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WORKERS
COMPENSATION
JUL 1 1992

July 14, 1993

Kenneth A. Lexier, Esquire
Wright & Mills, P.A.
218 Water Street
P. O. Box 9
Skowhegan, Maine 04976

REDACTED

RE: vs. Sherwin Williams

Dear Ken:

I have recently received updated information from Sherwin Williams. Your client received an overpayment in the amount of \$8,323.76 while he received long term disability benefits from Sherwin Williams from August 21, 1990 through February 29, 1992. After March 1, 1992, your client did not receive overpayments.

During the 79.7137 weeks from August 20, 1990 through February 29, 1992, was entitled to \$471.87 per week in LTD benefits. The long term disability benefit insurance contract guaranteed \$471.87 per week from all sources. Hence, there should have been a reduction in the amount of LTD benefits to avoid the overpayment. During this period was entitled to \$37,614.50 (79.7137 weeks x \$471.87 = \$37,614.50). He received \$33,070.48 from Sherwin Williams for long term disability benefits and \$12,867.78 from Crawford & Company for workers' compensation benefits. His total income was \$45,938.26. This resulted in an overpayment of \$8,3223.76 from August 20, 1991 through March 1, 1992 (\$45,938.26 - \$37,614.50 = \$8,232.76). I enclose a calculation summary outlining the numbers.

Sherwin Williams would like to recoup the overpayment as soon as possible. Kindly get in touch with me at your earliest convenience so that we can discuss repayment options. Thank you.

Very truly yours,

Dick

Richard N. Hewes, Esquire
RNH/asb

Enclosure

cc: Anthony Colangelo

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0007-SWP-005803011

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BENEFITS

LONG TERM BENEFITS PAID BY SHERWIN WILLIAMS TO EMPLOYEE
8/21/90 - 2/29/92 (79.7137 weeks)

LONG TERM DISABILITY ENTITLEMENT:

PER WEEK: \$ 471.87; PER MONTH: \$2043.25; PER YEAR: \$24,519.00

8/21/90 to 10/1/91= 58.2857 weeks x \$471.87= LTD \$27,503.27
10/2/91 to 2/29/92= 21.428 weeks x 259.81= LTD 5,567.21
TOTAL LTD PAID \$33,070.48

WORKERS' COMPENSATION BENEFITS PAID BY CRAWFORD & COMPANY TO EMPLOYEE
From 8/21/90 to 2/29/92 (79.7137 weeks)

8/21/90 to 10/1/90= 58.2857 weeks x \$125.27= W.C. Benefits \$7,300.57 Pd to EE
10/2/91 to 2/29/93= 21.428 weeks x 259.81= W.C. Benefits 5,567.21 Pd to EE
TOTAL WORKERS' COMPENSATION BENEFITS PAID: \$12,867.78

TOTAL ENTITLEMENT
From 8/21/90 to 2/29/92 (79.7137 weeks)

(Total weeks) (LTD Benefits)
Total Employee entitled to: 79.42857 x 471.87 = \$37,479.96

Employee Received	\$33,070.48	from Sherwin Williams (LTD)
Employee Received	<u>12,867.78</u>	from Crawford & Company (W.C.)
Total Received	<u>45,938.26</u>	from Both Sources
	- <u>37,614.50</u>	Entitlement for 79.7137 weeks
	\$ 8,323.76	OVERPAYMENT

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