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WORKERS'
COMPENSATION

MAY 08 1991

May 2, 1991

Ms. Mary Lee O'Brien
Claims Adjuster
Crawford & Company
The Travelers Workers Comp Unit
P.O. Box 5588
Manchester, NH 03108

REDACTED

RE: vs. Sherwin-Williams Company
File No.: 487CBBM83392T

Dear Mary Lee:

On April 30, 1991 I spoke with Peter Mills, Esquire about the future course of this case. A hearing will be held on May 13, 1991. We will need an independent medical examination by an allergist so that we can determine a diagnosis and a probable causal relationship between the chemical exposure and the condition. It will be important to learn if the employee suffers from pre-existing asthma that was simply aggravated temporarily by exposure to chemicals at work or if the asthmatic condition was caused by the exposure to chemicals at work and if it is still disabling the employee. If the work caused a temporary aggravation that has resolved, then the employee's condition has returned to the pre-injury level and we will be in a position to argue that the employee is entitled only to a closed-end period of compensation. On the other hand, if Mr. chronic asthma was caused by exposure to the chemicals at work, then the employee's disability (ongoing) will be causally related to the work injury and it will be compensable since it will not be deemed to have resolved. Second, we will have to take the deposition of Benjamin H. Hoffman, M.D. in order to obtain a favorable work restriction and I also hope to demonstrate that the doctor did not review enough test results to draw a connection between the employee's exposure to chemicals at work and the ongoing asthmatic condition. By copy of this letter to Anthony Colangelo, I am asking that he send to me test results and data indicating the types of chemicals and agents that the employee was exposed to in the course of his employment at Sherwin-Williams and the levels of such exposure.

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