing and difficulty in breathing. He began smoking at the age of nineteen, one and-a-half pack of cigarettes daily, and stopped this about five years ago.

He complains of occasional coughing with no hemoptysis, tuberculosis; for the past ten years, he claims he has had asthma and this would increase with cold and humid weather. He has some expiratory wheezing. He has some sputum production in the morning. No hypertension, chest pain, angina, heart attack, diabetes, pedal edema, or orthopnea was noted. He can walk about a mile with no difficulty. He is on cortisone for his breathing and also bronchodilators. His mother had heart disease.

L. J.
9-7-77

PHYSICAL EXAMINATION:

Height 5'8". Weight 142 pounds. B.P. 130/70. He was a well-developed, well-nourished white male. AP diameter of the chest

was not increased. Diaphragms were not depressed. They did move with respiration. Breath sounds were well transmitted throughout. Expiratory rhonchi were noted. No hyperresonance was noted. The heart was not enlarged. No murmur was heard. No organ was palpable in the abdomen. Pulses were palpable in the lower extremities.

EKG:

Sinus rhythm within normal limits.

PULMONARY FUNCTION TEST:

B.S.A. 2.00m ²	V.C.	1° V.C.	M.B.C.
Predicted	3580 cc	75% V.C.	96 L/min.
Observed	2400 cc	1300 cc	60 L/min.
% Predicted	67%	54%	63%
Generalized diminished.			

CHEST X-RAY:

Diaphragms were not depressed. They were of normal contours. Increased lung markings were noted in the chest. No nodularities were noted. The heart was not enlarged.

DIAGNOSIS:

This patient has no evidence of cardiac disease. The heart examination was unremarkable. EKG was normal. He has a prolonged history of smoking. This definitely has great bearing on his chest status. He has evidence of a mild degree of chronic bronchitis. I found no evidence of pneumoconiosis. Chronic bronchitis is closely related to a history of smoking. It can occur in patients with or without industrial background. To causally relate his present chest status with his previous work at Chrysler is speculative. He is mildly disabled because of the chest status.

Sincerely yours,


Clyde Wu, M. D.

CW/dm