

**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

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

RAYMOND J. SULLIVAN  
MONICA M. O'BRIEN

OF COUNSEL

Supreme Court, Appellate Division, Third Department, New York

In the Matter of the Claim of WILLIAM QUALLS, Appellant,

v.

BRONX DISTRICT ATTORNEY'S OFFICE et al., Respondents,

WORKERS' COMPENSATION BOARD, Respondent.

January 19, 2017

Facts: At night in his own residence the claimant suffered a stroke. A WCLJ found that the stroke was causally related to employment as an investigator for the Bronx District Attorney's Office and awarded benefits. However, upon review the Board reversed, finding insufficient medical evidence to establish causal relationship. Claimant's application for reconsideration and/or full Board review was denied.

Holding: *Affirmed.*

Discussion: Court outlined the following facts that supported the Board's decision. The claimant had multiple and independent risk factors for the stroke, including his physician's equivocal testimony that the stress "may" have or "could" have been a contributing factor. In addition, the Board was free to characterize and ultimately reject the medical evidence offered by claimant as speculative. The Court also noted the absence of sufficient medical evidence.