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Roseland, New Jersey 07068-1743
Telephone: (201) 740-9400

X 2083



MARCH 30, 1992

SHERWIN WILLIAMS CO
101 Prospect Ave
Newark, OH 44115

WORKERS'
COMPENSATION

APR - 2 1992

REDACTED

EMPLOYEE:
INSURED: SHERWIN WILLIAMS CO
CLAIM NUMBER: WC 324-508333
DATE OF ACCIDENT: 11/17/89

Dear Anthony Colangelo:

I am writing to you as I have been unable to reach you via phone. Please see the enclosed request for settlement authority and advise if the same can be granted or call this office to discuss the above claim. Should you have any questions feel free to contact me. Thank you.

Sincerely,

ANDRE REYNOLDS
Claims Department

Dave write - atty

per Mr. Reynolds - atty
approx \$578.00 MO. in company
disability benefit, UT
also receives Social Security

ENCLOSURE

Kathy Kuntz + 2128 / adv

Michael Flemming + 2128

hearing Fri 5/11
4/23

Advised LM we don't
want to settle
2/4/92

the80th
ANNIVERSARY

Liberty Mutual Insurance Group/Boston
Equal Opportunity Employer

N40348

0007-SWP-005800387

ROSELAND CLAIMS
MARCH 17, 1992

DONALD GRUNSTRA, MAR 30 1992

ROSELAND CLAIMS
ATTENTION: DON GRUNSTRA - ASSISTANT CLAIMS MANAGER

REDACTED

RE: vs. Sherwin Williams Co.
File No: 324-508333
Date Of Injury: 11/17/89

WORKERS'
COMPENSATION
APR - 2 1992

SETTLEMENT AUTHORIZATION REQUEST:

This matter was last heard on January 28, 1992 before Judge Boyle in Newark Workers' Compensation Court. This matter concerns a denied accident of 11/17/89. The claimant alleges being exposed to chemicals while operating a forklift on 11/17/89. The claimant alleges loss of breath which resulted in him being transported to St. James Hospital for treatment. The claimant missed approximately 2 weeks of work and returned with no further problems. The claimant is markedly obese, has a history of a prior prostatectomy and hiatal hernia. also has a history of pneumonia and bronchitis. Liberty Mutual has not extended any payments of temporary disability or permanent disability.

REDACTED

The petitioner's attorney, Mortimer Wald of West Orange, N. J. has filed a Formal Claim Petition against our insured. This petition alleges permanent disability resulting from the alleged exposure on 11/17/89. Mr. Wald has also petitioned for the Second Injury Fund to be named as a correspondent. The petitioner's attorney has medical evaluations which states that is totally disabled. We have an exam from Dr. Edwin Rothfeld, dated February 13, 1990, and March 21, 1991, in which Dr. Rothfeld estimates permanent disability at 20% of partial total for chronic obstructive lung disease. Dr. Rothfeld however, does not relate this disability in any way to Mr. employment with our insured, however, he relates this disability to hypertension, obesity, varicose veins and non-insulin dependent diabetes mellitus. Based on the above issues of questionable liability and causal relation, I am requesting that Authorization be extended to dispose of this claim for up to \$50,000 pursuant to N.J.S.A. 34:15-20.

Please grant authorization to settle this claim for \$50,000 pursuant to N.J.S.A. 34:15-20.


ANDRE REYNOLDS
SENIOR CLAIMS ADJUSTER

AR/rn

N40348.01

0007-SWP-005800388
CONFIDENTIAL