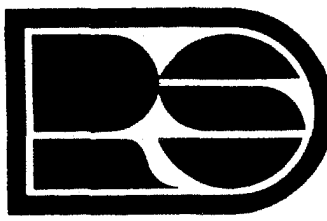


**Raymond
Sheakley &
Associates
Inc.**



December 17, 1982

Richard Baum
Baum and Ruffolo
One North LaSalle Street
Suite 2225
Chicago, IL 60602

REDACTED

RECEIVED

DEC 20 1982

Corp., Risk Mgmt.

' - Sherwin-Williams
CLAIM NUMBER: 8211 00003IL
D/A: 03/23/81

Dear Rick:

Enclosed is an application and notice from Harriette Lakernick.
You will note a hearing date of December 28, 1982.

Also enclosed is a copy of our file. The AWW including OT is
\$404.18. The TTD and PPD rate is \$269.18. No TTD has been
paid. The attorney alleges the AWW is \$360.00. That would
give us a TTD and PPD rate of \$239.76.

I will await your recommendations after you have reviewed the
material and list of things left to do.

I have set a reserve of \$10,000.00 at this time.

If you have any questions, please contact me.

Sincerely,

Steven Borgstrom
Workers' Compensation Specialist

SB/sb
Enclosure
cc: File
L. Scharnhorst
T. Locker ✓

N40064

0007-SWP-005805484
CONFIDENTIAL

TO: File DATE: 12/15/82
FROM: Steven Borgstrom
SUBJ - Sherwin-Williams
8211 00003IL D/A: 03/23/81

1. DATE REFERENCE RECEIVED

November 10, 1982

RECEIVED

DERIVED

2. SELF-INSURED

Grp. Risk Mgmt.

Sherwin-Williams
11541 S. Champlain
Chicago, IL 60628
821-3000

CONTACT - Lita Scharnhorst, Manager of Benefits and Services

3. EMPLOYEE

REDACTED

7804 S. Euclid
Chicago, IL 60649
374-4038

AGE - 61, DOB - 03/26/21, SSN - HEIGHT - 5'10"
WEIGHT - 175, Married, Spouse's Name - Louise, No dependents

Length of Service - 30 years
Position - Process Operator
Department - Chemicals

See copies of written job description and work history record.

Past History

02/43 to 01/46 Navy, Seaman, 1st Class
10/46 to 08/47 Crane Co., mold assembly
10/47 to 05/48 Continental Can, body mach. opr.
03/48 to 07/48 Ind. Casing Co., cutter
07/48 to 06/50 Armour Aux., mach. opr.

Employee was a cigarette smoker. He stopped smoking in February, 1981.

Unverified rumors indicate the employee smoked marijuana once in the A.M. and once in the P.M. on a daily basis.

The chemical department was created in 1940. The present building set-up was created in 1958.

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Some type of chemical cartridge mask has been supplied and worn by employees since 1940. Depending on the extent of any SO₂ leaks that developed, portable oxygen masks were available.

OSHA has never taken any air samples. Any time there was a substantial leak the system would be shut down and the leak would be repaired.

The employees are on a five (5) day rotation. This has been in effect for the last 20 years.

Day 1: Sulfonation room (20 x 30 x 40)

Sulfur trioxide and acetic acid are combined. The employee would inspect the room for leaks approximately every hour. He would also be required to start up or shut down the system. The rest of the time he would monitor controls in an enclosed control room located in an adjoining building.

The sulfonation room is explosion proof. There has been a flexible tube venting system in effect for the last 1½ years. Prior to that there were exhaust fans and louver vents located on the side wall at the top of the room.

SO₂ exposure.

Days 2 and 3: Fusion pot (80 x 20 x 20)

Charge material to reactor and then empty material. No SO₂ exposure.

Day 4: Springing and Sodation (40 x 40 x 20) outdoor maze of tanks

Devert material from one tank to another. SO₂ exposure if leaks developed.

Day 5: Distillation (10 x 10 x 10) control room

No SO₂ exposure.

AWW - \$404.18 (including overtime)
TTD - \$269.18
PPD - \$269.18

Payroll History
*The application notes
AWW - \$369.00.
TTD and PPD rate
would be \$239.76.

Litigated - Attorney: Harriette Lakernick
One North LaSalle, Suite 2065
Chicago, IL 60602
726-5696

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4. THE OCCURRENCE

The application alleges chronic obstructive pulmonary disease contracted by working with sulphur dioxide fumes.

SO₂ is purchased and used in a reaction process to manufacture para-toluene sulfonic acid.

Last day employee worked April 18, 1981. Pension effective December 31, 1981.

Date of death - April 23, 1982. Immediate cause - arteriosclerotic cardiovascular disease. No autopsy was performed. See copy of death certificate

5. MEDICAL

July, 1948, quit job at Ind. Casing Co. because of doctor's orders. Diagnosis - unknown at this time.

February, 1975 through April, 1981

Veterans Admin. Research Hospital
333 E. Huron Street
Chicago, IL 60611
943-6600

Diagnosis listed:

1. Palpitations
2. Ventricular tachycardia, responsive
3. Hyperthyroid indices resolved
4. Pyuria and hematuria
5. L-131 ablation of hyperthyroid state
6. I-131 ablation of thyroid gland
7. Decreased hemoglobin, decreased hematocrit, guaiac positive stools
8. Pneumonitis
9. Possible chemical pneumonitis
10. Upper respiratory infection
11. Acute bronchitis
12. Graves disease

See copies of reports

March 9, 1981

Northwestern University
The Medical School
Ward Memorial Building
Dr. C.R. Zeiss
303 E. Chicago Ave.
Chicago, IL 60611
649-8171

REDACTED

Diagnosis: Severe chronic obstructive lung disease only partially reversible with medication.

See reports dated April 16, 1981 and October 19, 1981.

April 23, 1982

DOA
Jackson Park Hospital
7531 S. Stony Island
Chicago, IL 60649
947-7500

6. LEFT TO DO

1. Determine wife's age and date of birth.
2. Attempt to determine why the doctor advised the employee to quit his job in July, 1948.
3. Determine and obtain any reports regarding air samples taken by Corporate.
4. Subpoena VA's records.
5. Subpoena Northwestern's records.
6. Subpoena Jackson Park Hospital's records.
7. Consult Dr. VanOrdstrand.
8. If necessary arrange for Dr. VanOrdstrand to view job duties and the employee's x-rays.
9. Obtain pension payment amount.
10. Obtain past medical leave payment records.
11. Obtain group insurance file from Provident (may not be one as he was treated at VA).
12. Determine if our client had any life insurance purchased for the employee.
13. Await Rick's recommendation.
14. Determine compensability.

File Active

cc: L. Scharnhorst, T. Locker, R. Baum, Dr. VanOrdstrand

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