

The Commonwealth of Massachusetts

Department of Industrial Accidents

600 Washington Street

Boston, MA 02111

AGREEMENT FOR REDEEMING LIABILITY BY LUMP SUM UNDER G.L. CH. 152, SEC. 45

BOARD NUMBER 08481087 WIDOW Alice L. Warren
INSURER OR SELF-INSURER Travelers Insurance EMPLOYER Monsanto
c/o Joseph Leary Assistant Manager
INSURER'S ADDRESS P.O. Box 9049 TOTAL DEDUCTIONS \$35,584.00
Boston, MA 02203
AMOUNT OF LUMP SUM \$192,500.00 NET TO CLAIMANT \$156,916.00
TOTAL PAYMENTS \$192,500.00 INSURER'S CLAIM # 192CBAN33829T
Received of Monsanto and Travelers a \$15 the LUMP SUM of One Hundred Ninety-two
Thousand Five Hundred no 192,500.00
dollars and no cents making with weekly payments already received by me,
the total sum of One Hundred Ninety-two Thousand Five Hundred no cents (\$192,500.00)
and the insurer's waiver of its right under G.L. CH. 152, SEC. 45 to any recovery against any
Said payments are received in redemption of the liability for all weekly payments now or in the future due under the Workers' Compensation Act for all
injuries received by my husband John Warren on or about 1948 to 1975 inclusive

while in the employ of Monsanto subject to approval of the Department of Industrial Accidents.

[Signature] Witness's Signature Alice L. Warren Claimant's Signature
[Address] Witness's Address 40 Midway St. Indian Orchard, MA Claimant's Address
11/1/88 Date of Agreement Travelers Insurance Insurer or Self-Insurer
U1151

BY: [Signature]
its attorney ONE MONARCH PLACE
Springfield, MA 01147

STRIKE OUT IF NOT APPLICABLE

I understand that from the LUMP SUM amount stated above, the amounts listed below will be deducted and paid to the following parties:

1. \$	Lawyer's Fee	Name	Address
35,584.00		James H. Tourtelotte	1500 Main Street Springfield, MA 01105
2. \$			
3. \$			
4. \$			
5. \$			
6. \$			
7. \$			

DEPARTMENT OF INDUSTRIAL ACCIDENTS DIVISION OF DISPUTE RESOLUTION	
APPROVED	
REVIEWING	1988 SCARD
by <u>[Signature]</u> Administrative Law Judge Appointed under G.L.C. 152 § 43	

STRIKE OUT IF NOT APPLICABLE

I understand that after all of the above deductions, including lawyers' fees and other liens, I will receive the net amount of \$ 156,916.00. I further understand that this is a complete and final settlement of my claim and that I will not be able to reopen my claim or seek further benefits because of this injury. I am fully satisfied with this settlement.

[Signature] Witness's Signature Alice L. Warren Claimant's Signature

AGREEMENT FOR REDEEMING LIABILITY BY LUMP SUM

EMPLOYEE Age N/A Average Weekly Wage \$ 741.38 Dependents 1 Comp. Rate 383.57
 Social Security No. N/A On Social Security Disability? Yes N/A No
 Compensation Chemical worker If Yes, from what date?

DISEASE Nature hemangiosarcoma
 Place and Date of all injuries included: Monsanto Chemical Company between 1948 and 1975 inclusive and at any other time
 Cause vinyl chloride exposure

LIABILITY Yes X No If No, Reason:
 If answered, what is pending issue?

MEDICAL Original Diagnosis: see above
 Present Medical Condition: Deceased 1/29/88
 Present Work Capacity: N/A

PERTINENT MEDICAL REPORTS AND BILLS SHOULD BE ATTACHED HERETO

COMPENSATION \$34 \$ \$35A \$ \$34A \$
 PAID \$35 \$ \$36 \$ \$31 \$

PLEASE GIVE BRIEF HISTORY AND REASONS SETTLEMENT IS IN THE EMPLOYEE'S BEST INTEREST:

(Specify any requested allocation of claimant's net amount.)

From 1948 to 7/1/74 (and perhaps into 1975) John H. Warren was exposed to vinyl chloride while working as a process helper, operator, or control operator in the manufacture of poly vinyl chloride at Monsanto. Although he was not exposed after 1974 or 1975, sufficient cellular changes had been induced by his 26 year exposure to cause a rare form of cancer to spread from his liver to his brain. This hemangiosarcoma is specific to vinyl chloride exposure. It was diagnosed as result of symptoms which grew serious in May and June of 1987. Dr. Flatow's report of 5/3/88 is attached. Mr. Warren died on 1/29/88. The claim for worker's compensation benefits was denied by Travelers. Mrs. Warren's marriage certificate is attached. She is 61 years old. This settlement represents the present value of the benefits she would receive over her life expectancy without considering the effect of §34B. In the language of §4 this is an agreement to redeem liability for compensation in part. The part left unredeemed is that part to which in the future she may become entitled under §34B. The widow therefore reserves her right to receive benefits funded by the Worker's Compensation Trust fund in accordance with §65(2)(a). For the purpose of adjustment under §34B, the first date of eligibility, 6/1/87, rather than the date of injury, shall be used for the purpose of computing such supplemental benefits. St. 1967, c. 57.

Philip A. Brooks

James H. Tourtelotte

THIS FORM MUST BE TYPED OR LEGIBLY PRINTED

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