

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

Case No. VEN 0068344

BOLESLAW DOBRUCKI,

Applicant,

v.

MENASCO INCORPORATED;
P.S.I.,

Defendants.

FINDINGS AND ORDER

The above-entitled matter having been heard and regularly submitted, the Honorable JAMES J. DOHERTY, Workers' Compensation Judge, now makes his decision as follows:

FINDINGS OF FACT

1. Boleslaw Dobrucki, born March 14, 1928, while employed as an inspector, at Burbank, California, on August 16, 1972 to July 7, 1988, by Menasco, then permissibly self-insured did not sustain injury arising out of and occurring in the course of his employment to his lungs and kidneys.
2. Applicant is entitled to reimbursement of medical-legal costs in an unknown amount to be informally adjusted by and between the parties, less credit to defendants for all sums heretofore paid on account thereof, if any.
3. All other issues have been rendered moot.

AWARD

AWARD IS MADE in favor of Boleslaw Dobrucki against Menasco of:

Medical-legal costs in an unknown amount to be informally adjusted by and between the parties, less credit to defendants for all sums heretofore paid on account thereof, if any.

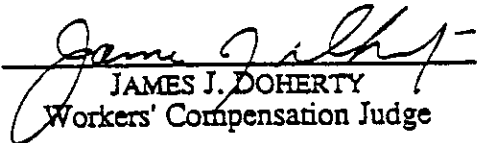
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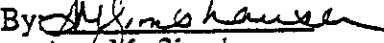
FORM 157.1 MAY 8 1995

ORDER

IT IS ORDERED that applicant take nothing by reason of his application filed herein. .

DATED: 5-4-95


JAMES J. DOHERTY
Workers' Compensation Judge

Filed and Served by mail on: 5-4-95
On all parties as shown on the
Official Address Record.
By 
Ann M. Simshauser

STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD

CASE NO. VEN 0068344

BOLESLAW DOBRUCKI

v. MENASCO;

P.S.I.

WORKERS' COMPENSATION JUDGE

JAMES J. DOHERTY

OPINION ON DECISION

The medical report of Robert A. Weissman, M.D. of February 9, 1990 appears to be a well reasoned and credible report. Unfortunately the applicant had a serious renal problem which clearly was nonindustrial. Dr. Weissman states that there is a possibility that he may have had some benign changes on X-ray related to some potential industrial exposure to metal dust before working for Menasco with X-ray findings so close to his start of work at Menasco but the pattern of illness did not appear to be consistent with the reasonable probability that there was exposure to metal dust or carbide dust in the course of that employment leading to his pulmonary fibrosis.

He noted that from a review of the history and records when he previously had symptoms of cough and hemoptysis, he had other symptoms of a necrotizing vasculitis consistent with polyarteritis nodosa. He was placed on Cytoxan and prednisone. Dr. Weissman felt that his progressive interstitial lung disease was related to his problems of vasculitis with increasing worsening associated with his going off steroids and going on dialysis or possibly related to Cytoxan.

He suggests that the least likely thing would be the industrial exposure because he had less occupational exposure after working for Menasco.

There is no medical report which relates the renal problem to his employment with the defendant.

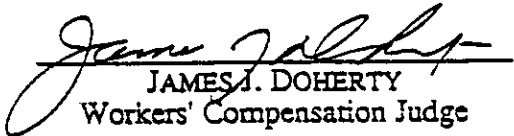
Since it is this trier of fact's opinion that there is no industrial disability from Menasco all other issues are moot.

DATED: 5-4-95

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By: Ann M. Simshauser
Ann M. Simshauser


JAMES J. DOHERTY
Workers' Compensation Judge