

STEWART, GREENBLATT, MANNING & BAEZ

ATTORNEYS AT LAW

6800 JERICHO TURNPIKE

SUITE 100W

SYOSSET, NY 11791

516-433-6677

FAX 516-433-4342

DONALD R. STEWART (RET.)
MADGE E. GREENBLATT
ROBERT W. MANNING
RICARDO A. BAEZ
DAVID J. GOLDSMITH
PETER MICHAEL DeCURTIS
LAURETTA L. CONNORS
JOHN K. HAMBERGER

LISA LEVINE
ANDREA L. De SALVIO
KRISTY L. BEHR
DAVID S. FOODEN
LUKE R. TARANTINO
THOMAS A. LUMPKIN
JILLIAN A. SMITH
JONATHAN SO

KAFI WILFORD (2003-2010)
MICHAEL H. RUINA (1992-2016)

RAYMOND J. SULLIVAN
MONICA M. O'BRIEN
MARY ELLEN O'CONNOR
OF COUNSEL

Supreme Court, Appellate Division, Third Department, New York

Matter of MARY ANN RICHARDS, Appellant

v

MASSENA CENTRAL SCHOOLS, Respondent

and

WORKERS' COMPENSATION BOARD

Decided May 4, 2017

Facts: Claimant sustained injuries to the neck while lifting heavy chairs, and ultimately underwent causally related surgery. A few years later, she sought to amend the claim to include consequential neurological injuries. The WCLJ found claimant did not meet her burden of establishing a causal or consequential relationship. The Board affirmed and the claimant appealed.

Holding: *Affirmed*

Discussion: Claimant's own doctors essentially could not testify to a consequential relationship within a reasonable degree of medical certainty. Because the Board's determination was based on substantial evidence, it will not be disturbed.