

October 7, 1992

Richard N. Hewes
Attorney at Law
48 Free St.
Portland, Maine 04101

REDACTED

RE:

Dear Mr. Hewes:

As you know, sustained an industrial injury in January 1990. This claim was adjudicated and subsequently recognized by the Workers' Compensation Board as a compensable injury. Since the company offers a long term disability plan, received long term disability benefits while the workers' compensation matter was being adjudicated. As a result of the claimant's receipt of temporary total disability, the claimant was paid both workers' compensation and long term disability benefits during the same period of time. We've been able to recoup most of the money from the insurer, however, an outstanding balance of approximately \$8,600 remains. We have attempted to collect this money from however, he has refused to acknowledge the overpayment and make any restitution.

We're attempting to reduce his weekly temporary total disability by a certain dollar amount so we can recover the monies due Sherwin-Williams Long Term Disability plan. The monies reduced from the temporary total disability check will be forwarded by the insurance carrier to Sherwin-Williams.

The period of disability in question originated in August 1990. The claimant was eligible to receive long term disability benefits at the monthly amount of \$2,043.25. This payment began on August 21, 1990. The claimant's first temporary total disability check was issued by Crawford and Company on October 11, 1991 in the amount of \$7,300.57. Since these disability benefits of both long term disability and workers' compensation, overlap, an overpayment exists. Further, Crawford and Company had issued weekly temporary total disability checks in the amount of \$127.95. This reduced amount was paid through workers' compensation since the employee was receiving a long term disability benefit over the same period. Effective March 1, 1992, we have coordinated the termination of long term disability benefits so that the claimant will only receive workers' compensation. During the period from October 2, 1991 thru March 1, 1992, the claimant received \$127.95 temporary total disability benefits, and \$259.81 in long term disability benefits. Crawford and Company has issued reimbursement to Sherwin-Williams in the amount of \$22,249.97. This amount is calculated by Crawford and Company on behalf of The Travelers, for the period September 8, 1990 thru February 28, 1992.

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