

July 10, 1973

file
**LIBERTY
MUTUAL**



Westgate Plaza Building, 20325 Center Ridge Road, Cleveland, Ohio 44116 • Tel. (216) 333-8000

The Sherwin Williams Company
101 Prospect Avenue, N.W.
Cleveland, Ohio 44115

Att: Mr. Jack D. Kull Jr., Staff Assistant
Corporate Insurance Adm.



Redacted

- The Sherwin Williams Co.

Dear Jack:

This will confirm our telephone conversation wherein I advised you that unfortunately, the doctor that our Oakland Branch Office had working on this file was killed in an automobile accident last week end, subsequent to his visit at the plant, but prior to his preparing his report for us.

For your information and file, I am attaching a copy of the memo covering this information and we will now wait for the doctor's secretary to transcribe his notes to see if they can be of any value to us. Our Oakland Office is not planning on retaining another medical specialist until the formal claim might be pressed.

I will keep you updated as promptly as I receive information in from our office in Oakland.

Very truly yours,

W.C. Wangler
W.C. Wangler
Claims Manager

jm

N40596

OAKLAND CLAIMS
JUNE 26, 1973

OAKLAND CLAIMS
FILE

Redacted

- SHERWIN WILLIAMS CO.,

Redacted

At a meeting with the insured's director of employee relations, Gordon Lacey, on June 21, 1972, I learned that the widow had been paid the company death benefit of \$5500, and Mr. Lacey, along with one of his associates, had personally delivered a check to the widow. At this time the widow had stated that one of Mr. relatives, I believe an uncle, had apparently died of the same condition which had afflicted her. She also indicated that she felt Mr. heavy drinking and smoking were factors in his eventual death. As yet the widow has presented no claim and the insured has heard nothing further from her. had been paid company disability benefits during the time of his disability, until his death. This would be a certain percentage of his earnings and was paid pursuant to the union agreement.

Mr. McCarthy, our senior adjuster, has checked with the coroner's office and find that they did not do an autopsy, though the Death Certificate indicates that one was done. However, apparently this would have been performed by the Kaiser Hospital people, and should a claim be presented, we would want to obtain their records, including that report.

Redacted

Even though no formal claim has been made, we had had a lung specialist working on the case, having had him examine Mr. before his death, review the Kaiser Hospital records, and then more recently just last week, tour the insured's plant to see the conditions under which he worked. This was Dr. Mannell, who unfortunately was killed in an automobile accident last weekend, prior to preparing his report for us. I have talked with his nurse who states that the doctor had made copious notes on the case, and she was going to transcribe these for me, sending them to me for review and use by whatever other doctor we might select to continue on the case, again if the claim is pressed. At the meeting with Mr. Lacey on June 21, I advised him of Dr. Mannell's death and of course he was disappointed that we will not be receiving the medical report on the case. Dr. Mannell had no associate in his office, so we would have to pick another doctor to give us an opinion, but we will defer any decision on that until we see what Dr. Mannell's notes reveal. He spent approximately nine hours on the case altogether, and we are going to have to make some reasonable adjustment on his billing, though the attorneys for the estate and his nurse certainly realize this will be a compromise situation, since we never did receive benefit of his report.

DH:nj
dict. 6/21

cc: Home Office Claims

cc: Cleveland Claims
Attn: W. Wangler

D. E. Holst

N40596.01

0007-SWP-005504052
CONFIDENTIAL

RECEIVED
JUL 26, 1973

RECEIVED
JUL 26, 1973

RE: WILLIAM BROWNE - BENEFIT WILLIAMS CO., 0000-1000 2

At a meeting with the insured's director of employee relations, Jordan Jacoby, on June 21, 1973, I learned that Mr. Browne's widow had been paid the company death benefit of \$2500, and Mr. Jacoby, along with one of his associates, had personally delivered a check to Mr. Browne's widow. At this time the widow had stated that one of Mr. Browne's relatives, I believe a nephew, had apparently died of the same condition which had afflicted Mr. Browne. She also indicated that she felt Mr. Browne's heavy drinking and smoking were factors in his eventual death. As yet the widow has presented no claim and the insured has heard nothing further from her. Mr. Browne had been paid company disability benefits during the time of his disability, until his death. This would be a certain percentage of his earnings and was paid pursuant to the union agreement.

Mr. McCarthy, our senior adjuster, has checked with the coroner's office and find that they did not, however, through the death certificate indicates that one was done. However, apparently this would have been confirmed by the Kaiser Hospital records, and should a claim be presented, we would want to obtain their records, including that report.

Even though no formal claim has been made, we had had a long successful working on the case, having had his estate Mr. Browne before his death, review the Kaiser Hospital records, and then more recently just last week, four the insured's agent to see the conditions under which Mr. Browne worked. This was Dr. Hannell, who unfortunately was killed in an automobile accident last weekend, prior to receiving his report for us. I have talked with his nurse who stated that the doctor had made copies notes on the case, and she was going to transcribe these for me. Sending them to me for review and use by whatever other doctor we might select to continue on the case, again if the claim is covered. In the meeting with Mr. Jacoby on June 21, I advised him of Dr. Hannell's death and of course he was disappointed that we will not be receiving the medical records on the case. Dr. Hannell had no associates in his office, so we would have to wait another doctor to give us an opinion but we will defer any decision on that until we see what Dr. Hannell's notes reveal. He spent approximately nine hours on the case last week, and we are going to have to make some reasonable adjustment on his bill, though the attorneys for the estate and his nurse certainly realize this will be a somewhat situation, since we never did receive benefit of his report.

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