



LAVERACK & HAINES, Inc.
SELF INSURANCE and GROUP DEPARTMENTS
238 Main St. 112 State St.
BUFFALO, N.Y. 14202 ALBANY, N.Y. 12207

Report of Hearing

CLAIM No. 712-67-007

Claimant	William Burns	Date of Accident	7/7/67
Employer	National Gypsum Company Millington, N.J. Plant	Date and Place of Hearing	Morristown, 9/12/69
Hearing Before		Hearing Reporter	

A Judgment was entered in the above entitled matter before Judge Sickinger in Morristown, on 9/12/69 on the following basis:

Temporary - none.

Permanent 85% of total (based on 450 weeks) or 382.5 weeks at \$65.07 amounting to \$24,889.27. Respondent is to receive credit for permanent paid.

From the permanent disability the petitioner is to reimburse Connecticut General Life Ins. Co. the sum of \$157.14 for TDB paid.

Dr. Emanuel Kiosk, 2115 Millburn Ave., Maplewood, N.J. was allowed \$75.00 payable by the petitioner.

Dr. Rowland D. Goodman, 44 S. Munn Ave., E. Orange, N.J. was allowed \$50.00 payable by the petitioner.

Dr. Samuel Pollock, 38 Commerce St., Newark, N.J. was allowed \$25.00 payable by the petitioner.

a Counsel fee was allowed petitioner's attorney in the sum of \$4,100.00, payable \$2,500.00 by respondent and \$1,600.00 by petitioner.

Stenographic fee \$35.00 payable by respondent.

This petitioner has no dependents and we would suggest checking on him from time to time. His physical appearance is not good. If he should live the 382.5 weeks, there is a chance of getting him on the Two Percent Fund.

The petitioner testified that he worked for the respondent from 1933 to 3/13/67, during which time he handled asbestos products which irritated his chest. He started to cough and had pains in his chest and difficulty in breathing. He had to quit on 3/13/67. At the present time he has terrific chest pains, he gets shortness of breath and his stomach bothers him. He is 59 years of age and a widower.

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Re: William Burns
Vs: National Gypsum Company
Millington, N.J. Plant
Case: #712-67-007

Hearing of 9/12/69, Morristown, N.J.

Report of Dr. Samuel Pollock dated 5/9/68 was offered on behalf of the petitioner. The doctor made a diagnosis of neuropsychiatric disability residuals of inhalation of noxious fumes and dust and estimated the disability at 12½% of total.

Report of Dr. Rowland Goodman dated 7/19/69 was offered on behalf of the petitioner. The doctor made a diagnosis of pneumoconiosis Stage 3, asbestosis with chronic bronchitis and estimated the disability at 100% of total.

Reports of Dr. Emanuel Klosk dated 4/12/67 and 4/18/68 were offered on behalf of the petitioner. The doctor made a diagnosis of pneumoconiosis, asbestosis and estimated the disability at 100% of total.

Report of Dr. Jack York dated 5/24/69 was offered on behalf of the respondent. The doctor found the man industrially unemployable from all causes and estimated the disability at 66 2/3% of total for the pulmonary pathology.

Report of Dr. Joseph Zigarilli dated 9/16/68 indicating no permanent disability was offered on behalf of the respondent.

EUGENE G. GALVIN

COPY/hm

original: Mr. F. Zimmerman
cc: Mr. F. Lavin
cc: Mr. G. Reilly

