

SG:mhs
4/19/65



NEW JERSEY DEPARTMENT OF LABOR & INDUSTRY
DIVISION OF WORKMEN'S COMPENSATION
C. P. NO. E44516

LOUIS D. CAVINATO, :

Petitioner

Soc. Sec. No. :

146-91-8263

-vs-

JUDGMENT

NATIONAL GYPSUM CO.,

Respondent :

APPEARANCES: For Petitioner: Solomon Golat, Esq.
for Talisman & Golat, Esqs.

For Respondent: Eugene G. Galvin, Esq.

For Commissioner of Labor & Industry:
Grace J. Ford, Esq. (Deputy Atty. General)

STATEMENT OF AWARD

ASSESSED AGAINST RESPONDENT:

Temporary Disability: None

Permanent Disability: 40 percent of total (pulmonary)
180 weeks, commencing on April 25, 1963 and continuing to
October 5, 1966, at the compensation rate of \$45. per week \$8100.00

Talisman & Golat, Petitioner's attorneys
counsel fee 1000.00

Stenographic fees 25.00

ASSESSED AGAINST PETITIONER:

Dr. Emanuel Kiosk for examination report 25.00
(in addition to examination fee paid by petitioner's
counsel)

To Talisman & Golat, as reimbursement for medical
examination fees, hospital abstract fees and other
trial expenses paid 75.00

Talisman & Golat, petitioner's attorneys
counsel fee 500.00

A formal petition having been duly filed claiming compensation under R. S. 34:15-7 et seq., as amended and supplemented, an answer having been filed and the parties having appeared before me, Donald J. Skeffington, Judge of Compensation, at the Division of Workmen's Compensation, 3 Schuyler Place, Morristown, New Jersey, on April 19, 1965, and testimony having been presented on the issues involved and stipulations having been entered on the record, I find and determine as follows:

1. Petitioner was in the employ of the respondent for a number of years prior to the date of the last exposure on April 24, 1963, and during such period was exposed to dusts, particles of asbestos, silica, and other materials in the atmosphere of the area in which he was employed, and as a result of the inhalation and ingestion of such materials, sustained pulmonary injury and occupational disease in the nature of asbestosis and pneumoconiosis, such exposure, occupational disease and injury arising out of and in the course of his employment.

2. The respondent had due and timely notice and actual knowledge thereof.

3. The Respondent has furnished and paid for medical treatment because of said injury, exposure and occupational disease. Additional items to be paid are set forth in the above Statement of Award.

4. Petitioner's wages were \$110. per week, making the temporary and permanent disability compensation rates \$45. and \$45. per week, respectively.