PLAINTIFF'S EXHIBIT
BEA-54
PENGAD-Bayonne,N.J

WORKMEN'S COMPENSATION FUND

ADMINISTERED BY
STATE COMPENSATION COMMISSIONER
CHARLESTON 25305

JOHN D. ROCKEFELLER IV
Governor

GEORGE D. BLIZZARD II
Commissioner

September 24, 1979

Mr. Daniel E. Cassidy
R.F.D. #1, Box 225
Weirton, West Virginia 26062

Koppers Corporation
#1 Nationwide Plaza
Columbus, Ohio 43216

Re: Daniel E. Cassidy OP
Claim No: 780051755
SS#: 232-52-1437 DLE to be determined

Gentlemen:

I have entered the following order:

"This claim came on to be considered this 18th day of September, 1979, particularly upon the claimant's application for Occupational Pneumoconiosis benefits, filed February 7, 1978; upon consideration of all of which, the Commissioner does hereby make the following findings of fact:

(a) That the claimant was employed as a cement finisher by Koppers Corporation on specific dates to be determined;

and the Commissioner being of the opinion that there is insuficient evidence that the claimant was exposed to the hazards of Occupational Pneumoconiosis, it is hereby ordered and directed that this claim be set down for hearing upon the following issues:

1. Was the claimant exposed to the hazards of Occupational Pneumoconiosis while in the employ of Koppers Corporation?

2. Was the exposure for a continuous period of sixty days or more?

3. Was the exposure continuous for at least two years in ten years immediately preceding the date of last exposure; or for any five of the fifteen years immediately preceding the date of such exposure?

4. Was the claimant exposed for as much as ten years during the fifteen year period preceding the date of his last exposure?

5. Was the claimant's application filed within three years from the date his Occupational Pneumoconiosis was first made known to him by a physician?

All parties will receive notice of the time and place of the hearing which will be scheduled pursuant to this order.

Very truly yours,

George D. Blizzard II

George D. Blizzard, II
Commissioner

GDB:ALR/sao

cc: Mr. Edward A. Zagula

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