

Vorys, Sater, Seymour and Pease LLP

52 East Gay Street
Post Office Box 1008
Columbus, Ohio 43216-1008

WORKERS'
COMPENSATION

APR 25 2000

Robin R. Obetz
Direct Dial (614) 464-5660
Facsimile (614) 719-4892
E-Mail - rrobetz@vssp.com

April 21, 2000

Ms. Tina Grenig
Administrator, Workers' Compensation
Sherwin Williams
101 Prospect Avenue NW
Cleveland, OH 44115-1075

Re: **REDACTED**
Claim No. 98-632523
Sherwin Williams

Dear Tina:

I have now received a substantial amount of information from the above claimant's attorney regarding this claim. I am enclosing for your records a copy of the April 14, 2000 letter from the Larrimer firm stating that claimant worked at Sherwin Williams between 1969 and 1974. They forwarded quite a bit of information regarding claimant's diagnosis, medical conditions and his death. You will note from claimant's affidavit dated May 19, 1998, that he worked at Sherwin Williams from 1969 to 1974 and again from September of 1974 to 1976 as assistant manager in Celina, Ohio. Claimant also had other employment before and after this time where he alleges exposure to "dangerous materials", including highly toxic paints. I am also enclosing the following: a medical report from Dr. Gutterman stating that claimant's acute myelogenous leukemia was the result of his employment in the paint industry and the cabinet making industry; the initial medical reports regarding the diagnosis of leukemia back in July of 1997 which was the primary cause of his death on September 24, 1998; copies of the marriage and death certificates; and the death claim application against Sherwin Williams.

Based upon claimant's affidavits, our primary defense of this death claim is the fact that claimant's "last injurious exposure" was not with Sherwin Williams Company, it was with either his father's company from 1952 to 1969, with Martz Cabinets after 1976 or possibly with the ACME Paint Company in Bluffton, Indiana. I doubt that P.K. Lumber had much to do with his potential exposure. It appears that claimant suffered a back injury sometime in 1985, has not worked since that time and may be on permanent total disability. I presume the Larrimer firm has also been involved in that claim. Claimant's attorney also enclosed general literature regarding exposure to wood, engine exhaust and other risk factors as possible causes of leukemia.

0007-SWP-005805930
CONFIDENTIAL

Vorys, Sater, Seymour and Pease LLP

52 East Gay Street • Post Office Box 1008 • Columbus, Ohio 43216-1008 • Telephone (614) 464-6400 • Facsimile (614) 464-6350 • Cable VORYSATER

Arthur L. Vorys
1836-1933
Lowry F. Sater
1867-1935
Augustus T. Seymour
1873-1926
Edward L. Pease
1873-1924

In Washington
1828 L Street, NW
Eleventh Floor
Washington, D.C. 20036-5109

Telephone (202) 467-8800
Facsimile (202) 467-8900

In Cleveland
2100 One Cleveland Center
1375 East Ninth Street
Cleveland, Ohio 44114-1724

Telephone (216) 479-6100
Facsimile (216) 479-6060

In Cincinnati
Suite 2100 • Arrium Two
221 East Fourth Street
Post Office Box 0236
Cincinnati, Ohio 45201-0236

Telephone (513) 723-4000
Facsimile (513) 723-4056

In Alexandria
277 South Washington Street
Suite 310
Alexandria, Virginia 22314

Telephone (703) 837-6909
Facsimile (703) 549-4492

Robin R. Obetz
Direct Dial (614) 464-5660
Facsimile (614) 719-4892
E-Mail - robetz@vssp.com

WORKERS'
COMPENSATION
APR 25 2000

April 21, 2000

Ms. Tina Grenig
Administrator, Workers' Compensation
Sherwin Williams
101 Prospect Avenue NW
Cleveland, OH 44115-1075

Re: **REDACTED**
Claim No. 98-632523
Sherwin Williams

Dear Tina:

I have now received a substantial amount of information from the above claimant's attorney regarding this claim. I am enclosing for your records a copy of the April 14, 2000 letter from the Larrimer firm stating that claimant worked at Sherwin Williams between 1969 and 1974. They forwarded quite a bit of information regarding claimant's diagnosis, medical conditions and his death. You will note from claimant's affidavit dated May 19, 1998, that he worked at Sherwin Williams from 1969 to 1974 and again from September of 1974 to 1976 as assistant manager in Celina, Ohio. Claimant also had other employment before and after this time where he alleges exposure to "dangerous materials", including highly toxic paints. I am also enclosing the following: a medical report from Dr. Gutterman stating that claimant's acute myelogenous leukemia was the result of his employment in the paint industry and the cabinet making industry; the initial medical reports regarding the diagnosis of leukemia back in July of 1997 which was the primary cause of his death on September 24, 1998; copies of the marriage and death certificates; and the death claim application against Sherwin Williams.

Based upon claimant's affidavits, our primary defense of this death claim is the fact that claimant's "last injurious exposure" was not with Sherwin Williams Company, it was with either his father's company from 1952 to 1969, with Martz Cabinets after 1976 or possibly with the ACME Paint Company in Bluffton, Indiana. I doubt that P.K. Lumber had much to do with his potential exposure. It appears that claimant suffered a back injury sometime in 1985, has not worked since that time and may be on permanent total disability. I presume the Larrimer firm has also been involved in that claim. Claimant's attorney also enclosed general literature regarding exposure to wood, engine exhaust and other risk factors as possible causes of leukemia.

0007-SWP-005805932
CONFIDENTIAL