

LIBERTY MUTUAL



Westgate Plaza Building; 20325 Center Ridge Road; Cleveland, Ohio 44116 • Tel. (216) 333-8000

Sherwin-Williams Company
Prospect Avenue, NW
Cleveland, Ohio 44115

August 17, 1976

ATTENTION: Jack D. Kull, Jr., Staff Assistant
Corporate Insurance Department

76-2737

REDACTED
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SUBJECT: - SHERWIN-WILLIAMS COMPANY
File Number: C 327-15881

Dear Jack:

Several weeks ago, you asked me to find out what I could about the claim of
a New Jersey employee who allegedly has asbestosis claimed to be
work related.

I am attaching a copy of a memorandum recently received from Mr. Barton of our
Cherry Hill Office which outlines the state of the claim as it exists at the
present time. Mr. Barton has indicated that he has flagged his file to keep me
posted on this file as it develops.

Very truly yours,

Lee R. Shealy
Claims Manager
sb

INSURANCE

AUG 20 1976

T. M. L.

Attachment

INSURANCE

AUG 19 1976

J. D. K.

N40381

RECEIVED

AUG 19 1976

CORPORATE
INSURANCE

Cherry Hill Claims
August 4, 1976

Cleveland Claims
Lee Shealy

RE: - SHERWIN WILLIAMS CO.
FILE NUMBER: C 327-15881

This is in response to your memo of July 28, 1976.

You are correct in that this is a new case and while our investigation is underway, it is not as yet completed.

According to our preliminary information, the employee is 59 years of age and has worked for the insured for approximately 30 years and for the most part in the receiving department. He is classified as a Raw Material Handler. Our initial information is that he is married and has no dependant children.

Preliminary investigation at the assured's indicates that the employee did have occasion to handle asbestos and in fact did so over an extended period of time. superior during a significant period of this employment and is no longer with the insured and we are following for his recorded interview.

We have a physician's certificate from a Dr. Paisley of Haddon Heights, N.J. Dr. Paisley is Chief of Pulmonary Disease at the West Jersey Hospital. According to my directory Dr. Paisley is not Board certified as a pulmonary expert but limits his practice to internal medicine and pulmonary diseases. I should comment too, that Dr. Paisley is well respected and as a matter of fact has been used by our office in evaluating certain pulmonary disease cases. I do not believe that he has ever evaluated in the prior cases of Sherwin Williams. But he is a well known pulmonary physician in the area.

Dr. Paisley's certificate gives the diagnosis of "chronic lung disease, asbestosis, bullous emphysema, choliathiasis, hiatal hernia". The doctor's certificate also under medical history of illness indicates "work related-dusty".

The employee was admitted to the West Jersey Hospital Southern Division on May 17, 1976 and discharged on June 16, 1976. While there he had a right thoracotomy. The surgery was carried out by Howard Easling, M.D., a qualified general surgeon. Dr. Easling likewise is known to us and is a competent general surgeon. The operative report comments that "he had asbestosis involving the lung, diaphragmatic pleura, and also the mediastinal pleura and parietal pleura". The lab report and in particular the microscopic diagnosis of the tissue gives as a comment "no asbestosis bodies or tumor present in the submitted tissue".

An attorney is representing namely, Matthew W. Parks, a very competent and well known compensation expert in our area. I believe also that he still represents the Union at the assured's local plant.

Obviously, there is much additional work to be done on this case from both an assured investigation standpoint as well as a medical standpoint. I have flagged my file to keep you posted. I have placed an initial Indemnity Reserve on the case of \$25,000 and Medical of \$15,000.

SEB/eb

S. E. Barton

N40381.01

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CONFIDENTIAL

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INSURANCE

AUG 20

T. M.

INSURANCE

AUG 10 '76

J. D. K.