

BAUM & RUFFOLO

ATTORNEYS AT LAW

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April 28th, 1984

Mr. Steve Borgstrom
Raymond Sheakley & Associates
18 W. 100 22nd Street
Suite #124
Oak Brook Terrace, IL 60181

RECEIVED
MAY 10 1984
Corp., Risk Mgmt.

RE:

REDACTED

-vs-

Sherwin Williams Co.
I.C.#: 84 OD 254
File #: 8304-00003IL

Dear Steve:

I acknowledge receipt of this file and am filing my Appearance on your behalf and also our response to the Petition for Immediate Hearing by Attorney Mitchell Horwitz located at 180 North LaSalle Street, Chicago, Illinois 60601 at phone 372-8822. The claimant is formerly known as who had a name change in 1982. He worked for Sherwin Williams Paint store and warehouse at 2422 S. Alpine Road, Rockford, Illinois 61108. He apparently worked part-time and his average weekly wage was \$255.25 and his compensation rate, \$170.00.

REDACTED

There are indications in the file that he worked 30 hours a week on inside sales. This is an alleged occupational disease case with alleged chronic obstructive lung disease.

This individual began losing time from work on March 25th, 1984 and is apparently getting full pay under the disability plan. He originally saw Dr. Charles W. Gray, 2500 North Rockton Avenue in Rockford, Illinois 61103. Dr. Gray in his report, does find chronic obstructive air waive disease on spirogram testing. Although the remainder of his findings seem normal.

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RE:

REDACTED

Sherwin Williams

Corp., Rockford, IL

Beginning in 1969 for 10 years with Adamson Paint Company until 1979 and then worked with Paul Johnson Painting from 1979 to 1980. He started with our company on August 14th, 1980. His job consisted of warehouse work, sales work and mixing and matching of wholesale paint.

Apparently the bulk of this work was sales work or matching paint by eye. However, occasionally, he would go to a small enclosed booth or back room and spray paint to test it on spraying by eye and is allegedly where he was exposed to the fumes.

You have asked for Dr. Van Orstrand's opinion, our specialist in Cleveland and he feels that an individual can have a lung reaction if they are a sensitive person to our polyurethane paints but that the effects will only be temporary and not permanent. I note that has a history of an up and down attendance and work record as well as some mental problems including depression and nervous breakdowns. There are indications that he was treated at various times at Janet Wattles Mental Health Care Center in Rockford, Singer Douglass Mental Health Center and Swedish American Hospital. These are all Rockford Health Facilities.

I would recommend a reserve at present of \$5,000.00 for any and all claims. In addition, by way of investigation, I would request that you check for any prior claims, especially with Adamson Paint where he worked for a long period of time and also obtain a witness statement clearly indicating the amount of time that may have been spent on a daily, weekly or monthly basis in the actual physical spraying of paint for testing purposes. This could come from a manager, co-worker, supervisor or all of the above.

REDACTED

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RE: **REDACTED** -vs- Sherwin Williams

Also, please order a rating evaluation with a lung specialist to rule out causal connection.

I will advise when this matter is set down for an immediate hearing.

Very truly yours,

BAUM & RUFFOLO

Richard W. Baum

Richard W. Baum

RWB/ppm

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Corp., Dist. Ct.

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