

**STEWART, GREENBLATT, MANNING & BAEZ**

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

ATTORNEYS AT LAW  
6800 JERICHO TURNPIKE  
SUITE 100W  
SYOSSET, NY 11791

516-433-6677  
FAX 516-433-4342

KAFI WILFORD (2003-2010)

RAYMOND J. SULLIVAN  
MONICA M. O'BRIEN

OF COUNSEL

LISA LEVINE  
ASHA V. EDWARDS  
ANDREA L. De SALVIO  
KRISTY L. BEHR  
DAVID S. FOODEN  
LUKE R. TARANTINO  
THOMAS A. LUMPKIN

Supreme Court, Appellate Division, Third Department, New York

In the Matter of CHUKWUNENYE ONUOHA, Appellant  
v.  
BJS CLUB 164. et al., Respondents.

WORKERS' COMPENSATION BOARD, Respondent.

May 19, 2016

- Facts: Claimant was awarded workers' compensation benefits as a result of a work-related injury. Subsequently, the employer and its carrier controverted the claim and following a hearing, the WCLJ found that the claimant had no further causally related disability. The Board affirmed the decision and claimant's request for Full Board review was denied. Claimant appealed.
- Holding: *Affirmed.*
- Discussion: Claimant only appealed the Board's denial of his request for Full Board review and as such the Court's review is limited to whether the Board's denial of claimant's application was arbitrary or capricious. The Board's denial was not an abuse of discretion as the Board is vested with the discretion to assess the credibility of medical witnesses and its resolution of such issues is to be accorded great deference.