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December 2, 1988

Ann Del Vecchio
Self-Insurers Service, Inc.
2620 Augustine Drive, Suite 280
Santa Clara, CA 95054

REDACTED

Re: #3, et al.
WCAB Case No: OAK 141300

d) v. Kaiser Shipyard

Dear Ms. Del Vecchio:

Enclosed herewith, please find a complete copy of the medical report file, which has just been served on us by counsel for co-defendant, Kaiser Shipyards.

Dr. Shonfeld was reporting for the co-defendant, and indicated that the case was not asbestos related, because of the rather-long latency period of 43 years. Exactly how Kaiser can now turn around and say they want the money back when their own physician says it is not asbestos related is beyond us.

Dr. Shonfeld also comments that there is no indication that any of the chemicals or paints that the applicant worked with at Sherwin-Williams were causative of the lung cancer. It is Dr. Shonfeld's conclusion that the lung cancer was caused by a long smoking history.

Dr. Barry Horn, who was reporting on behalf of Mrs. McGhee, states that the condition is in fact asbestos related; and, he states that the exposure at Kaiser Shipyards was in fact

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Page Two

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the cause of the cancer. He has written a number of reports, and does not feel that the latency period suggested by Dr. Shonfeld is too long.

This matter is back on the conference calendar; and, we anticipate counsel for Kaiser Shipyards again restating his demand for deposition testimony of safety individuals at Sherwin-Williams to determine if in fact there was any asbestos exposure while applicant was employed there. In his own deposition, of which we do not have a copy, he apparently stated that there was no asbestos exposure.

We will be reporting to you following our attendance at the conference; but, if you have any questions concerning the enclosed medical reports, please advise us.

Very truly yours,

LAUGHLIN, FALBO, LEVY & MORESI

By: ALFONSO J. MORESI
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AJM/jm

Enclosure

cc: John F. King, Esq., Sherwin-Williams Company,
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