

# Compensation Review Board Calendar for April 27, 2018

State of Connecticut  
Workers' Compensation Commission  
Capitol Place 21 Oak Street, 4th Floor Suites  
Hartford, CT 06106  
PHONE: 860-493-1500 FAX: 860-247-1361  
Calendar of Hearings as of 2/20/2018

The following case(s) shall be heard beginning at 9:00 a.m.

- 1) CASE NO. 06101-CRB-06-16-05 (Dilzer)  
GARY SALERNO v. LOWE'S HOME IMPROVEMENT CENTER and Sedgwick  
CMS, Incorporated

(Claimant's Rep-Appellee)

Richard O. LaBrecque, Esq.  
Grady & Riley  
86 Buckingham Street  
Waterbury, CT 06710-1998

LOWE'S HOME IMPROVEMENT CENTER (Employer's  
Rep-Appellant)

David Kelly, Esq.  
Montstream & May, L.L.P.  
Salmon Brook Corporate Park  
655 Winding Brook Dr., PO Box 1087  
Glastonbury, CT 06033-6087

- STATUTE: 1. 31-294c - Notice of injury. Preclusion of compensation defenses to liability.  
ISSUE: 1. Appeal from trier's denial of motion to preclude.  
2. All issues on appeal.

PANEL: Commissioners Mastropietro, Barton and Gregg.

CLAIM: 601072205

Brief Due Dates:

Appellant Brief 03/07/2018  
Appellee Brief 03/28/2018

**The following case(s) shall be heard beginning at 9:00 a.m.**

**2) CASE NO. 06201-CRB-01-17-07 (Walker)**

**JOSE DEJESUS**

**v. R.P.M. ENTERPRISES, INC. and ROBERT P. MARION, SR. and SECOND INJURY FUND**

(Claimant's Rep-Appellee)

Lori M. Comforti, Esq.  
Law Office of Lori M. Comforti, Llc  
108 Sachem Street  
Norwich, CT 06360

R.P.M. Enterprises, Inc. and ROBERT P. MARION, SR.  
(Employer's Rep-Appellant)

Robert M. Fitzgerald, Esq.  
Robert M. Fitzgerald Attorney at Law  
22 North Street  
Willimantic, CT 06226

SECOND INJURY FUND (Attorney Gen'l-Appellee)

Joy Avallone, Esq., AAG  
Office of the Attorney General  
55 Elm Street  
P.O Box 120  
Hartford, CT 06141-0120

- STATUTE:     1.   31-275(9,10) - Employee/Employer Relationship.  
                  2.   31-294c - Notice of injury. Preclusion of compensation defenses to liability.  
                  3.   31-301 [AP] - Appeal procedure.
- ISSUE:        1.   All issues on appeal.

PANEL:   Commissioners Mastropietro, Barton and Gregg.

CLAIM:   200189088

Brief Due Dates:

Appellant Brief	03/07/2018
Appellee Brief	03/28/2018

**The following case(s) shall be heard beginning at 9:00 a.m.**

**3) CASE NO. 06207-CRB-07-17-07 (Truglia)**

**DEBORAH LIONETTI**

**v. PAUL G. MESSINEO, LLC and Protective Insurance  
Company and Reilly's Adjusting Service**

(Claimant's Rep-Appellant)

Patrick D. Skuret, Esq.  
Daniel D. Skuret, Law Offices  
215 Division Street  
P.O. Box 158  
Ansonia, CT 06401-0158

PROTECTIVE INSURANCE COMPANY (Insurer's  
Rep-Appellees)

Jason M. Dodge, Esq.  
Strunk, Dodge, Aiken & Zovas  
200 Corporate Place, Suite 100  
Rocky Hill, CT 06067

- STATUTE:
1. 31-293 - Reimbursement and third party suits.
  2. 31-301 [FF] - Factual findings.
  3. 31-308(a) - Temporary Partial Incapacity.
  4. 31-308a - Additional Benefits for Permanent Partial Disability.
- ISSUE:
1. All issues on appeal.

PANEL: Commissioners Mastropietro, Barton and Gregg.

CLAIM: 601059044

Brief Due Dates:

Appellant Brief	03/07/2018
Appellee Brief	03/28/2018

**The following case(s) shall be heard beginning at 10:30 a.m.**

**1) CASE NO. 06227-CRB-06-17-10 (Salerno)**

**EVELYN BANKS**

**v. MANOR CARE, INC. and Broadspire, a Crawford Company**

(Misc. Rep-Appellant)

Cornita Macon  
179 West Morningside Street  
Hartford, CT 06112

BROADSPIRE, A CRAWFORD COMPANY (Insurer's Rep-Appellee)

Erik Bartlett, Esq.  
McGann, Bartlett & Brown, LLC  
111 Founders Plaza, Suite 1201  
East Hartford, CT 06108

- STATUTE:
1. 31-275 - Compensability/Causal Connection.
  2. 31-294c - Notice of injury. Preclusion of compensation defenses to liability.
  3. 31-301 [FF] - Factual findings.
  4. 31-316 - Reporting of injuries.
- ISSUE:
1. All issues on appeal.

PANEL: Commissioners Mastropietro, Barton and Gregg.

CLAIM: 601065963, 601065983

Brief Due Dates:

Appellant Brief            03/07/2018  
Appellee Brief             03/28/2018

**The following case(s) shall be heard beginning at 10:30 a.m.**

**2) CASE NO. 06226-CRB-08-17-10 (Mlynarczyk)**

**JAMES HANKARD**

**v. DIVISION OF CRIMINAL JUSTICE/ CHIEF STATES  
ATTORNEY and Gallagher Bassett Services, Incorporated  
and SECOND INJURY FUND**

(Claimant's Rep-Appellee)

Mark Merrow Esq  
Law Offices of Mark Merrow, LLC  
760 Saybrook Road  
Middletown, CT 06457

DIVISION OF CRIMINAL JUSTICE/ CHIEF STATES  
ATTORNEY (Attorney Gen'l-Appellant)

Lawrence Widem, Esq., AAG  
Office of the Attorney General  
55 Elm Street  
P.O Box 120  
Hartford, CT 06141-0120

- STATUTE:
1. 31-294f - Medical examination [Formerly Sec. 31-305].
  2. 31-300 - Awards, interest, and attorney's fees.
  3. 31-301 [FF] - Factual findings.
  4. 31-308(a) - Temporary Partial Incapacity.
  5. 31-308(b) - Compensation for Permanent Partial Loss.
  6. 31-308a - Additional Benefits for Permanent Partial Disability.
  7. 31-312 - Compensation for time lost for medical treatment and attendance at hearings.
- ISSUE:
1. All issues on appeal.

PANEL: Commissioners Mastropietro, Barton and Gregg.

CLAIM: 800185446, 800185111

**Brief Due Dates:**

Appellant Brief	03/07/2018
Appellee Brief	03/28/2018

**The following case(s) shall be heard beginning at 1:30 p.m.**

**1) CASE NO. 06228-CRB-02-17-10 (Mullins)**

**CATHY JANES**

**v. O&G INDUSTRIES, INC. and Travelers Property & Casualty**

(Claimant's Rep-Appellant)

David J Scully, Esq.  
Kernan, Scully & McDonald  
207 Bank Street  
P.O. Box 2156  
Waterbury, CT 06722

TRAVELERS PROPERTY & CASUALTY (Insurer's Rep-Appellee)

Thomas McKeon, Esq.  
Bai, Pollock, Blueweiss & Mulcahey, P.C.  
Two Corporate Drive  
Shelton, CT 06484

STATUTE:     1.   31-275(1) - Arising out of and in the course of employment [Formerly Sec. 31-275(12)].  
                  2.   31-301 [FF] - Factual findings.

ISSUE:        1.   All issues on appeal.

PANEL:   Commissioners Gregg, Dilzer and Morelli.

CLAIM:   700175807, 500167034

**Brief Due Dates:**

Appellant Brief	03/07/2018
Appellee Brief	03/28/2018

**The following case(s) shall be heard beginning at 1:30 p.m.**

**2) CASE NO. 06209-CRB-04-17-08 (Cohen)**

**MARK E. PERRY**

**v. CITY OF DANBURY--FIRE DEPARTMENT**

(Claimant's Rep-Appellant)

David J. Morrissey, Esq.  
Morrissey, Morrissey & Mooney, LLC  
203 Church Street  
P.O. Box 31  
Naugatuck, CT 06770

CITY OF DANBURY--FIRE DEPARTMENT (Employer's  
Rep-Appellee)

Colette S. Griffin, Esq.  
Howd & Ludorf  
65 Wethersfield Avenue  
Hartford, CT 06114-1190

(Union Rep)

Kevin Plank, VP  
Danbury Professional Fire Fighters Union  
Local 801 IAFF  
P.O. Box 901  
Danbury, CT 06810

STATUTE:     1.   31-294c - Notice of injury. Preclusion of compensation defenses to liability.  
                  2.   31-301 [FF] - Factual findings.  
                  3.   7-433b - 7-433c - Heart and Hypertension Act.

ISSUE:        1.   All issues on appeal.

PANEL:   Commissioners Barton, Dilzer and Morelli.

CLAIM:   700133171

Brief Due Dates: