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Marlin Thompson

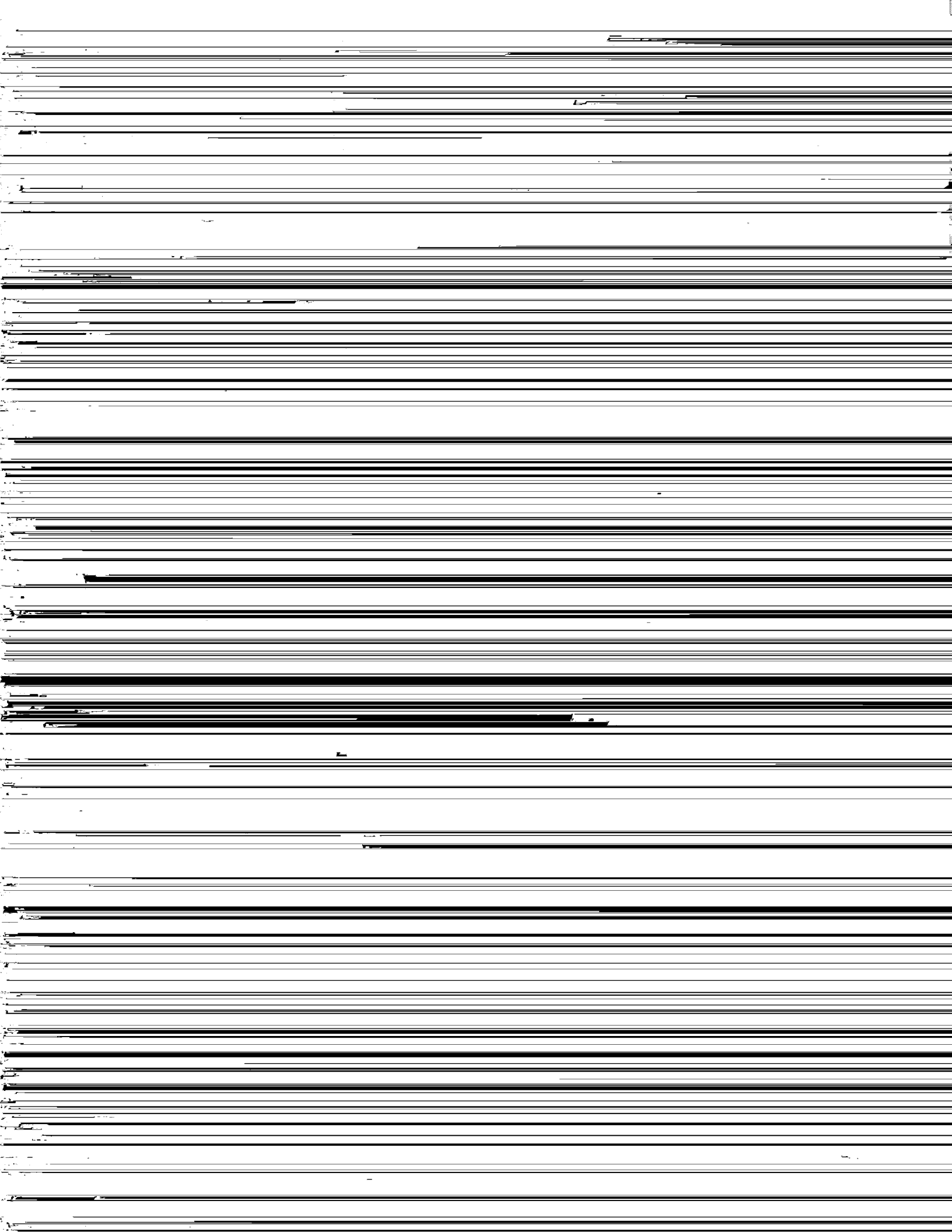


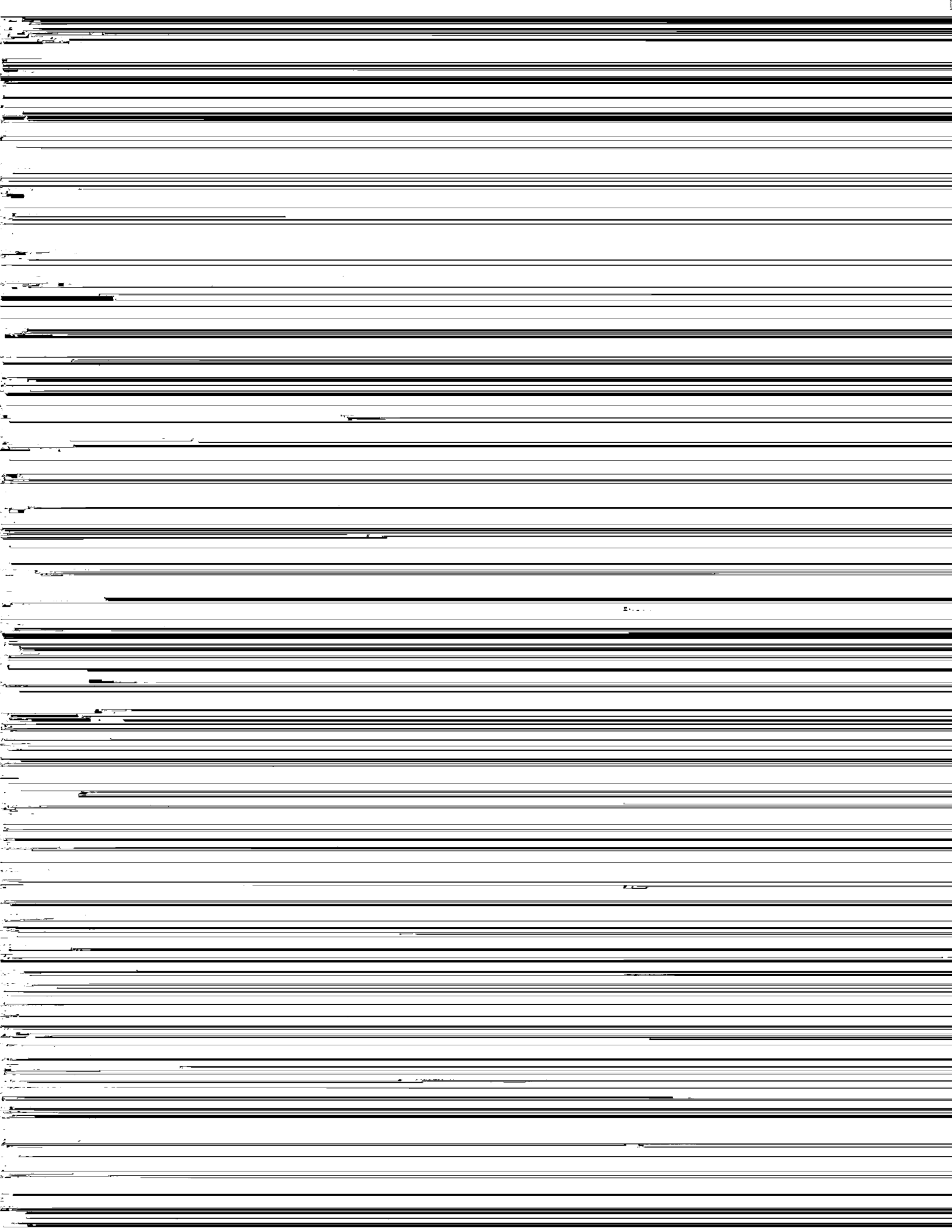
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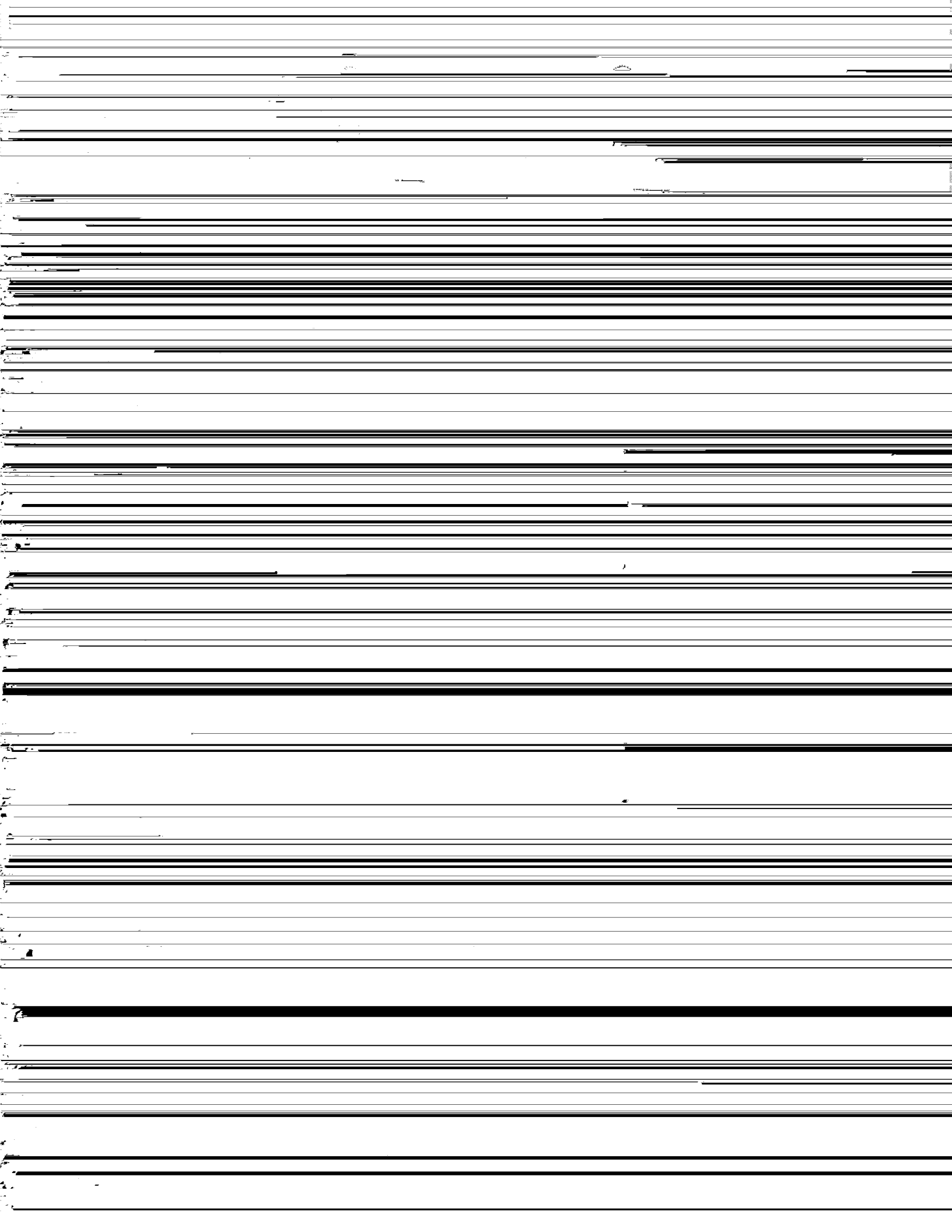


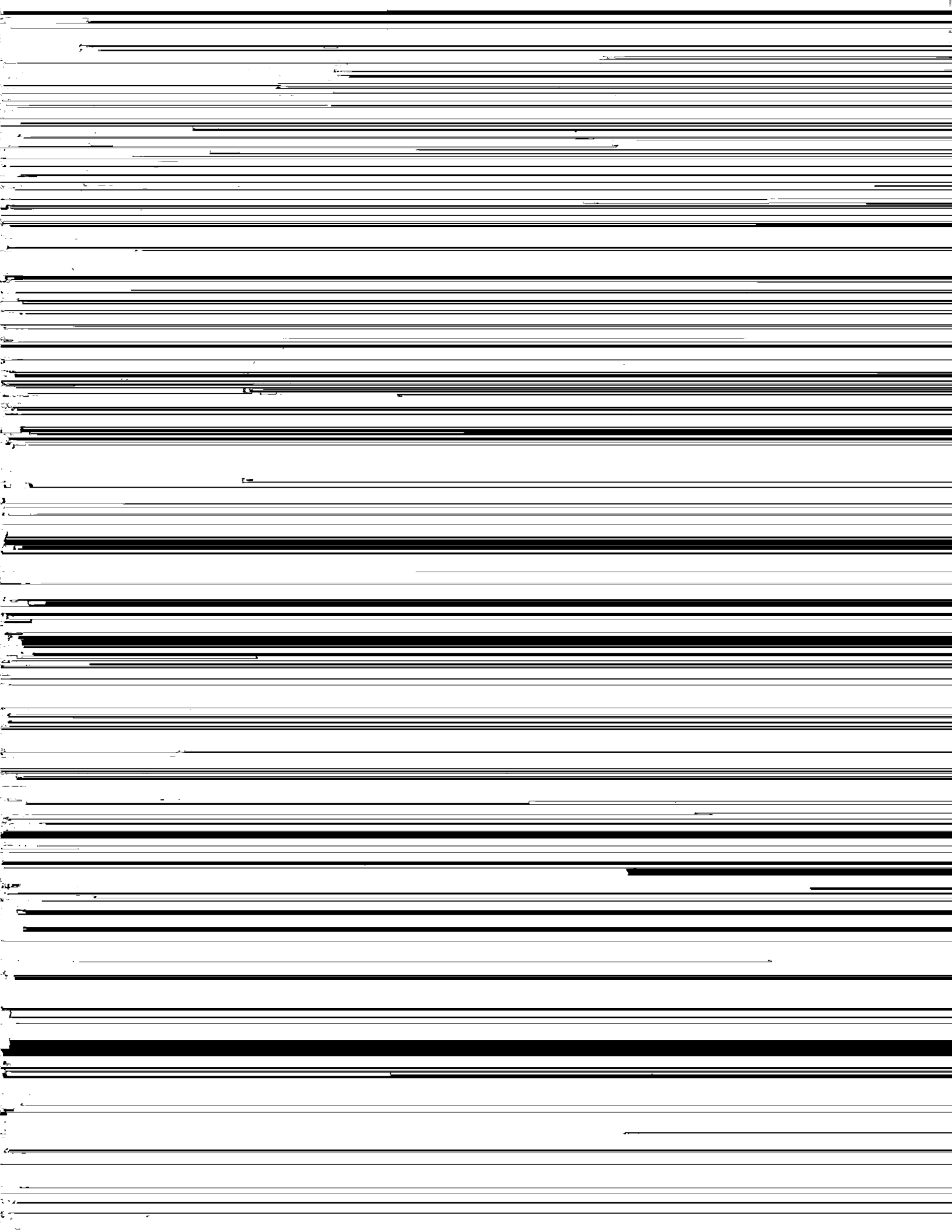
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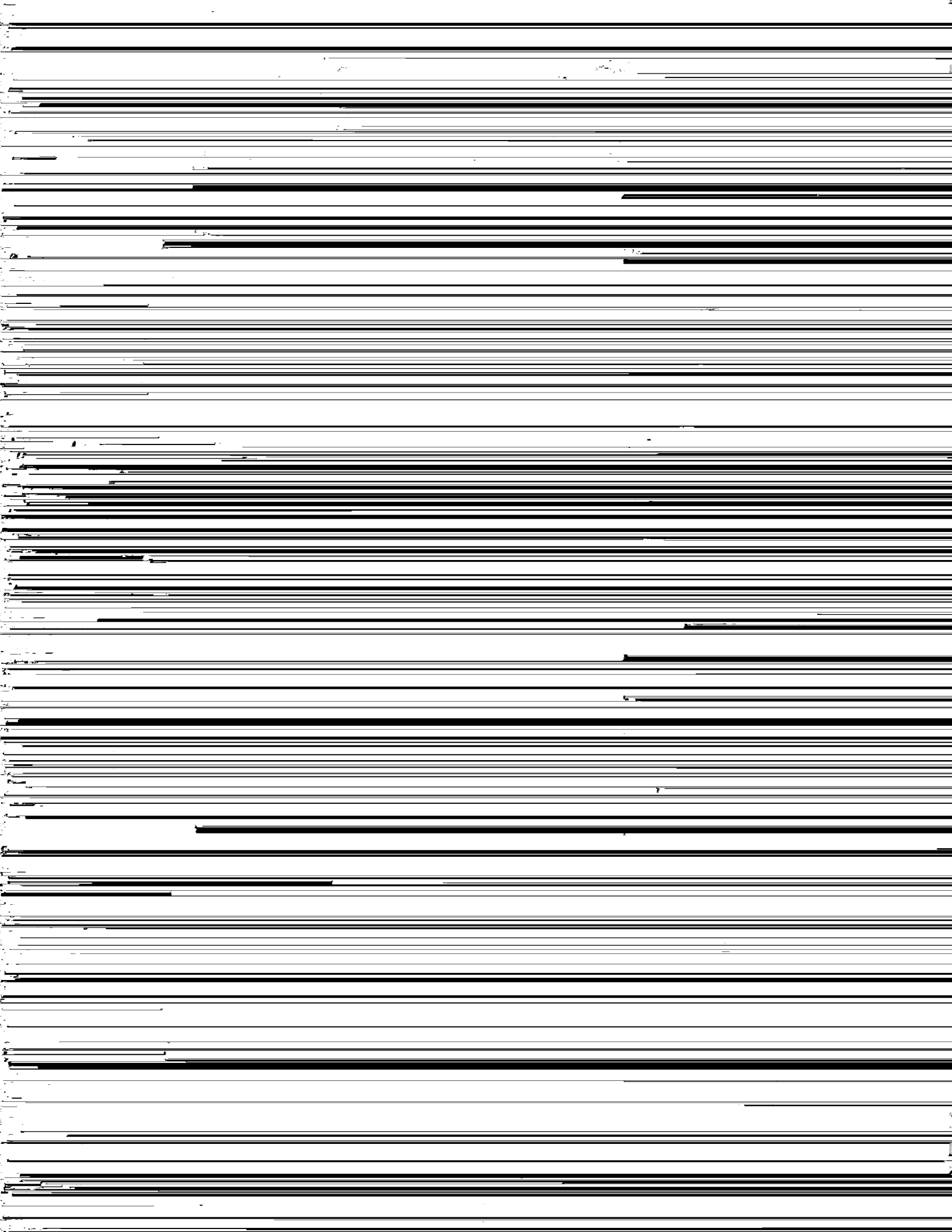


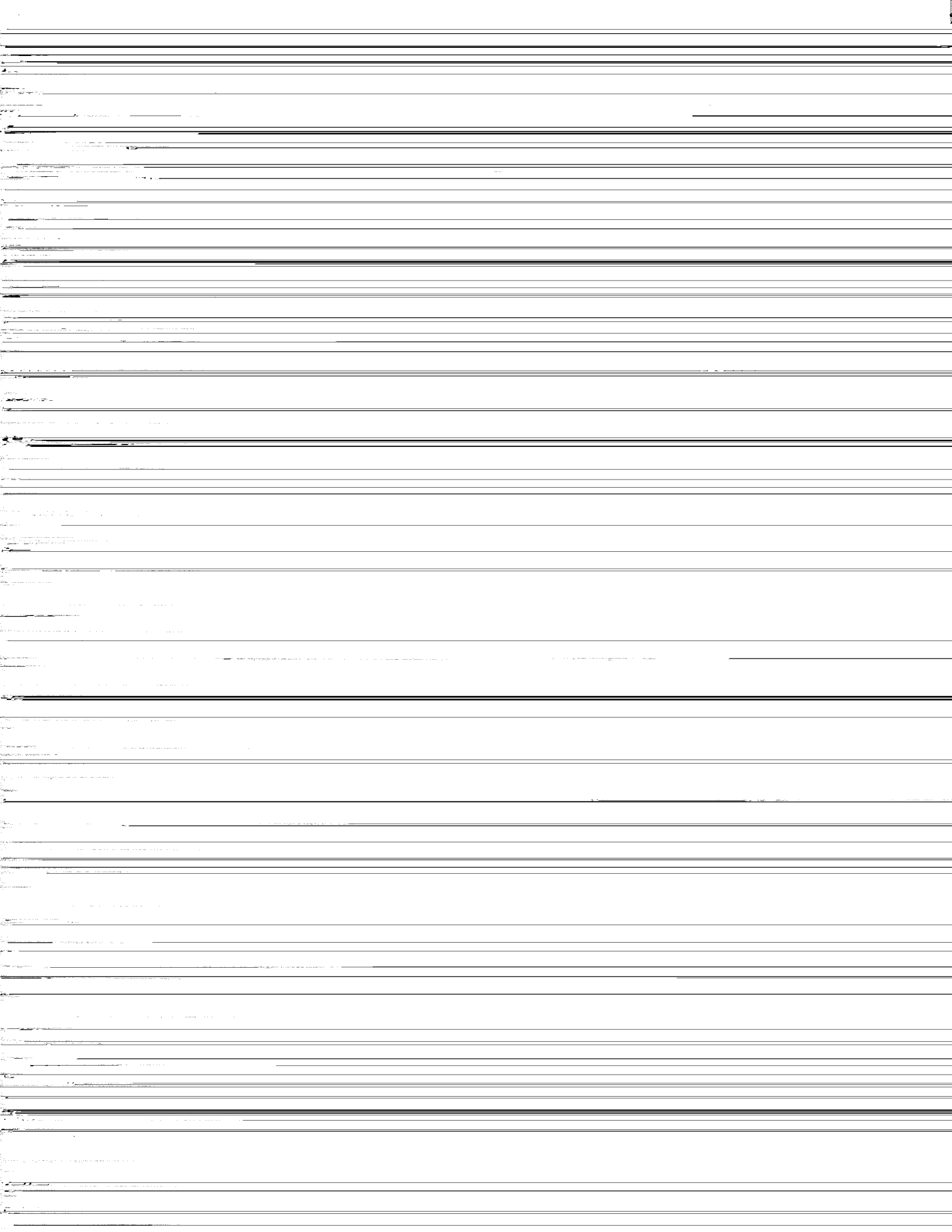


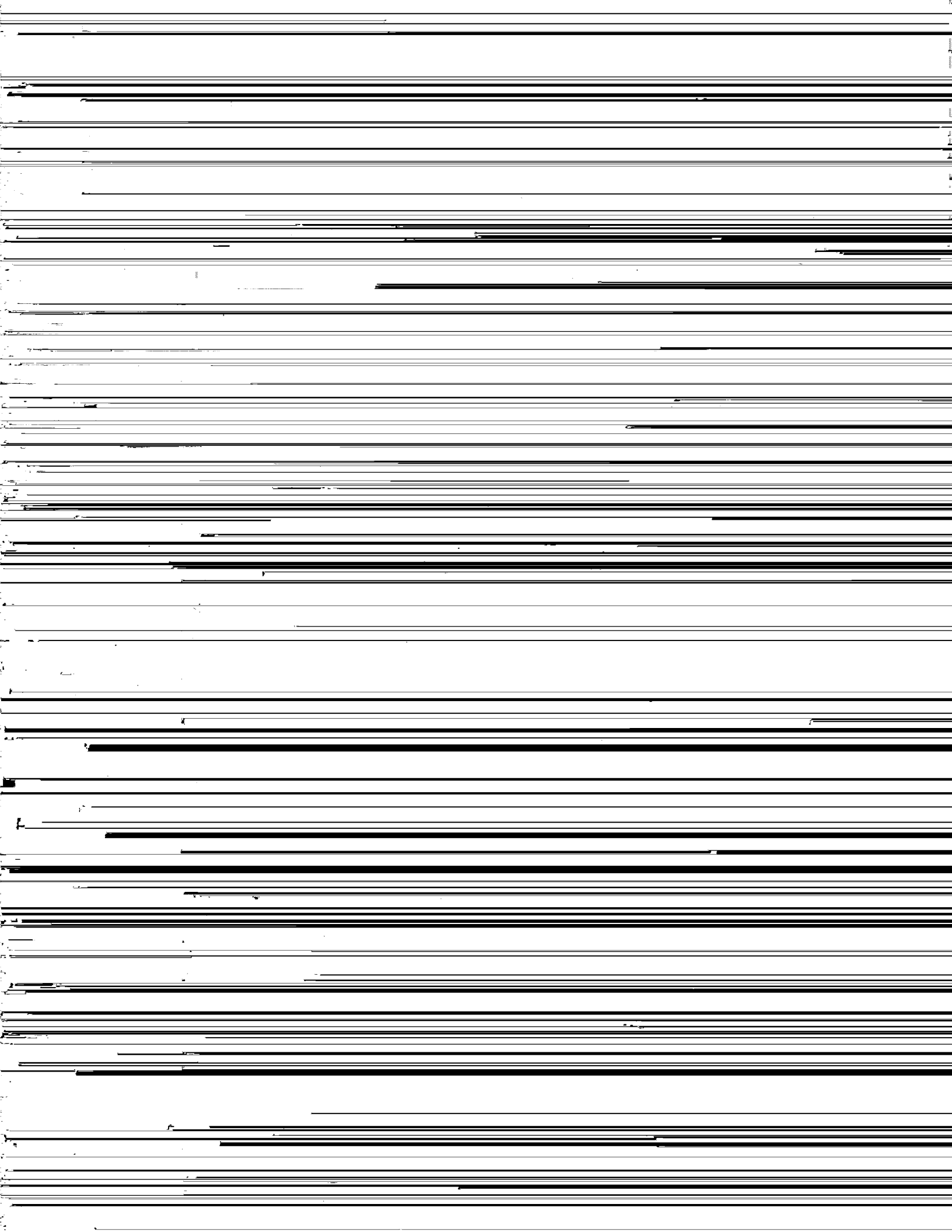


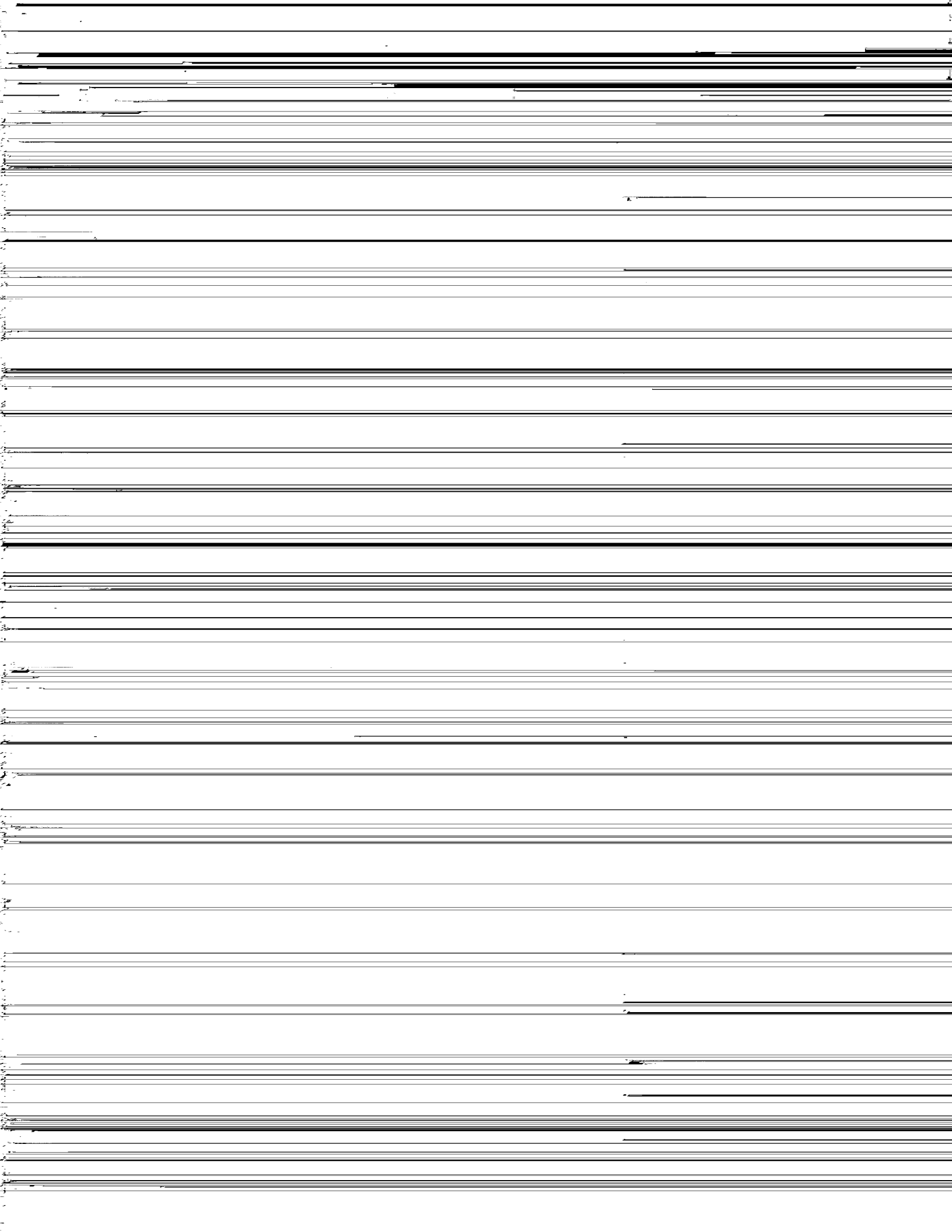


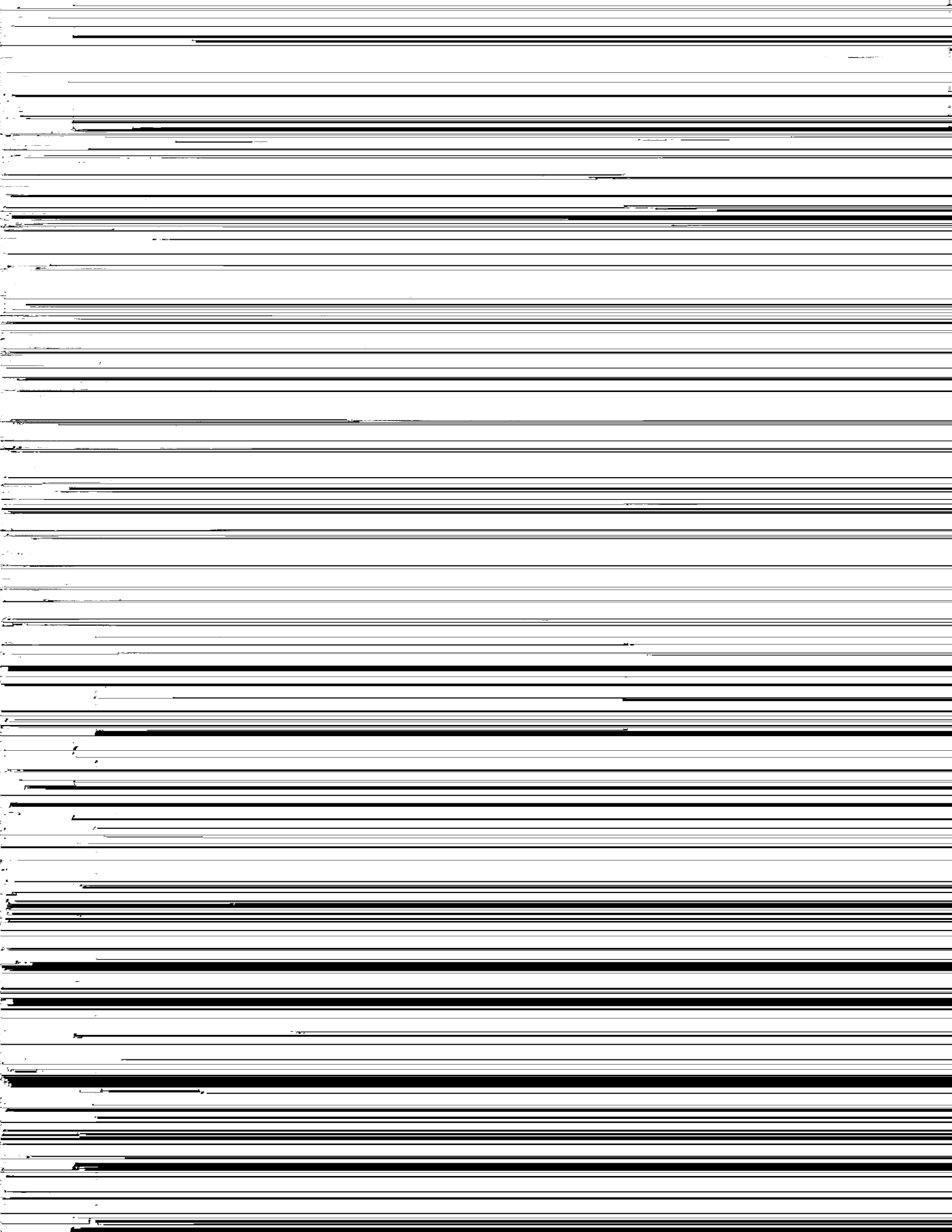


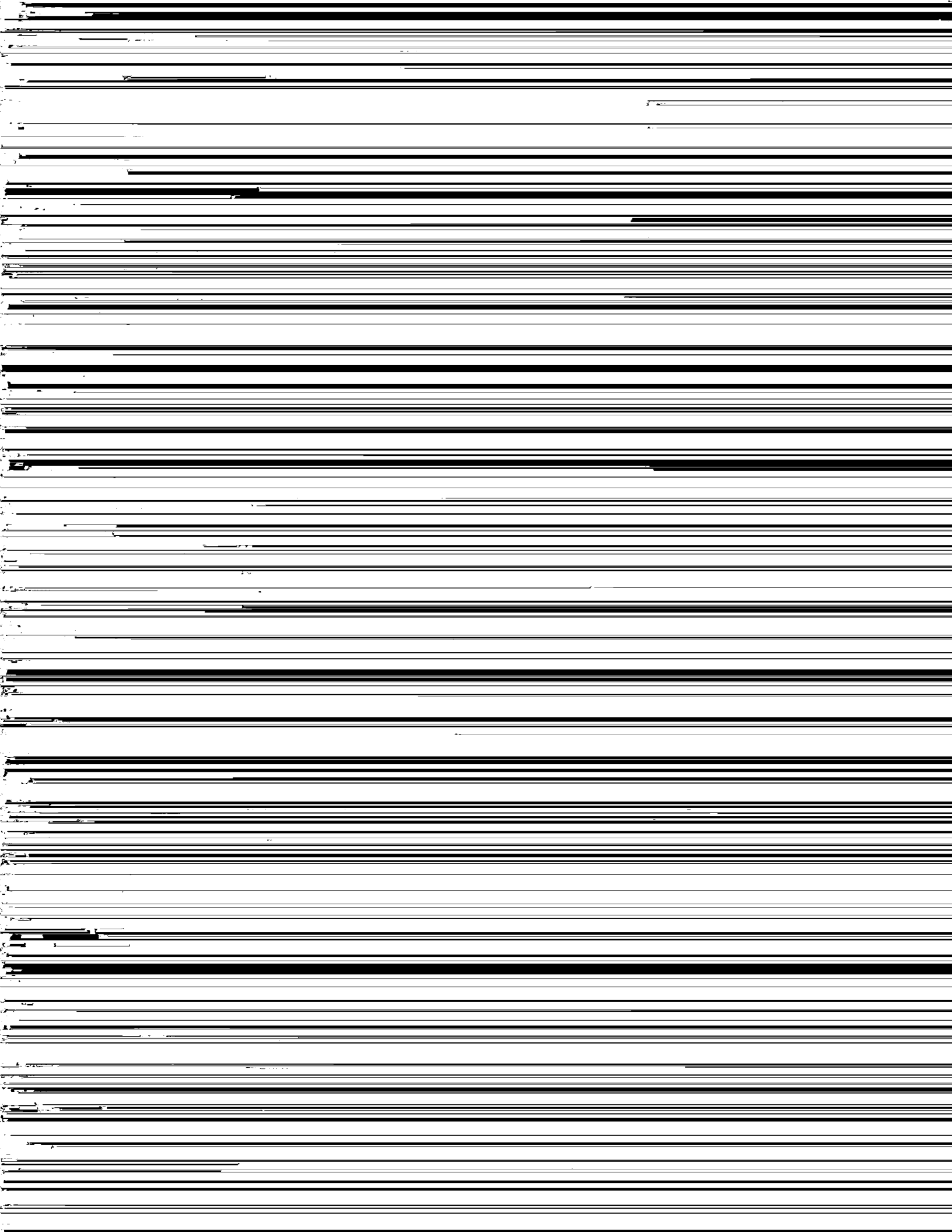




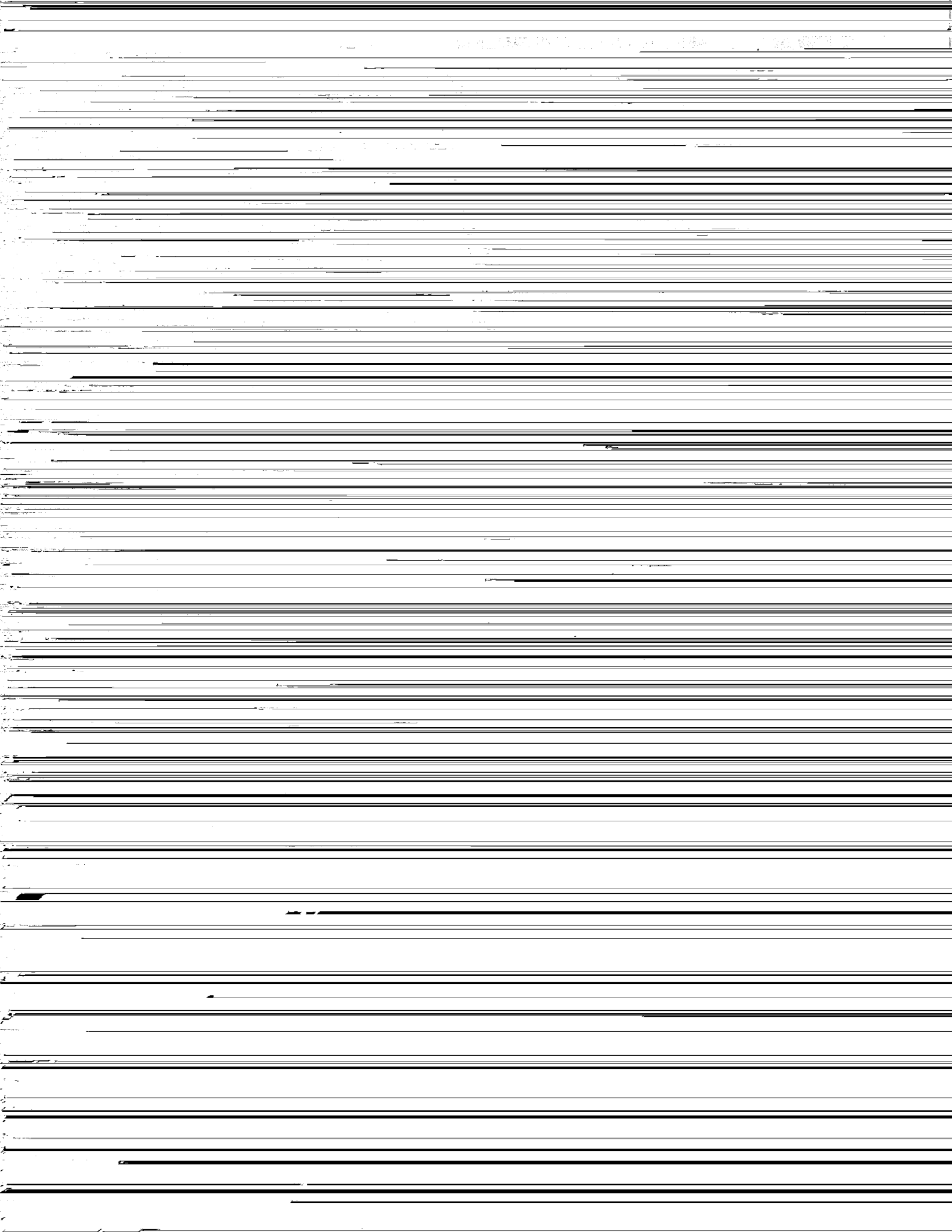


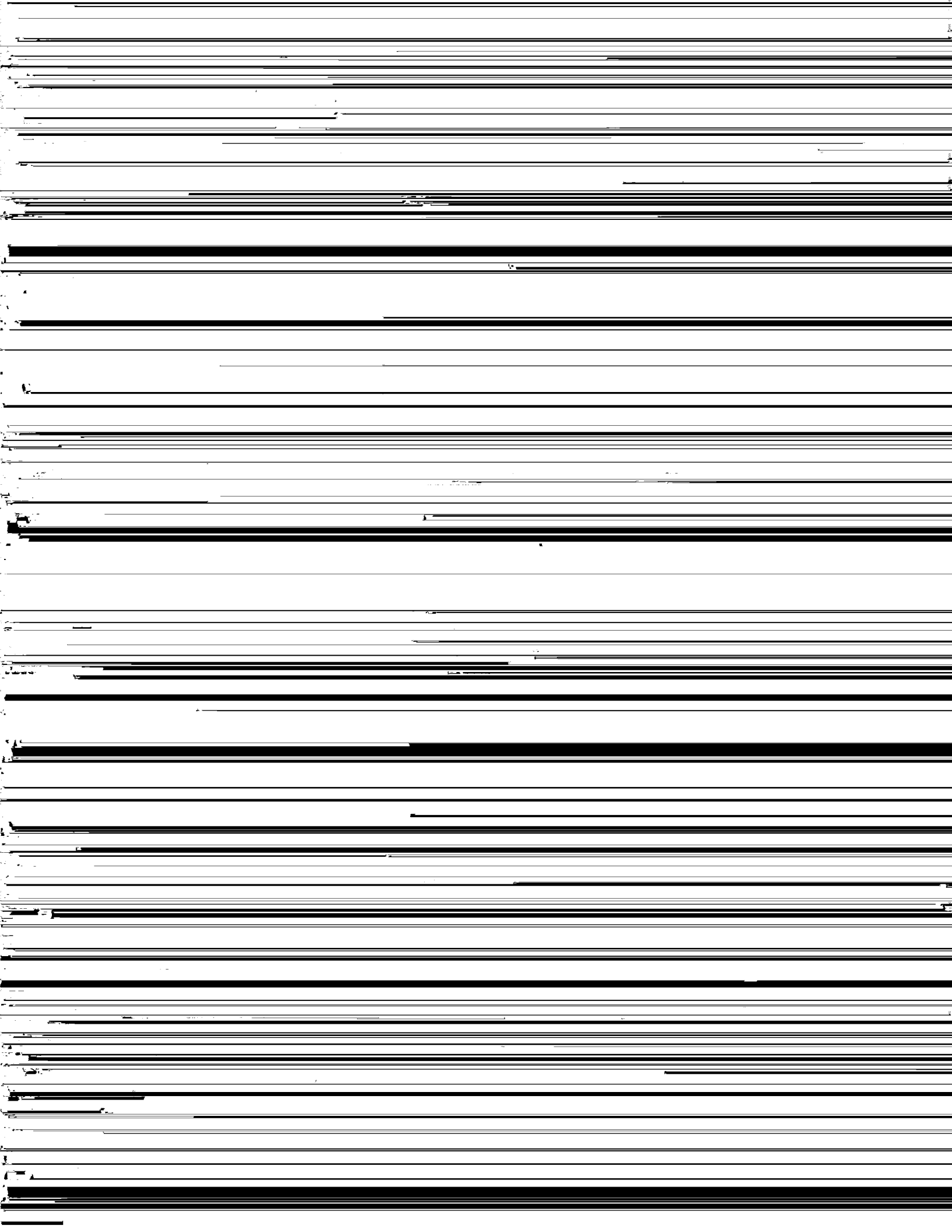


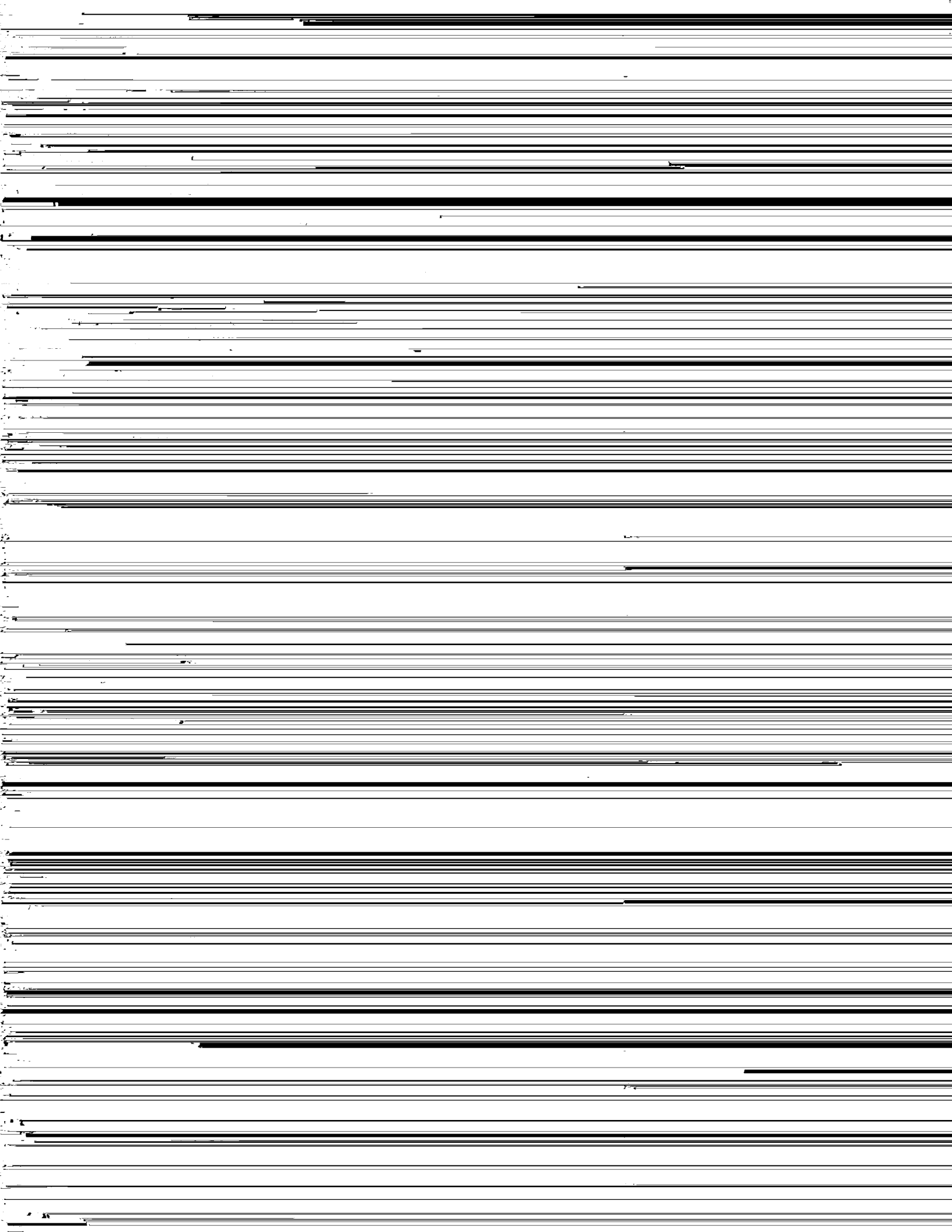






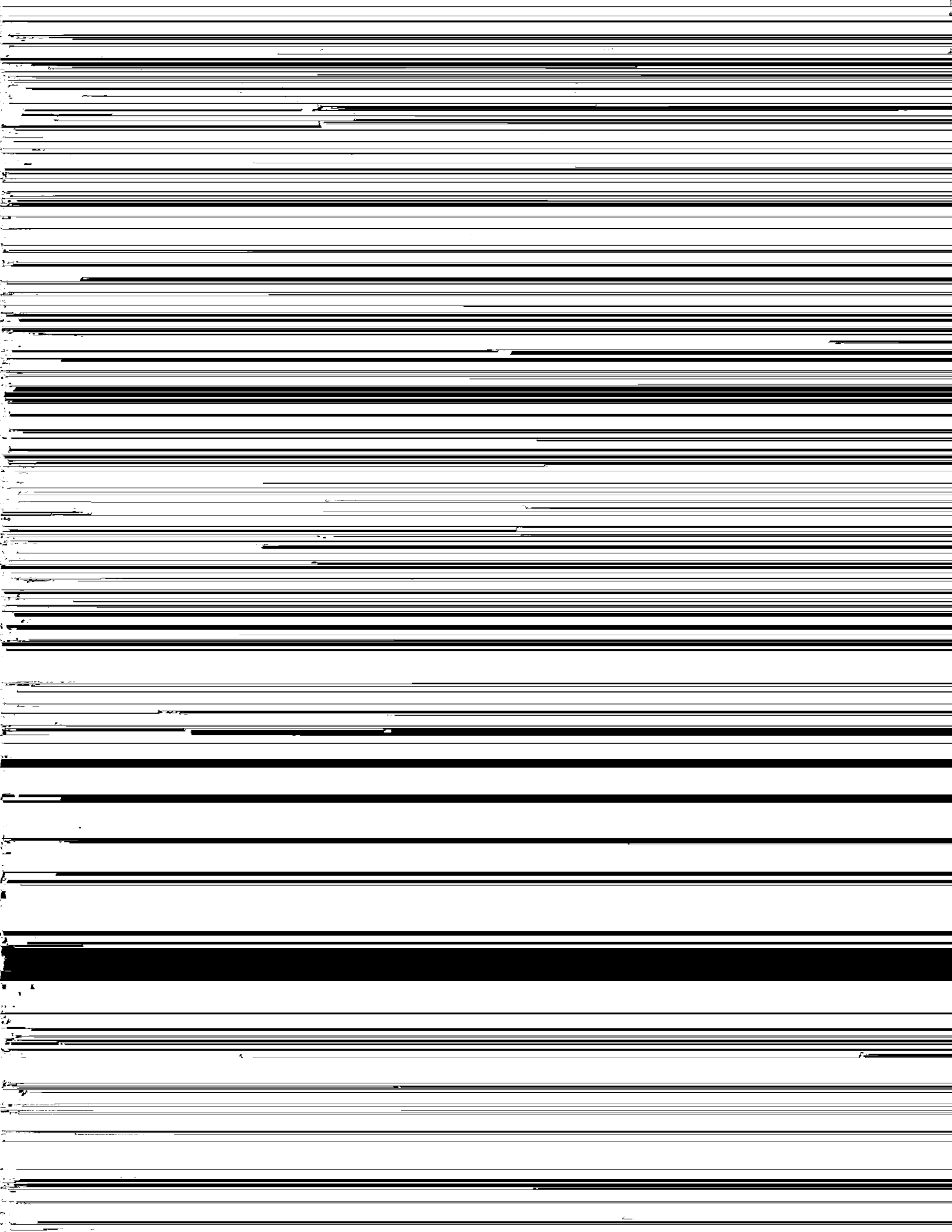


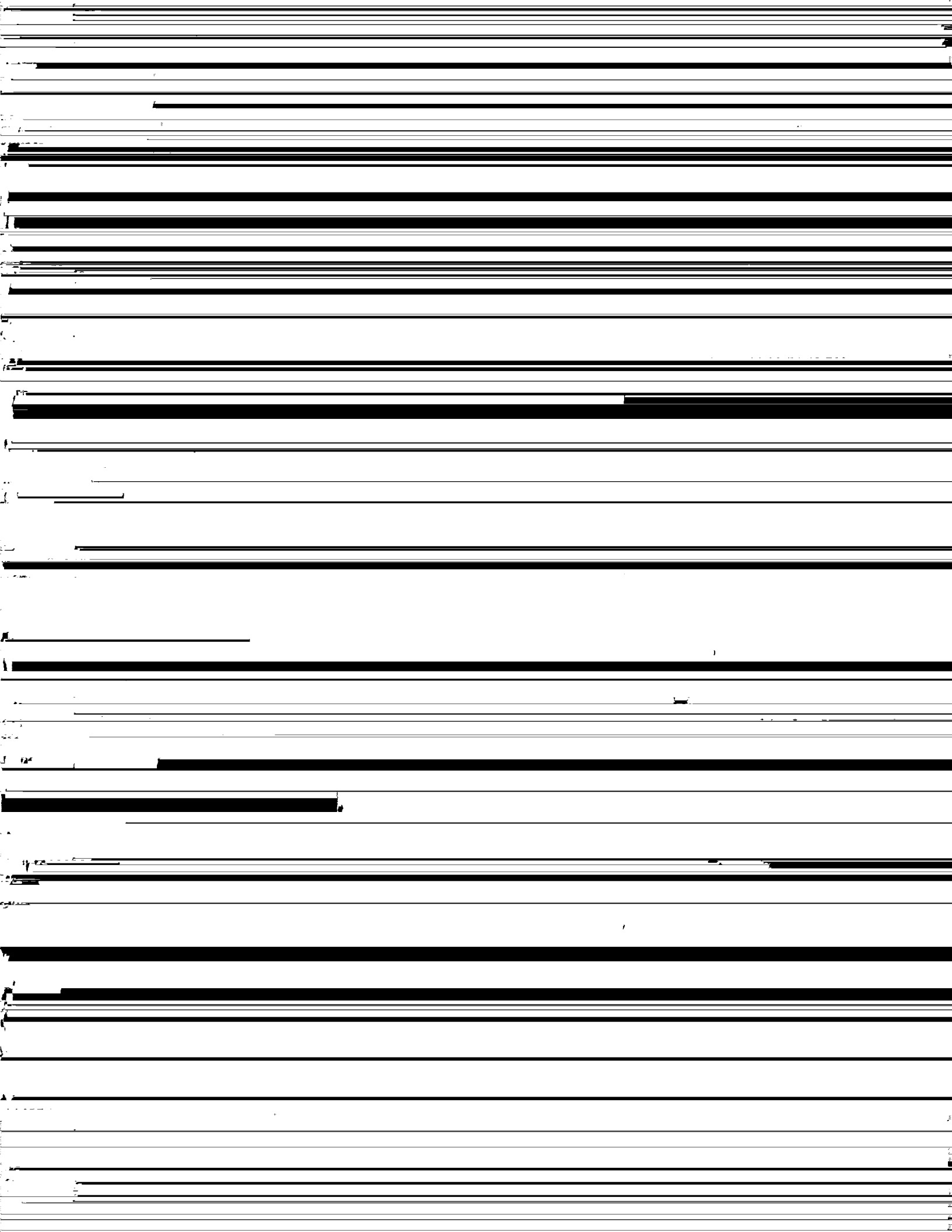




Jeannine Dwyer

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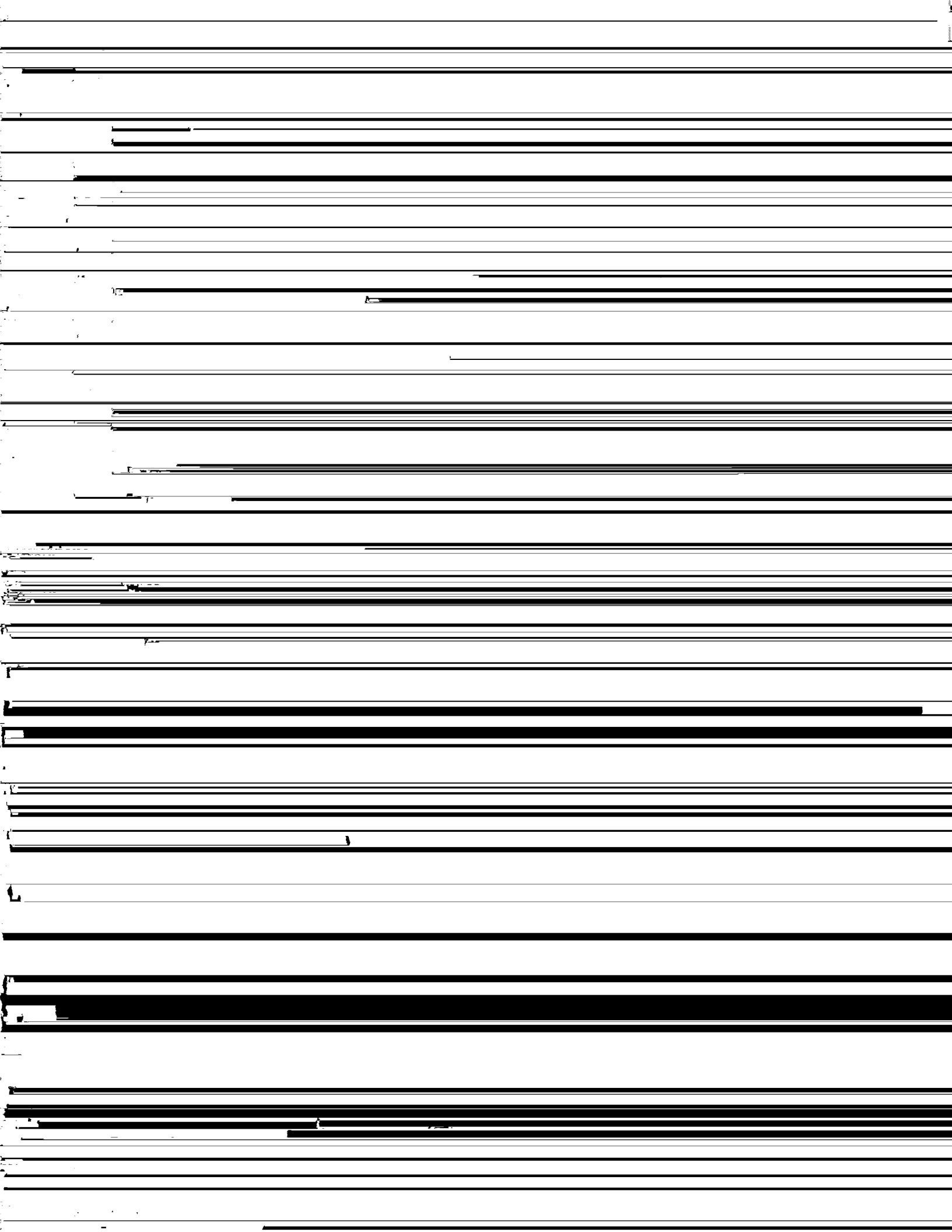


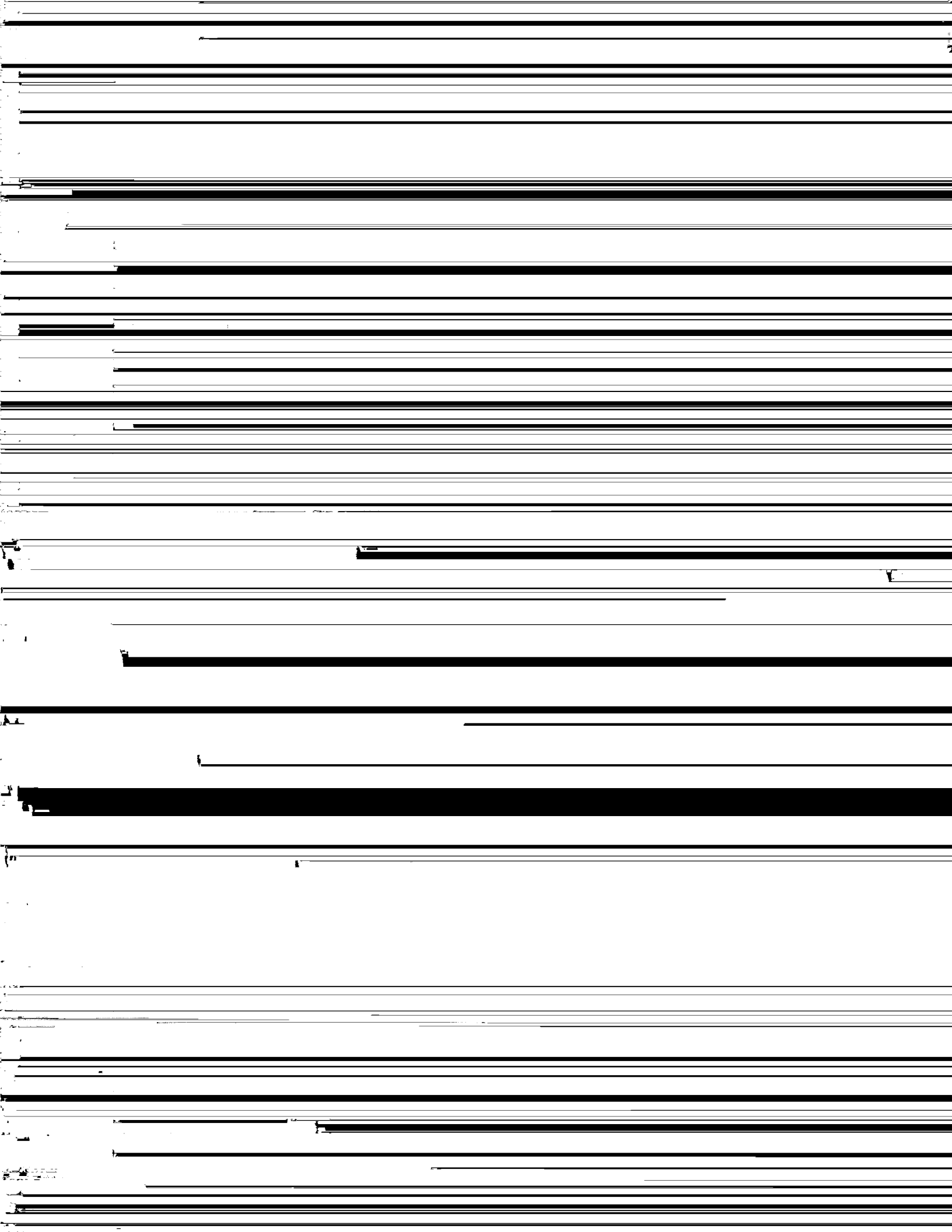


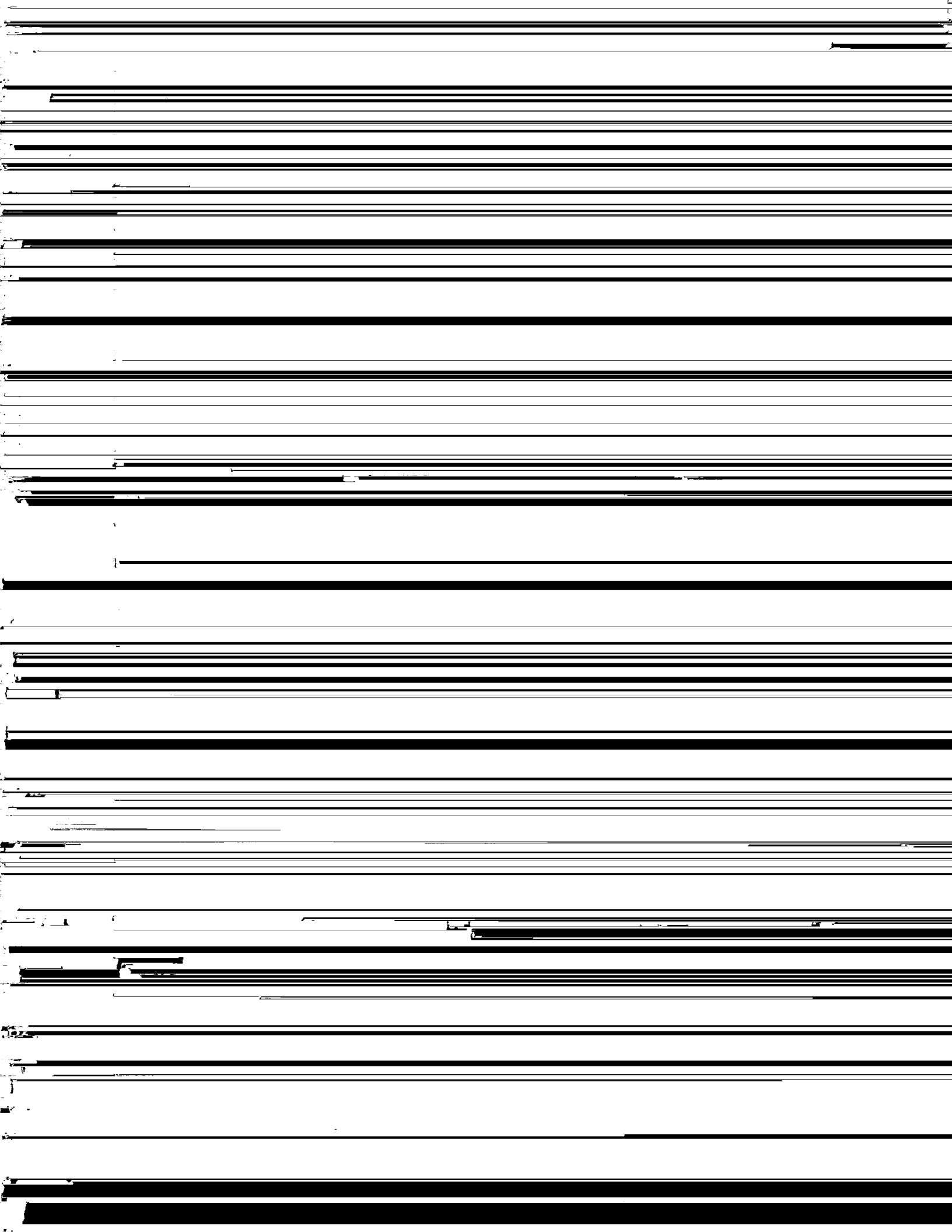


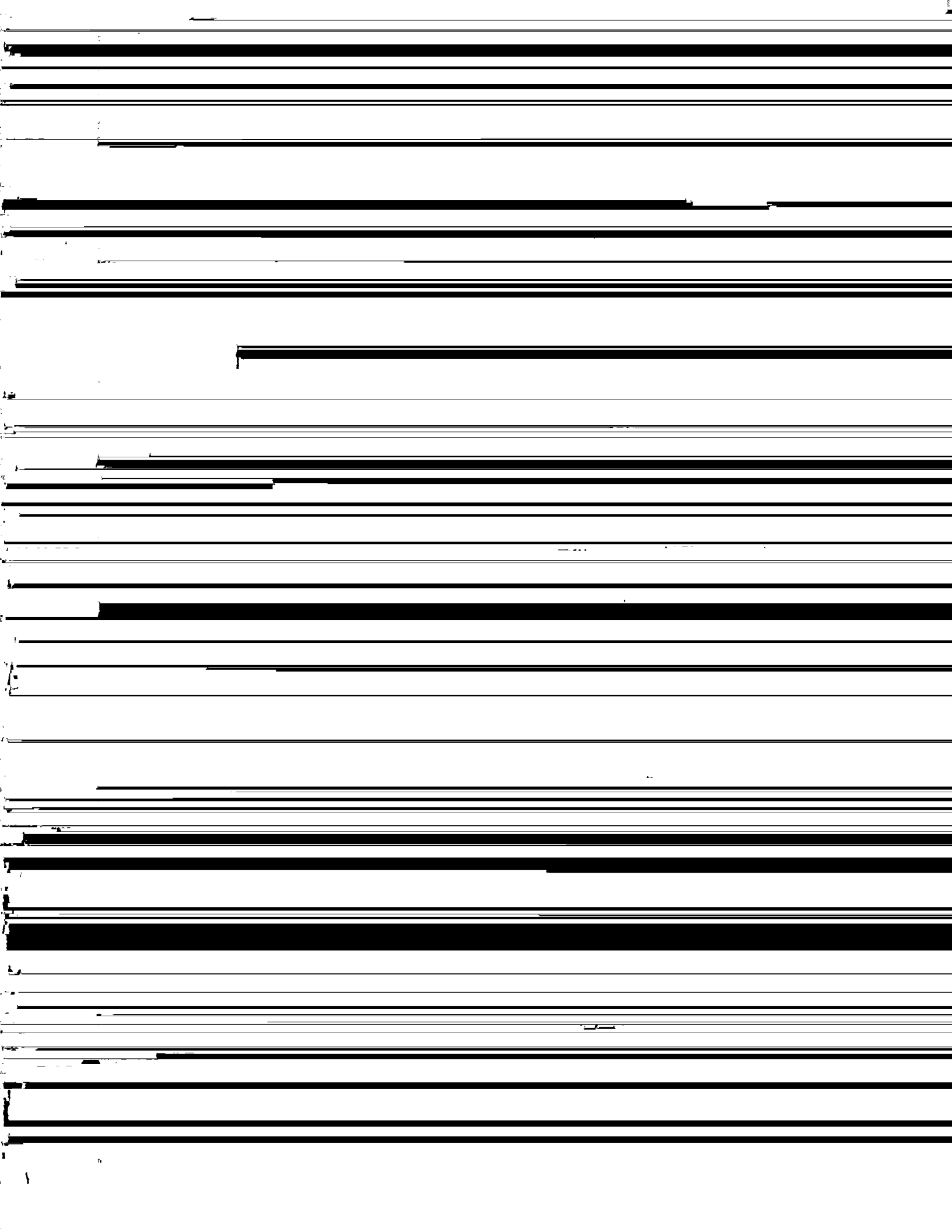
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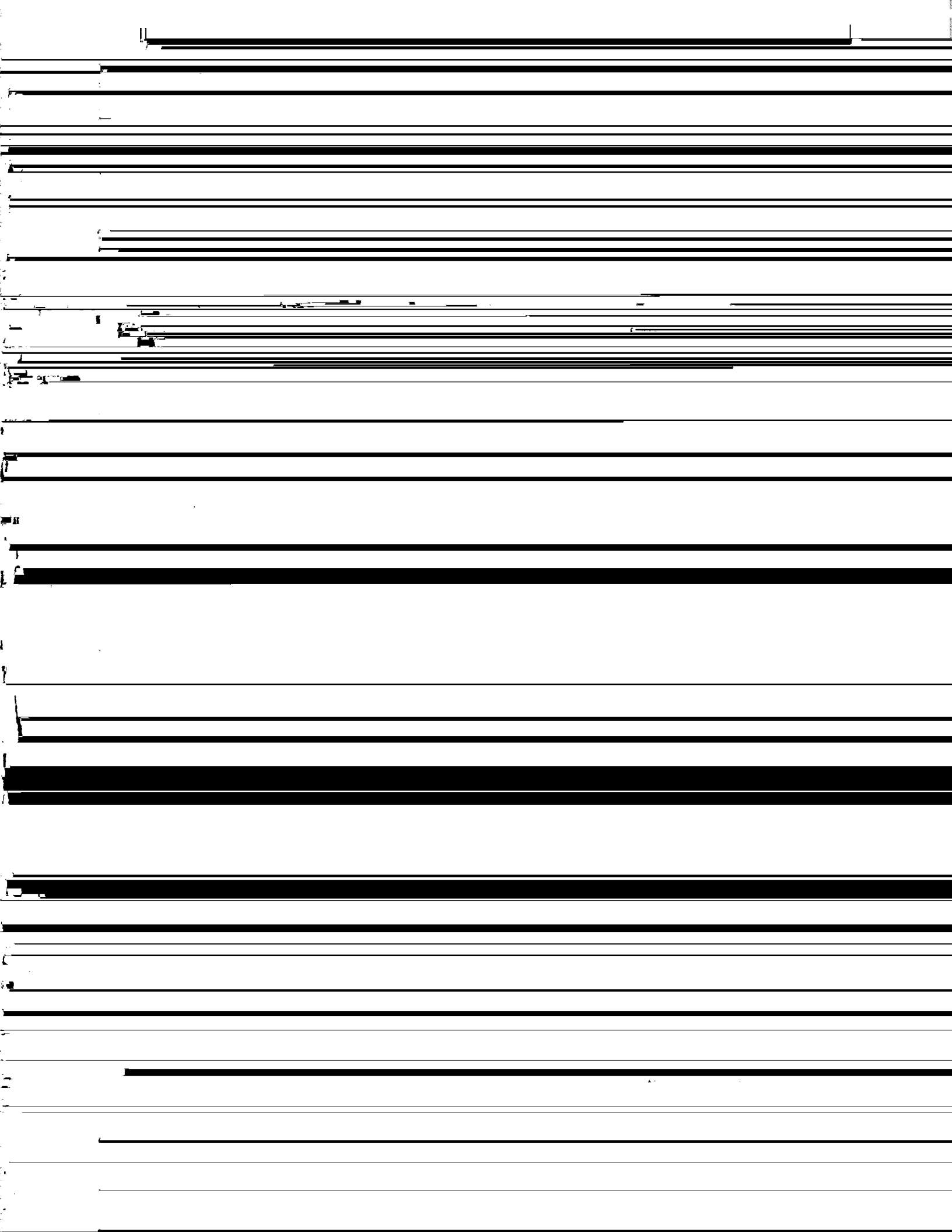


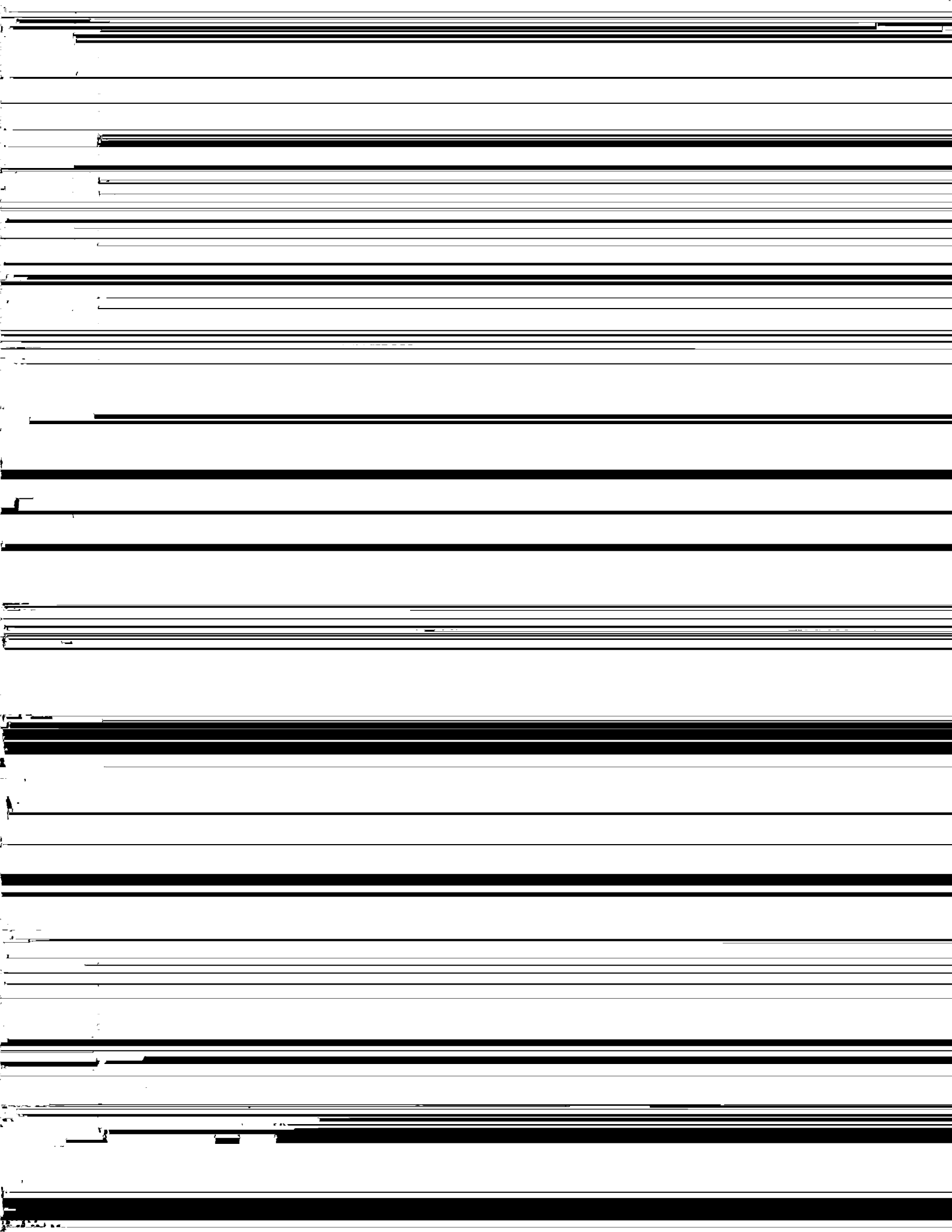


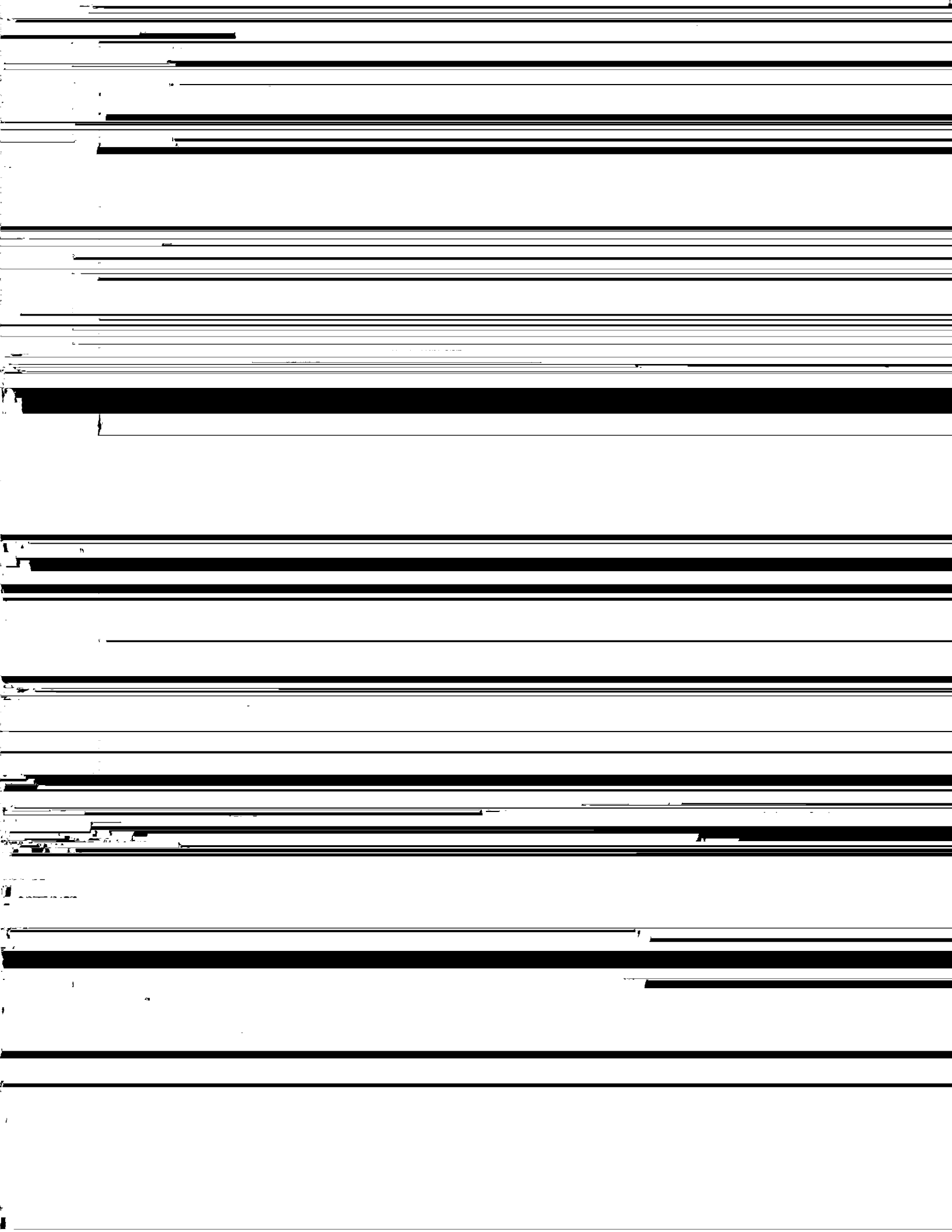












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Elizabeth A. Brown
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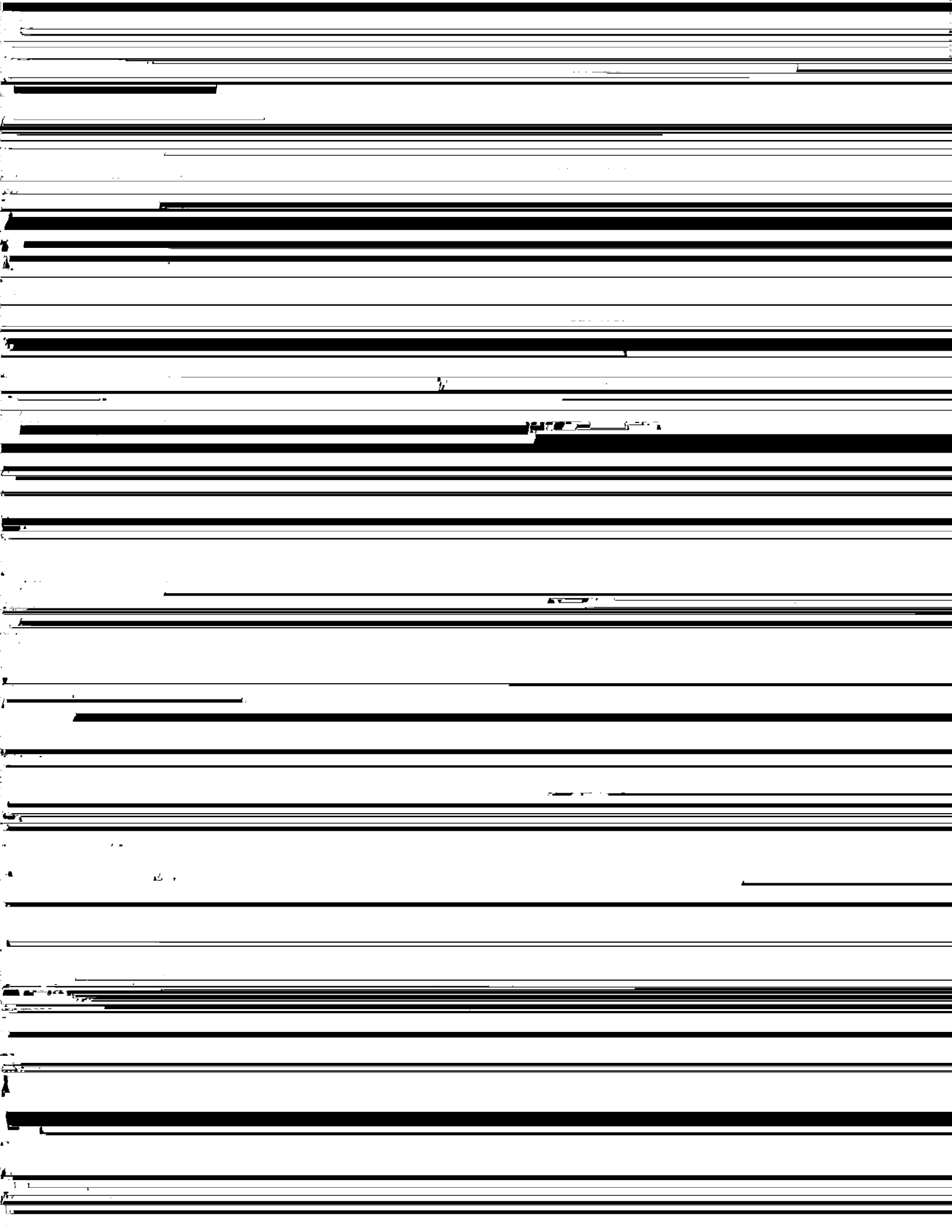
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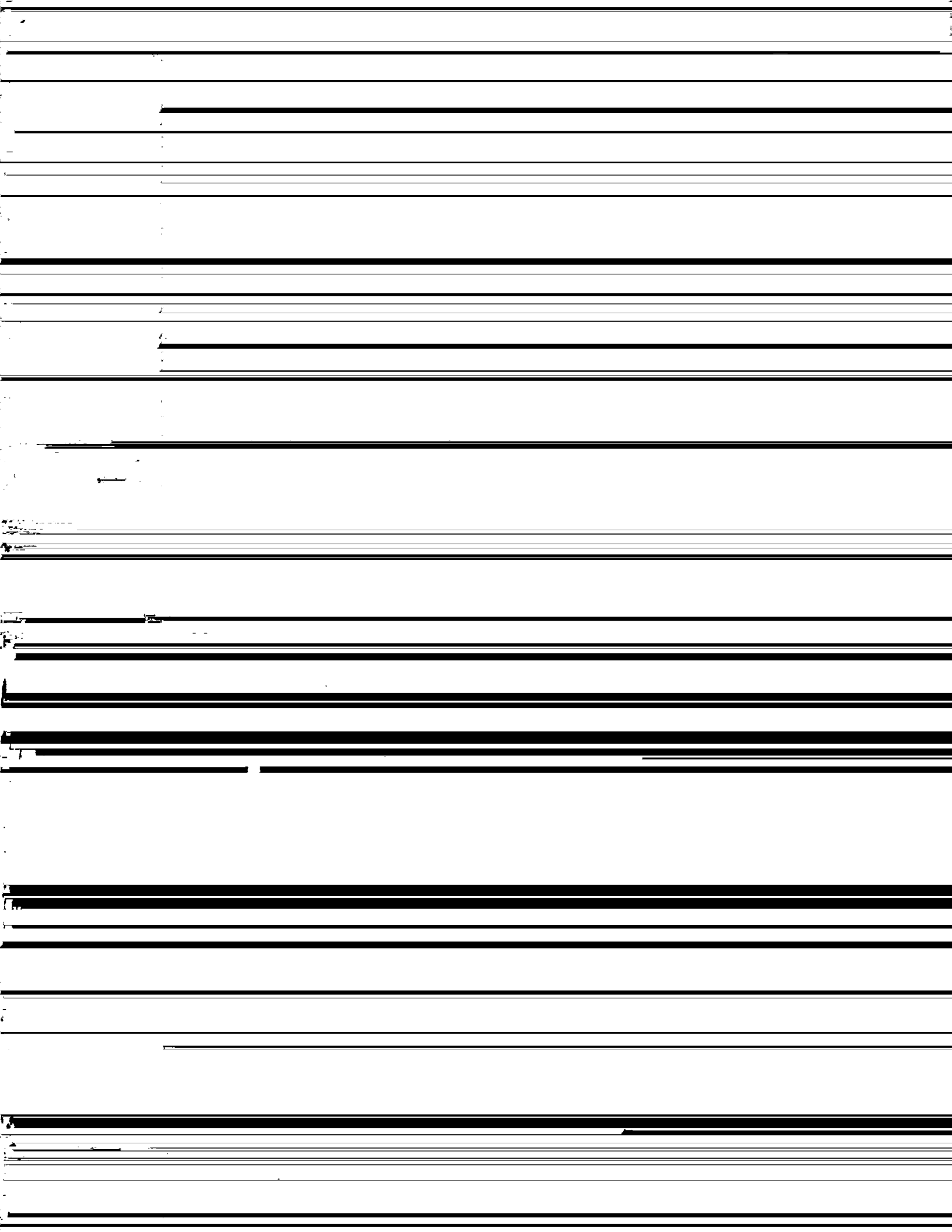
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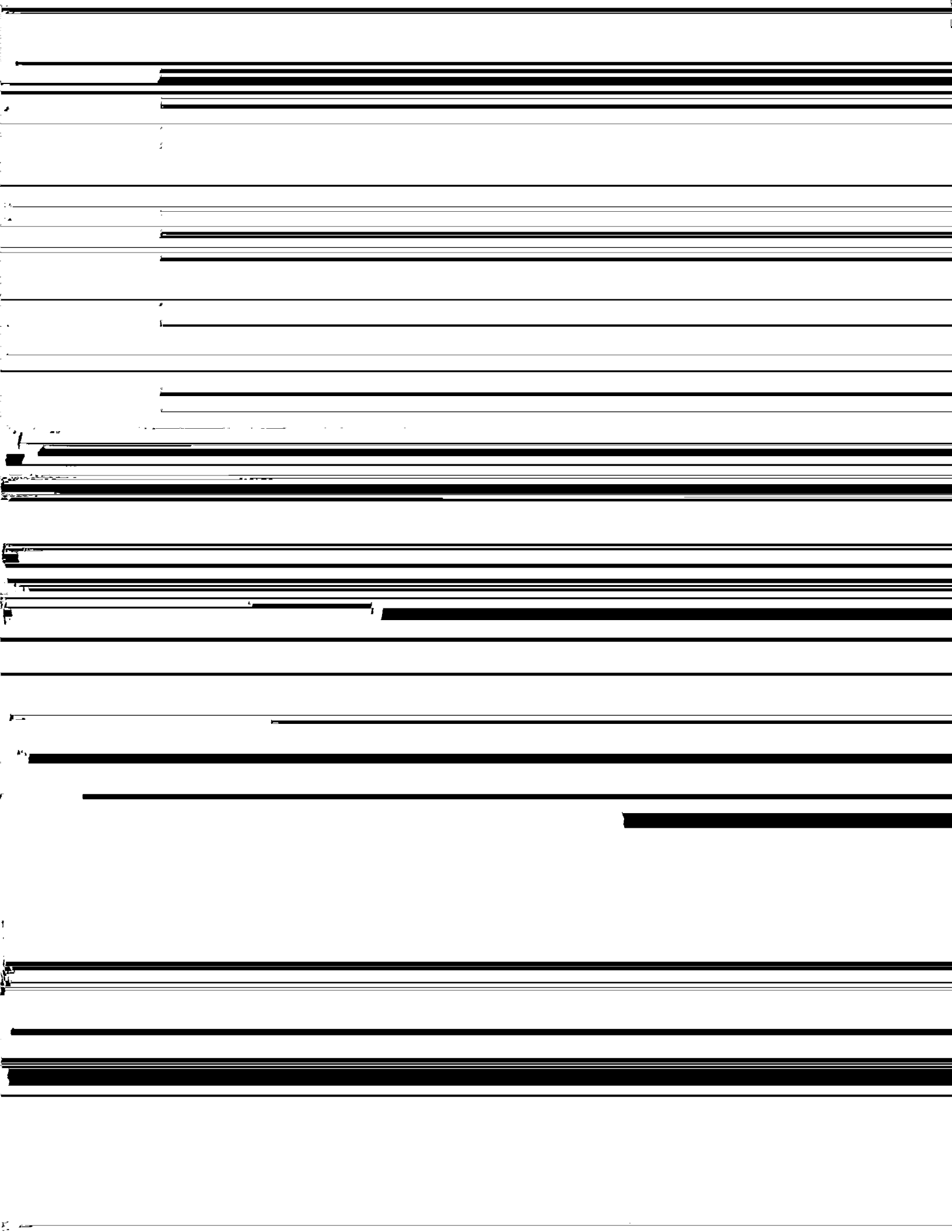
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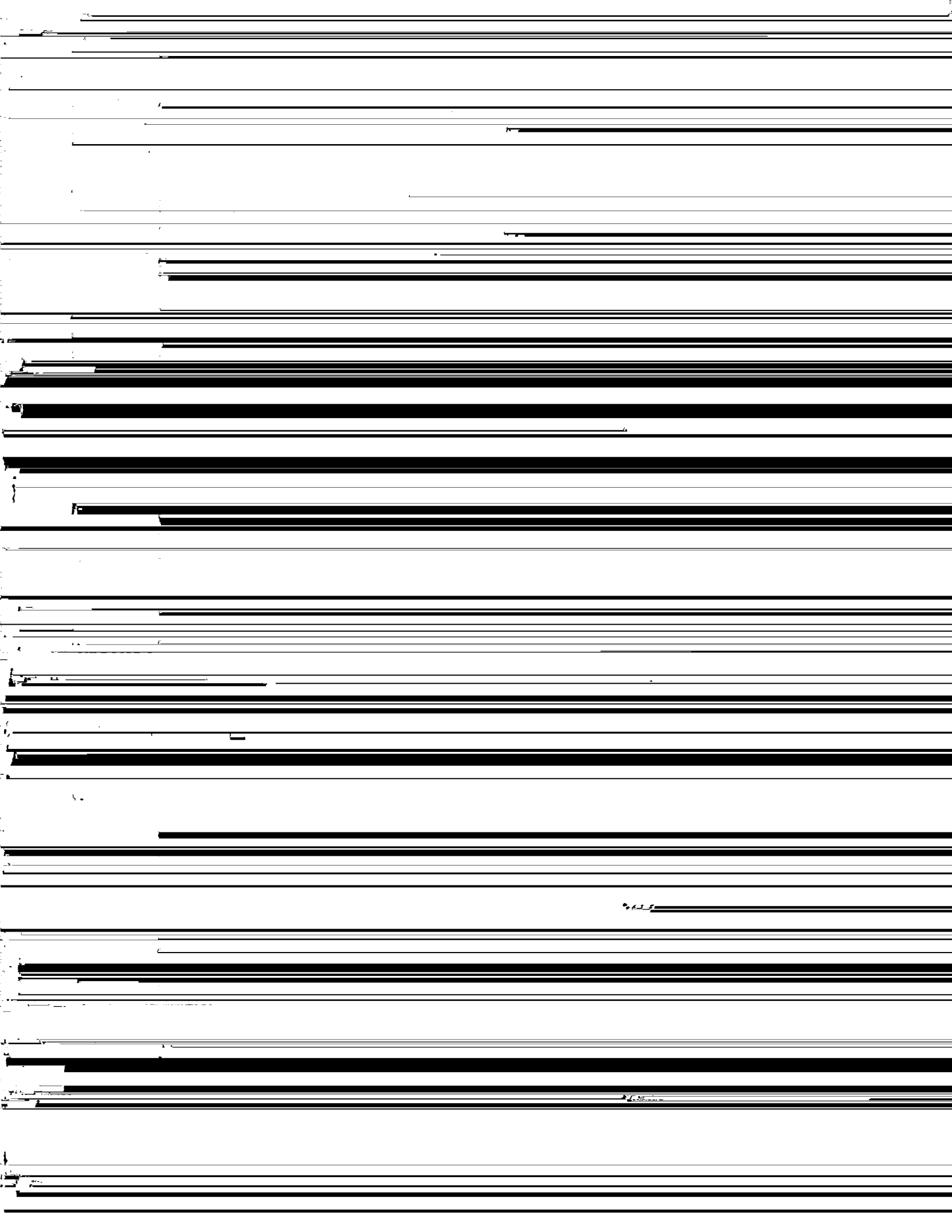
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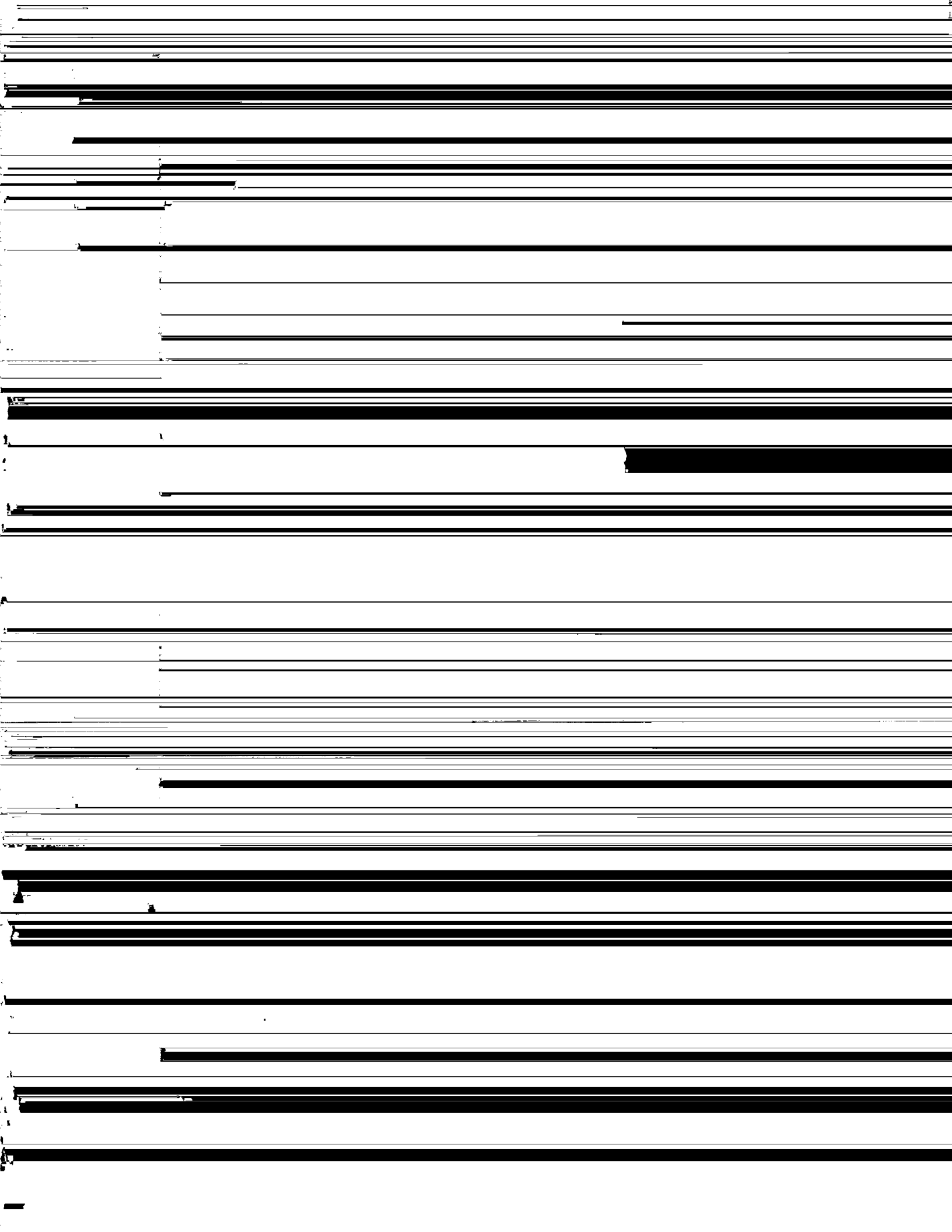


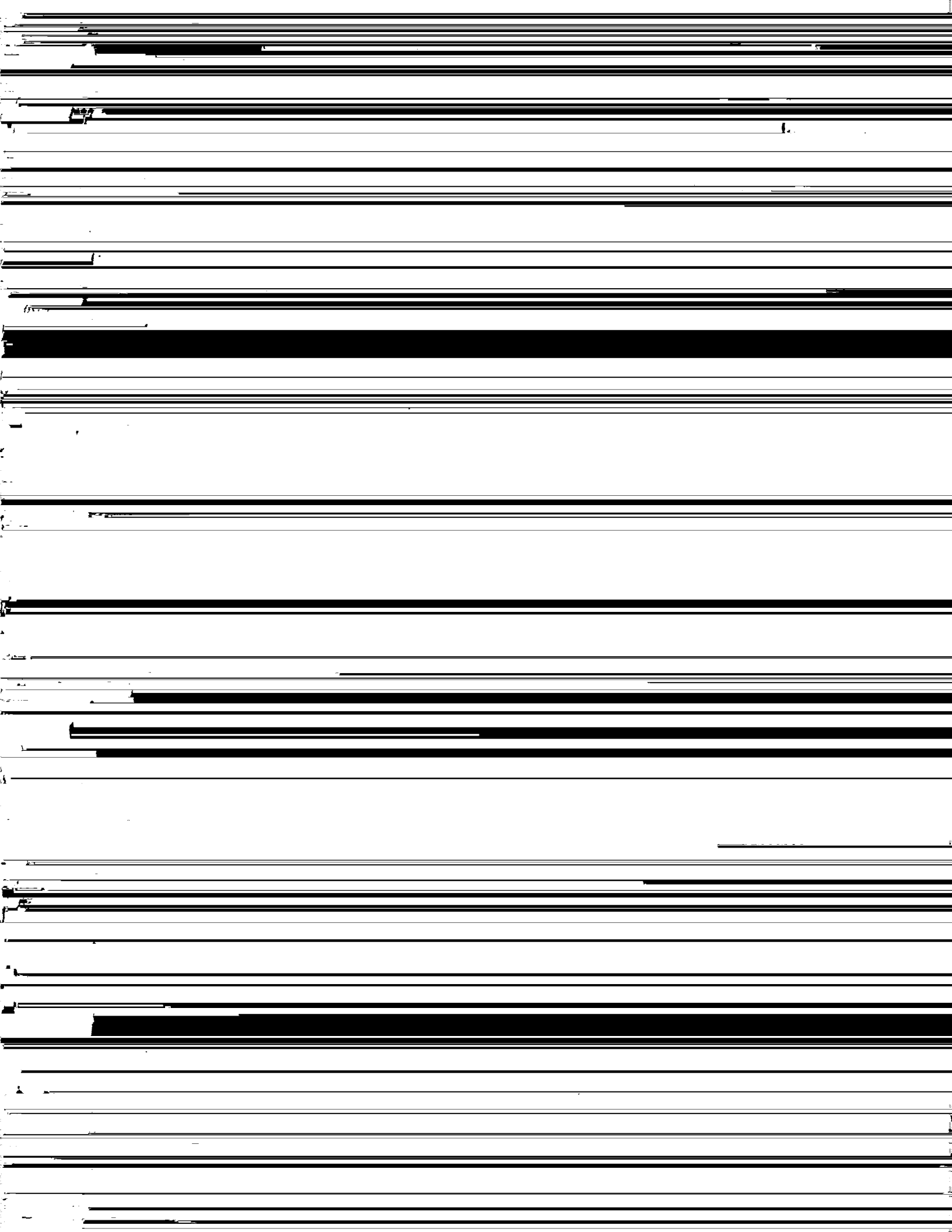


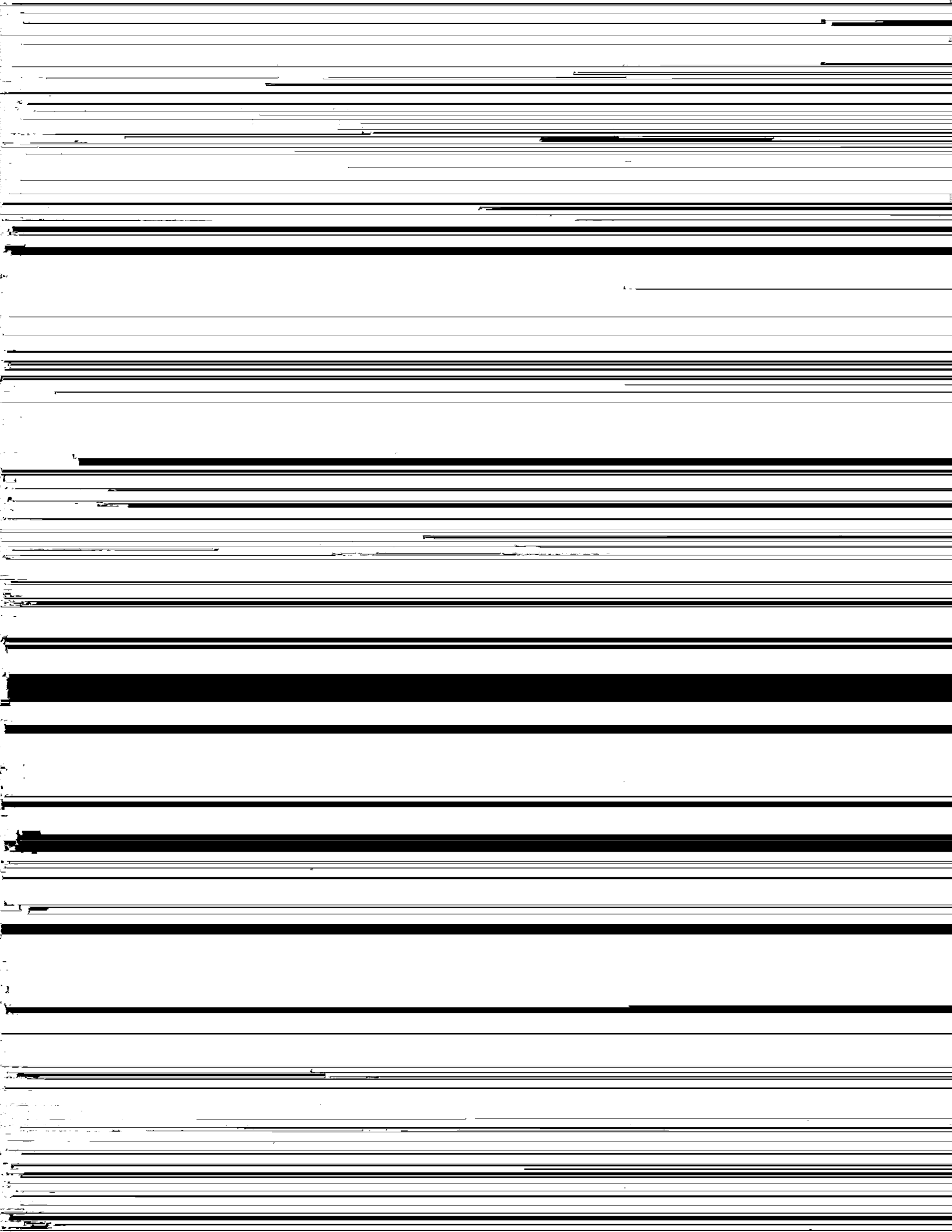






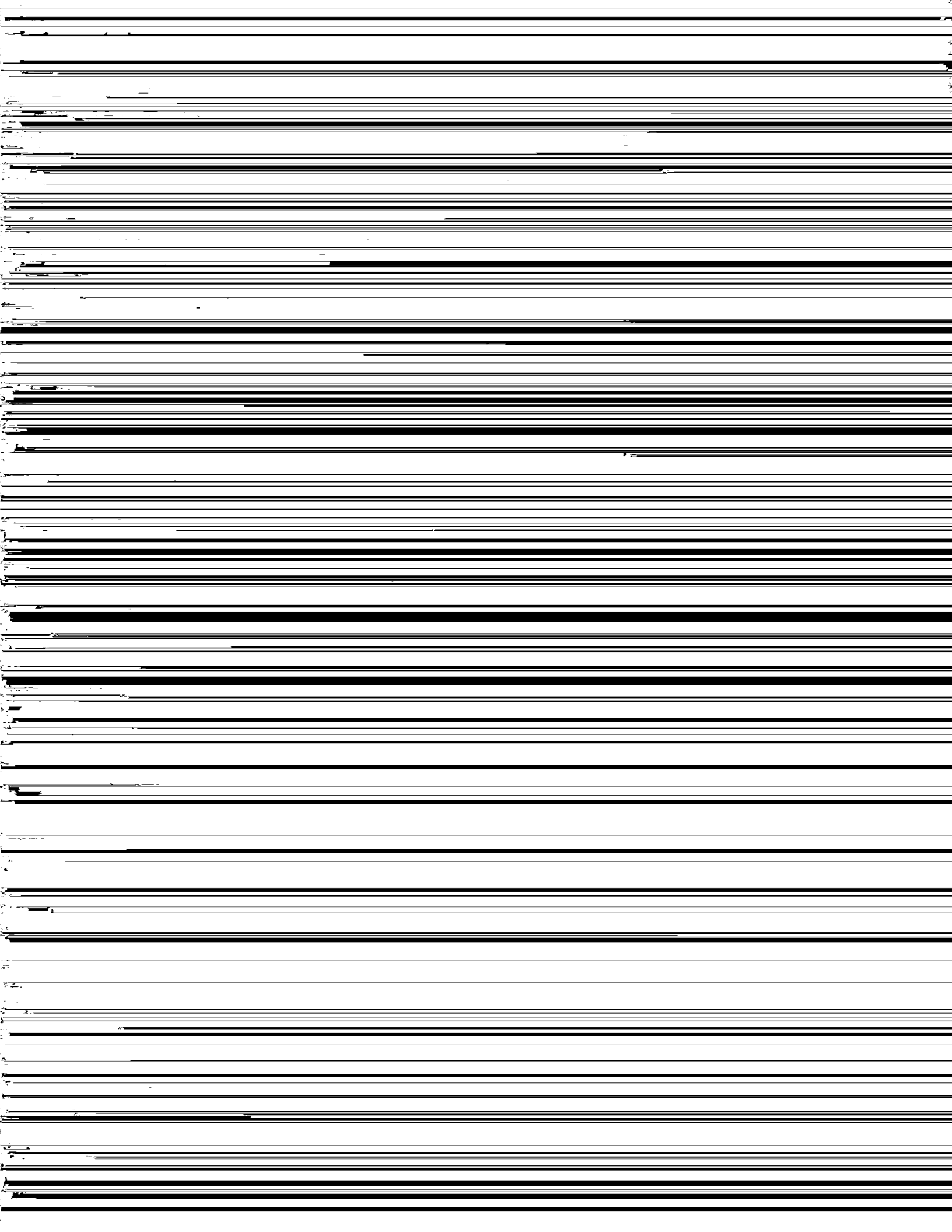


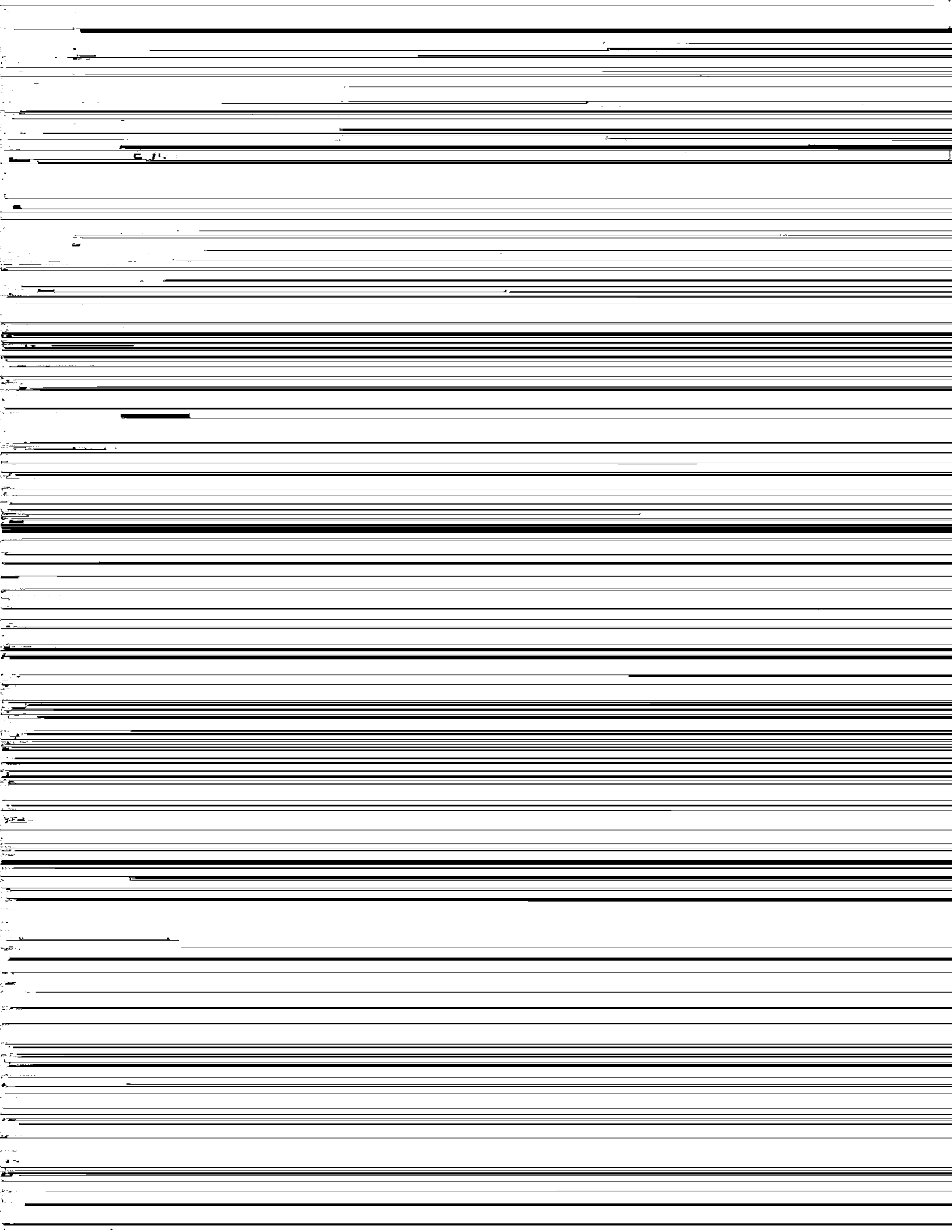


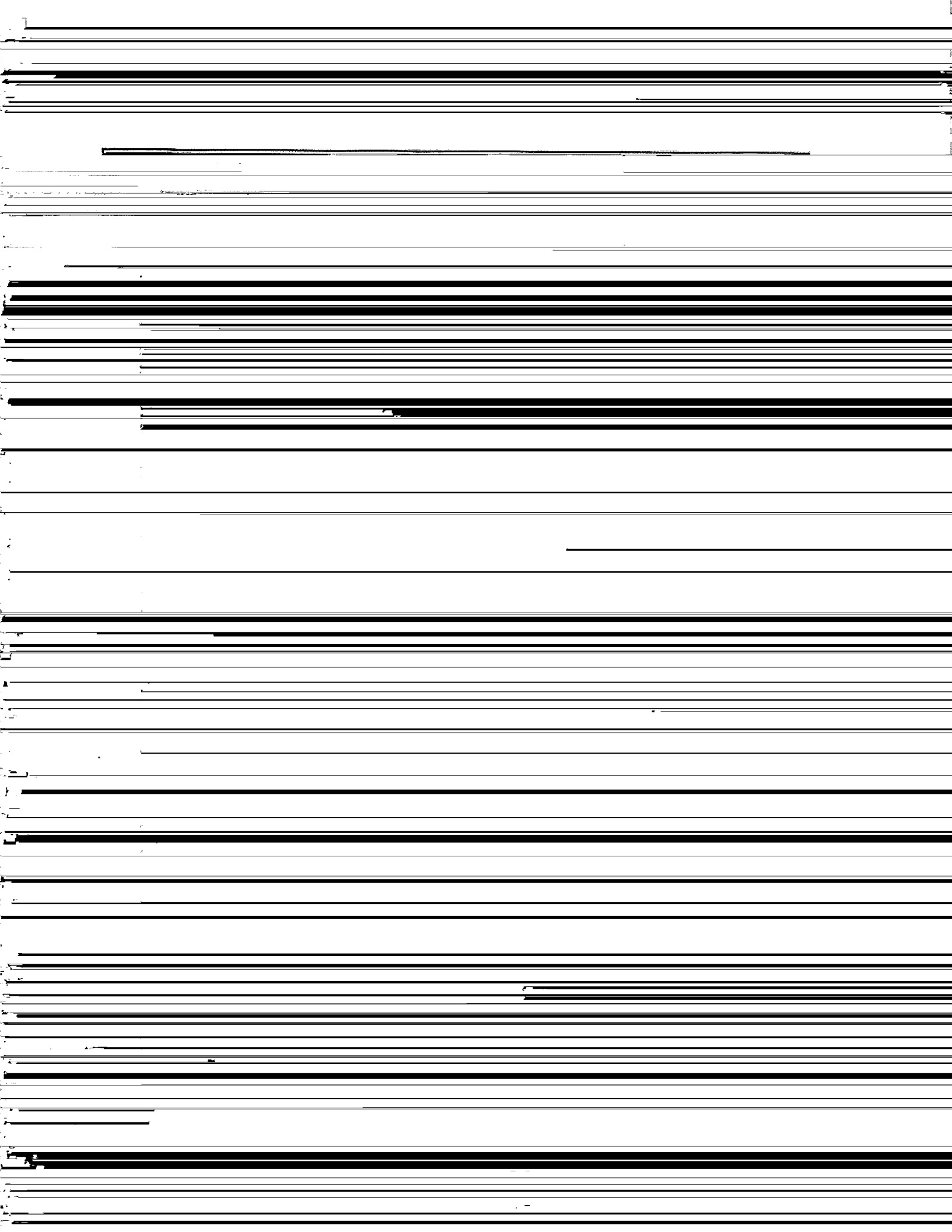


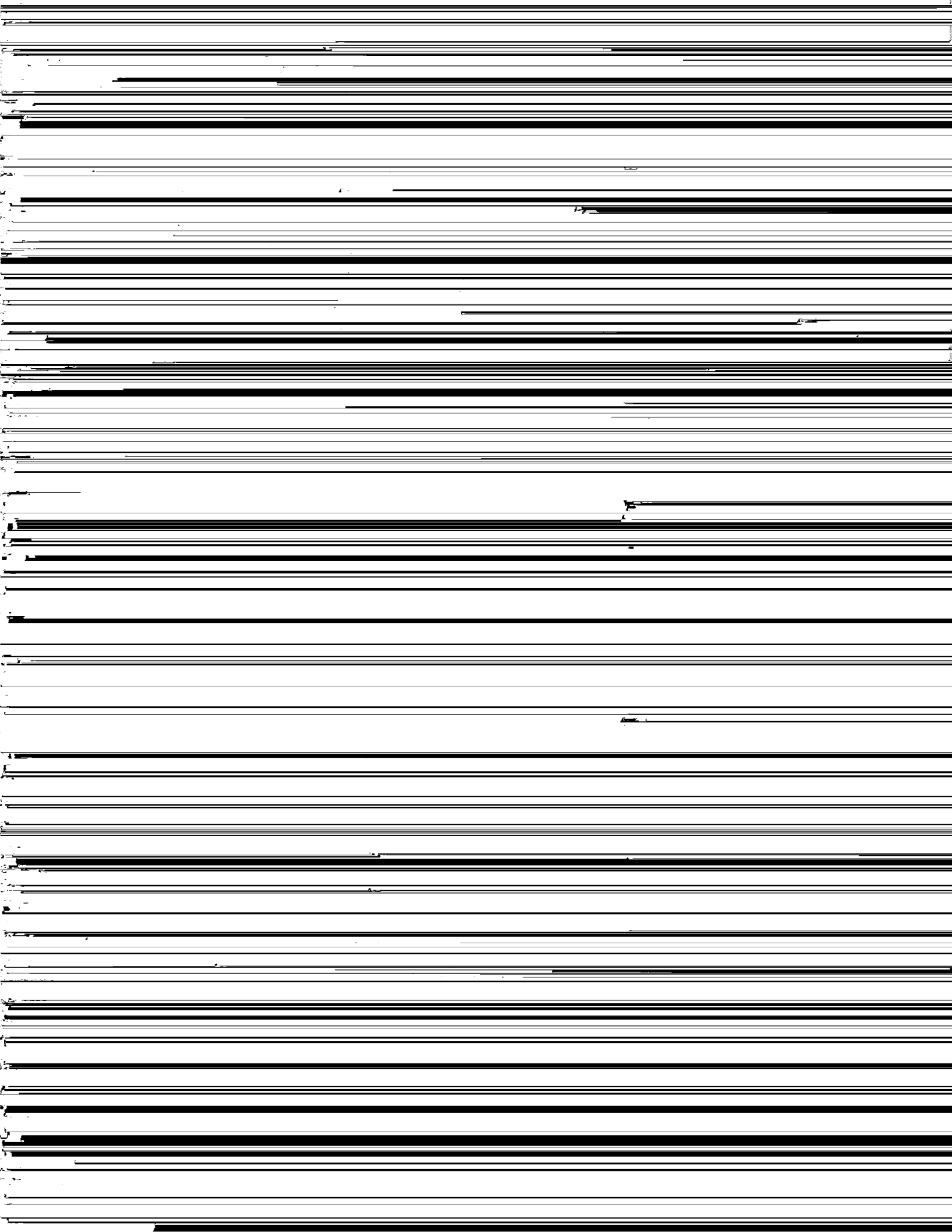
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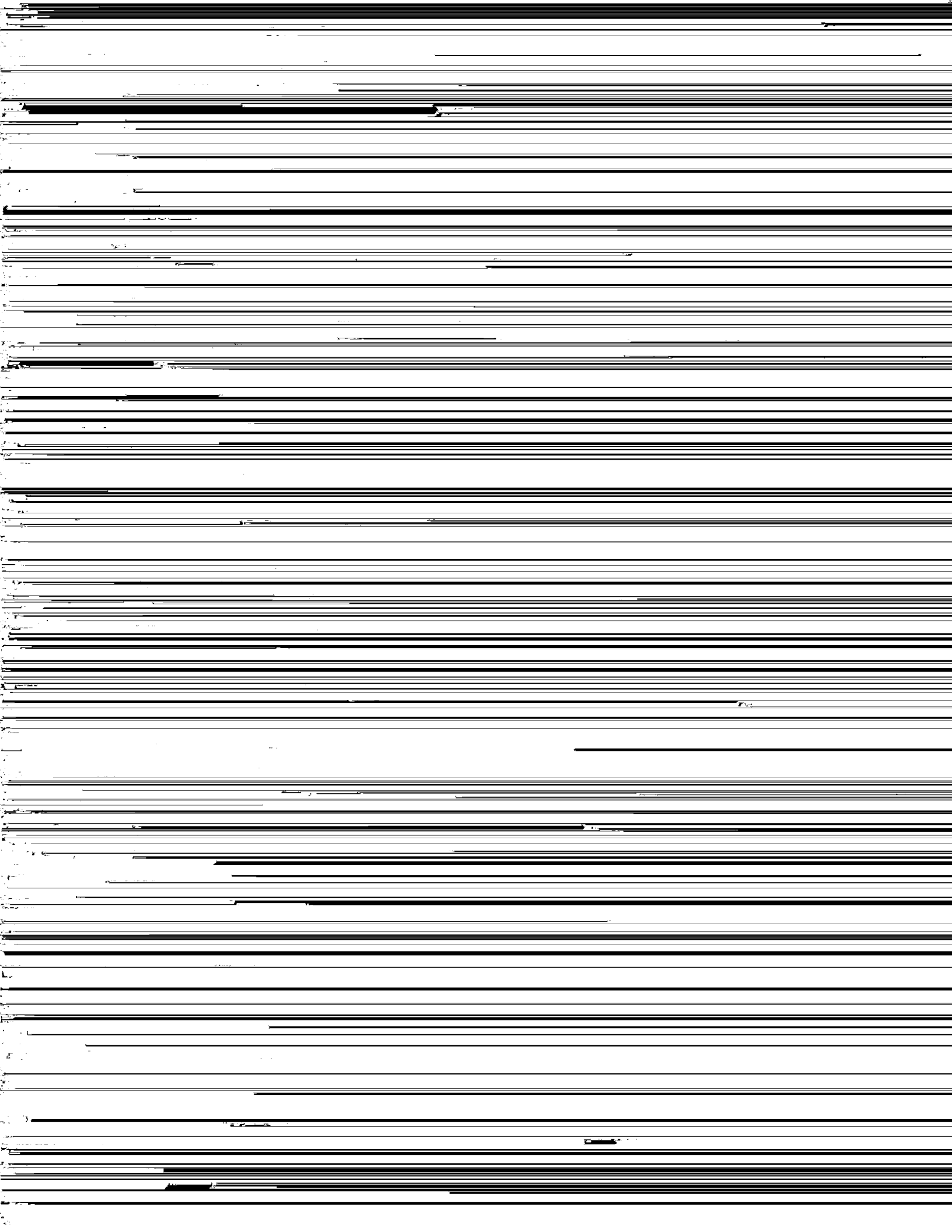


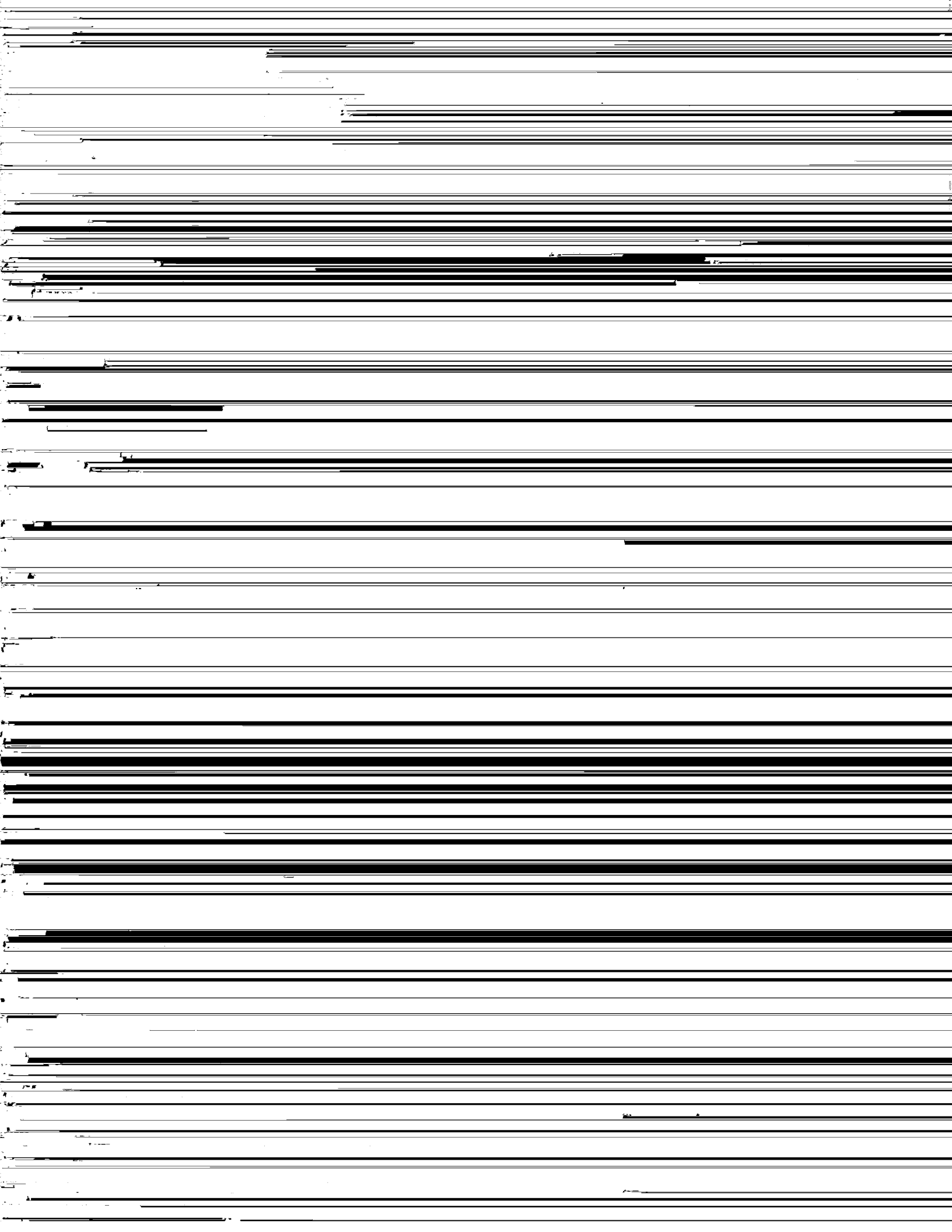




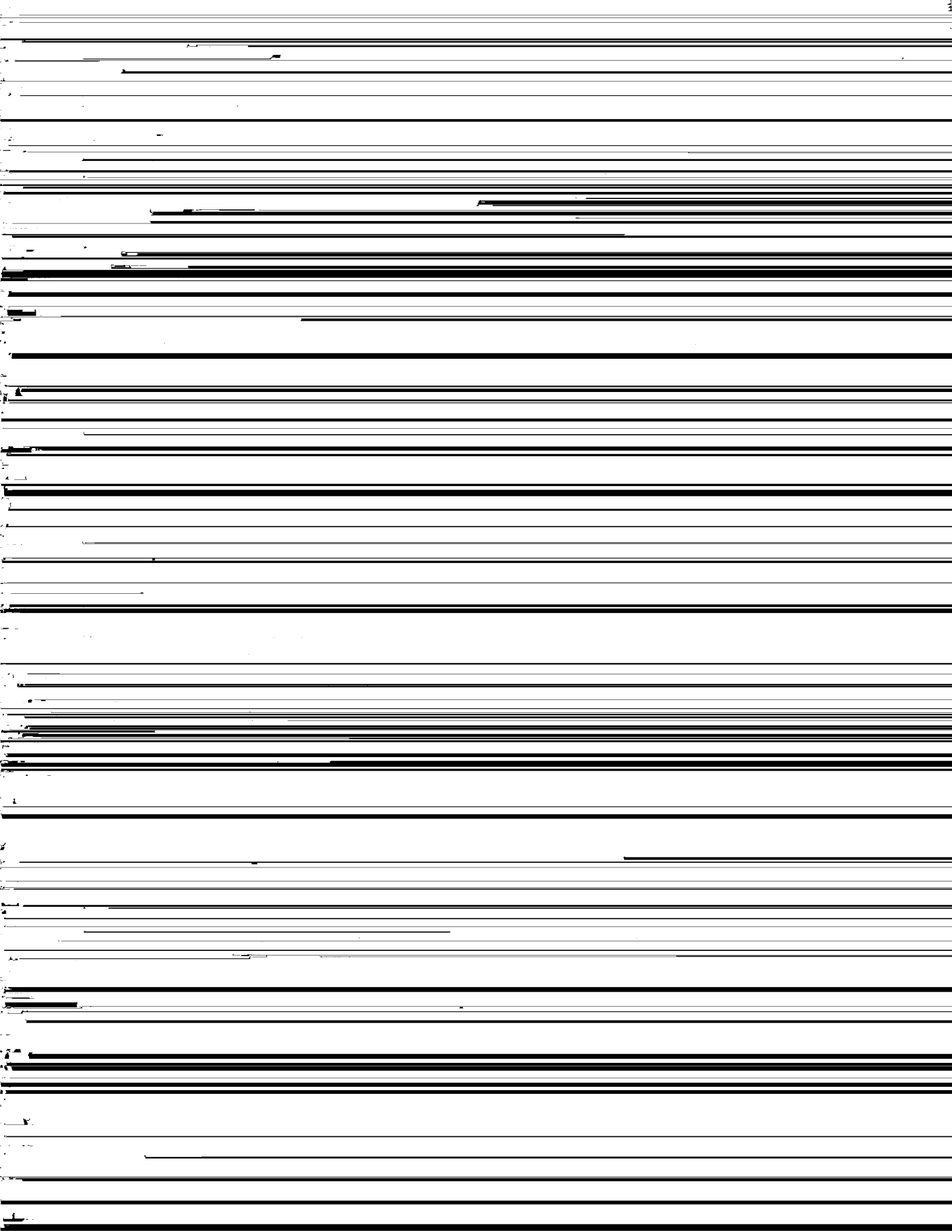


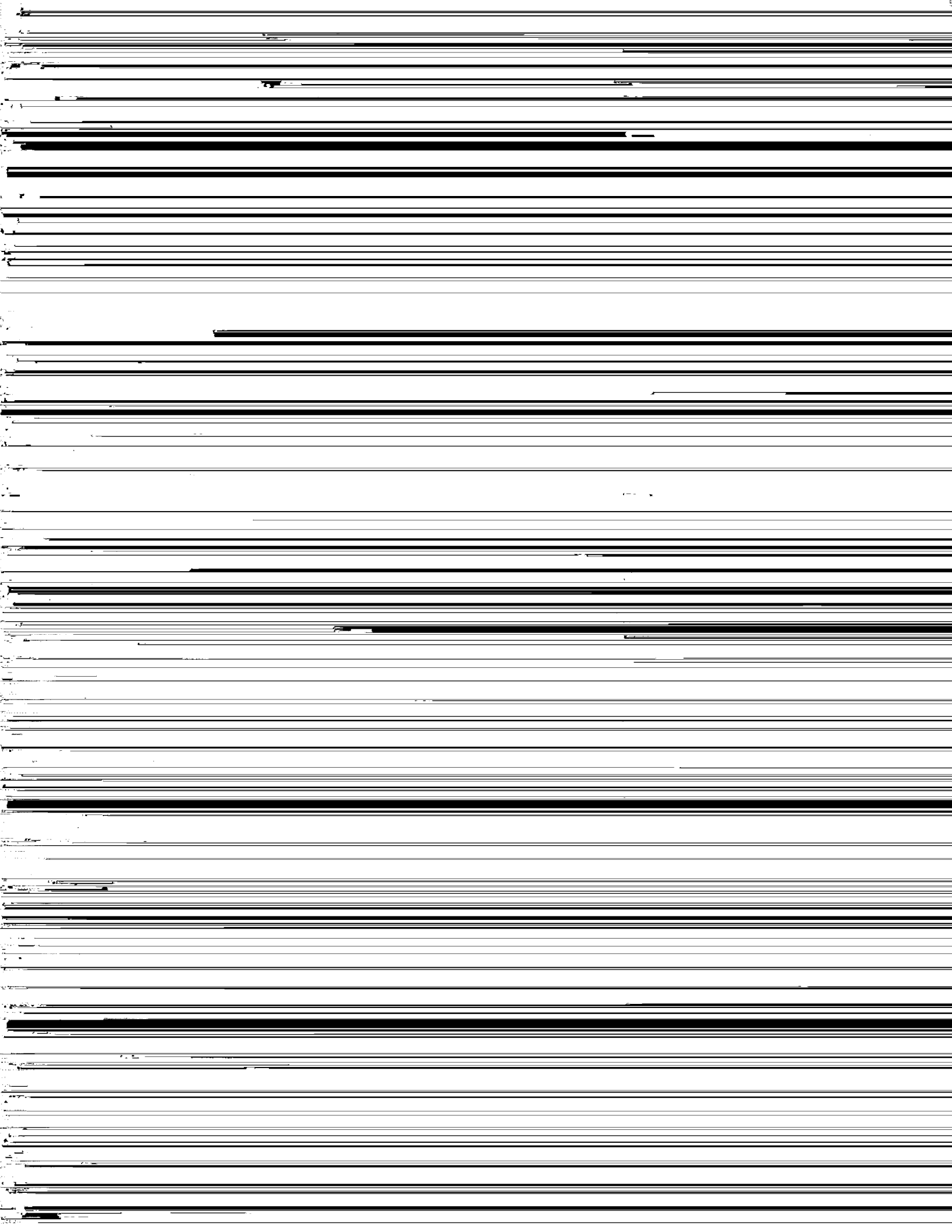












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Chair, ATSDR Advisory Committee, Health Effects on PCBs
(Bloomington, Indiana), 1993.

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INTERNATIONAL
EXPERIENCE:

Member, IARC Panel to Evaluate Carcinogenic Risk from Polynuclear Aromatic Compounds, Lyon, 1983.

Member, WHO Committee on the National Organization of Occupational Health Services, 1983.

Member, Centers for Disease Control team to assist Indian Government after the Bhopal Disaster, December 1984. Three subsequent trips to India (1985, 1986, 1987) to work with Indian Occupational Health Agencies.

Consultant, Israel Ministry of Labour, 1991.

PAST HONORS:

International Association of Fire Fighters, Award for Assistance in Evaluating Occupational Health Problems, December 1983.

CDC Honor Award for field Investigations and Services, May 1985. For outstanding and innovative leadership in improving, implementation, and maintaining NIOSH's general industry health hazard evaluation program.

International Association of Fire Fighters, Award for Assistance on Occupational Safety and Health Issues, 1989.

New York Professional Fire Fighters, Award for Assistance on Occupational Safety and Health Issues, 1989.

Elected to Council of Fellows, Collegium Ramazzini, 1990.

The William Steiger Memorial Award, ACGIH, 2001

PUBLICATIONS:

Articles

1. Melius J and Schulte P. "Epidemiological Design for Field Studies: Occupational Neurotoxicity," Scand J. Work Environ Health 7:Suppl 4), 34-39, 1981.
2. Rutstein D, Mullan R, Frazier T, Halperin W, Melius J, and Sestito J. "Sentinel Health Events (Occupational): A Basis for Physician Recognition and Public Health Surveillance," Am J Public Health 73:1054-1062, 1983.
3. Landrigan P, Melius J, Rosenberg M, Coya M, and Binkis N. "Reproductive Hazards in the Workplace Development of Epidemiological Research," Scand J Work Environ Health 9:83-88, 1983.
3. Liss G, Kominsky J, Gallagher J, Melius J, Brooks J, and Bernstein I. "Failure of Enzyme Encapsulization to Prevent Sensitization of Workers in the Dry Bleach Industry," Am J of Allergy and Clinical Immunology, 73:348-355, 1984.
4. Bernstein R, Falk H, Truner D, and Melius J. "Nonoccupational Exposures to Indoor air Pollutants: A Survey of State Programs and Practices," Am J Public Health 74:1020-1023, 1984.
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6. Melius J, Costello R, and Kominsky J. "Facility Siting and Health Questions: The Burden of Health Risk Uncertainty," *Natural Resources Lawyer* 17:467-472, 1984.
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10. Orris P, Kominsky J, Hryhorczuk D, and Melius J. "Exposure to Polychlorinated Biphenyls from an Overheated Transformer," *Chemosphere* 15:1305-1311, 1986.
11. Fitzgerald E., Melius J, Standfast S, Youngblood L, and Janerich D. "Assessing the Health Effects of Potential Exposure to Polychlorinated Biphenyls, Dibenzo-p-dioxins, and Dibenzofurans: The Binghamton State Office Building Medical Surveillance Program," *Archives of Environmental Health* 41:368-376, 1986.
12. Melius J. "Medical Surveillance for Hazardous Waste Workers," *J Occup Med* 1986.
13. Wilkerson W, Young R, and Melius J. "Investigation of a Fatal Heatstroke," *Am Ind Hyg Assoc J* 47:493-496, 1986.
14. Rinsky R, Melius J, Hornung R, et al. "Case Control Study of Lung Cancer in Civilian Employees at the Portsmouth Naval Shipyard, Kittery, Maine," *Am J Epi*, 127:55-56, 1988.
15. Baker E, Melius, J, and Miller D. "Occupational Disease Surveillance," *Journal of Public Health Policy*, 9:198-221, 1988.
16. Fitzgerald E, Weinstein A, Youngblood L, Standfast S, and Melius J. "Health Effects Three Years After Potential Exposure to Toxic Contaminants of an Electrical Transformer Fire," *Archives of Environmental Health*, 44:214-221, 1989.
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18. Marshall E, Melius J, London M, Nasca P, and Burnett W. "Investigation of a Testicular Cancer Cluster Using a Case-Control Approach," *Int J. Epidemiol*, 19:269-273, 1990.
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29. Lewis-Michl EL, Melius JM, Kallenbach LR, Ju CL, Talbot TO, Orr MF, Lauridsen PE. "Breast Cancer Risk and Residence Near Industry or Traffic in Nassau and Suffolk Counties, Long Island, New York." Arch Environ Health 51:255-265, 1996.
30. Orris P, Hartman D, Strauss P, Anderson R, Collins J, Knopp C, Xu Y, and Melius JM. "Stress Among Package Truck Drivers." Amer Jnl Ind Med 31:202-210, 1997.
31. Zwerling C, Daltroy LH, Fine LJ, Johnston JJ, Melius JM, and Silverstein BA. "Design and Conduct of Occupational Injury Intervention Studies: A Review of Evaluation Strategies" Amer J Ind Med 32:164-179, 1997.
32. Melius J. "Occupational Health for Firefighters", Occup. Med 16:109-123, 2001.
33. Breyse P, Weaver V, Cadorette M, Wiggs, L, Curbow B, Stefaniak A, Melius J, Newman L, Smith H, Schwartz B. "Development of a Medical Examination Program for Former Workers at a Department of Energy Facility" Amer J Ind Med 42:443-454, 2002.
34. Melius J. "Asphalt – a Continuing Challenge", Amer J Ind Med 43: 235-236, 2003.
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BOOKS, CHAPTERS AND OTHER

PUBLICATIONS:

1. Melius J. "Medical Surveillance for Hazardous Waste Workers," chapter in Protecting Personnel at Hazardous Waste Sites, Butterworth Publishers, 1985.
2. Melius J. "Industrial Incidents" in The Public Health Consequences of Natural Disasters, Centers for Disease Control, 1986.
3. Parrish G, Falk H, and Melius J. "Industrial Disasters: Classification, Investigation, and Prevention," in Recent Advances in

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- Occupational Health: Number Three, edited by J.M. Harrington, Churchill Livingstone, 1987.
4. Melius J. "Investigating Environmental Health Hazards" in Occupational Medicine, edited by Zenz C, Year Book Medical Publishing, Inc., Chicago, 1988, pp 99-103.
 5. Melius J. "Fire Fighters" in Occupational Medicine, edited by Zenz C, Year Book Medical Publishing, Inc., Chicago, 1988, pp 983-985.
 6. Melius J, Costello R, and Dahstron D. "Hazardous Waste Sites" in Occupational Medicine, edited by Zenz C, Year Book Medical Publishing, Inc., Chicago, 1988, pp 1061-1066.
 7. Melius J, Wallingford K, and McCunney R. "The Health Hazard Evaluation" in Handbook of Occupational Medicine.
 8. Melius J. "High-Risk Worker Notification: A Necessary Public Health Program" in Landrigan P & Selikoff I, edit., Occupational Health in the 1990's, New York Academy of Sciences, Vol 572, 1990.
 9. Nicholson W, Johnson E, Harrington J, Melius J, and Landrigan P. "Asbestos, Carcinogenicity and Public Policy." Letter in Response: Science, 248:796-799, 1990.
 10. Melius J. "The Bhopal Disaster," in Rom, W. Environmental and Occupational Medicine, Second Edition, Boston: Little, Brown & Co., 1992. Updated Third Edition, 1999.
 11. Melius, J. "Infection Control Programs for Pre-Hospital Health Care Providers" in Mayhall G. Hospital Epidemiology and Infection Control. Williams and Wilkins, 1996..Updated Second Edition 1999.
 12. Melius J, "Current Worksite Monitoring and Performance Measurement for Environmental Remediation in the United States" National Environmental Education and Training Center. September 1995.
 13. Browne M, Ju C, Recer G, Kallenback L, Melius J, and Home E. A Prospective Study of Health Symptoms and Aspergillus fumigatus Spore Counts Near a Grass and Leaf Composting Facility. Compost Science & Utilization. 9: 241-249, 2001.

SELECTED PRESENTATIONS:

1. Melius J. "Strategies for Research and Development on Chemical Hazards: An American Approach," presented at the Swedish American Conference on Chemical Hazards in the Work Environment, March 1980. Proceedings published by U.S. Department of Labor.
2. Landrigan P, Bainbridge J, and Melius J. "Medical Officers, Epidemiology, and the National Institute for Occupational Safety and Health," presented at the International Seminar on Assessment of Toxic Agents at the Workplace, Luxembourg, December 1980. Published Barlin A, Yodaiken R, and Henmon B, editors. Assessment of Toxic Agents at the Workplace. Boston, Martin Nijhoff, 1984.
3. Melius J, and Halperin W. "Medical Screening of Hazardous Waste Workers," presented at SOEH Conference on Hazardous Waste, December 1980. Published in conference proceedings.
4. Melius J. "Chemical Hazards in Fire Fighting," presented at the Sixth Redmond Symposium, November 1981. Published in conference proceedings.

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5. Melius J. "Occupational Exposures to Pesticides: Evaluations by NIOSH Investigators," National Governors Association Meeting, San Diego, 1984.
6. Melius J. "Health Hazards of Highly Toxic Chemicals," International Symposium on Environmental and Industrial Safety, New Delhi, India. February 1985.
7. Melius J. "The Bhopal Incident," presented at meetings of the Society of Toxicology, American Industrial Hygiene Conference, and many others, 1985-1987.
8. Melius J. "Industrial Hygiene for Service Industries," American Industrial Hygiene Conference, May 1985.
9. Melius J. "National Strategies for Preventing Occupational Diseases," International Symposium on Environmental and Industrial Safety. New Delhi, India. February 1987.
10. Melius J. "Occupational Lead Poisoning in New York State," NIOSH Conference on State Occupational Health Programs. September 1992.
11. Melius J. "New York State Occupational Health Clinic Network," American College of Occupational and Environmental Medicine, Fall Meeting, New York City, 1992.
12. Melius J. "Source Characterization and Control," Keynote Presentation at NIOSH Workshop a Engineering for Preventing Airborne Infections in Health Care at other Facilities, 1993.
13. Melius J. "Occupational Diseases in Construction Workers," presented at meeting on Occupational Safety and Health in Construction, Washington, DC, 1993.
14. Melius J. "Fatalities and Injuries among Highway Construction Workers", presented on conference on Highway Work Zone Hazards, Washington, 1997.
15. Melius J, "Control of Workplace Hazards in Construction" plenary presentation at NIOSH Conference, Control of Workplace Hazards for the 21st Century - Setting the Research Agenda. March 1998.

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STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
HEARINGS DIVISION

In the matter of the Contested
Industrial Insurance Claim of:

Hearing Number: 62233-NG
Claim Number: 2008-0291

KEVIN EVANS
413 CHERRY MEADOWS CT
LAS VEGAS, NV 89145

CITY OF LAS VEGAS
JANE C LUCAS
400 E STEWART AVE
LAS VEGAS, NV 89101

_____/
The Claimant's request for hearing was filed on March 31, 2009 and a hearing was scheduled for and held on May 6, 2009 in accordance with Chapters 616 and 617 of the Nevada Revised Statutes.

The Claimant was present. The Claimant was represented by TY HILBRECHT, ESQ. The Employer was present via JANE LUCAS, WORKERS' COMPENSATION ANALYST. The Employer was represented by DANIEL SCHWARTZ, ESQ.

ISSUE

The Claimant appealed the determination of CITY OF LAS VEGAS dated January 22, 2009.

The issue before the Hearing Officer is CLAIM DENIAL.

DECISION AND ORDER

The claimant, through counsel, argued that as a result of his employment as a firefighter he developed a cancerous brain tumor that should be accepted pursuant to NRS 617.440. It is deemed that NRS 617.440 does not apply given the claimant's status as a firefighter. The statute that addresses cancer as an occupational disease of firefighters is NRS 617.453 and requires the employment to be for 5 years or more. In this case the claimant has not been employed as a firefighter for 5 years and therefore the determination of the Insurer is hereby **AFFIRMED**.

NRS 617.453(1) provides,

1. Notwithstanding any other provision of this chapter, cancer, resulting in either temporary or permanent disability, or death, is an occupational disease and compensable as such under the provisions of this chapter if:

(a) The cancer develops or manifests itself out of and in the course of the employment of a person who, for 5 years or more, has been:

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IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS,

Appellant,

v.

KEVIN EVANS,

Respondent.

Supreme Court No.: 59089

District Court No.: A-10-623471-J

APPELLANT'S APPENDIX

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CERTIFICATE OF MAILING

I hereby certify that on this 28 day of December, 2011, I served the foregoing **APPELLANT'S APPENDIX** upon the following parties by placing a true and correct copy thereof in the United States Mail in Las Vegas, Nevada with first class postage fully prepaid:

Marvin S. Gross, Esq.
King, Gross & Sutcliffe, Ltd.
3017 W. Charleston Blvd. #50
Las Vegas, NV 89102



An employee of LEWIS BRISBOIS BISGAARD & SMITH, LLP

EMPLOYEE'S CLAIM FOR COMPENSATION/REPORT OF INITIAL TREATMENT
 FORM C-4
 EMPLOYEE'S CLAIM FOR COMPENSATION/REPORT OF INITIAL TREATMENT
 FORM C-4
 PLEASE TYPE OR PRINT

EMPLOYEE'S CLAIM - PROVIDE ALL INFORMATION REQUESTED							
First Name Kevin	M.I. R.	Last Name Evans	Birthdate 1-2-71	Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Claim Number (Insurer's Use Only)		
Home Address 413 Cherry Meadows Ct.		Age 37	Height 6'3"	Weight 215	Social Security Number		
City Las Vegas	State NV	Zip 89145	Telephone 702 363-6882				
Physical Address 413 Cherry Meadows Ct. Las Vegas NV		City Las Vegas	State NV	Zip 89145	Primary Language Spoken English		
INSURER Las Vegas Firefighters Trust		THIRD-PARTY ADMINISTRATOR Beech Street		Employee's Occupation (Job Title) When Injury or Occupational Disease Occurred Firefighter			
Employer's Name/Company Name Las Vegas Fire & Rescue				Telephone 383-2888			
Office Mail Address (Number and Street) 1501 S. Martin Luther King Blvd Las Vegas NV 89101							
Date of Injury (if applicable) 11/23/08	Hours Injury (if applicable) am pm	Date Employer Notified 11-23-08	Last Day of Work After Injury or Occupational Disease 11-28-08		Supervisor to Whom Injury Reported Cap Steve Reincke		
Address or Location of Accident (if applicable) UNKNOWN							
What were you doing at the time of the accident? (if applicable) firefighter duties							
How did this injury or occupational disease occur? (Be specific and answer in detail. Use additional sheet if necessary) exposure to toxic chemicals or smoke							
If you believe that you have an occupational disease, when did you first have knowledge of the disability and its relationship to your employment? exposure 11-23-08					Witnesses to the Accident (if applicable) NA		
Nature of Injury or Occupational Disease Brain tumor/cancer			Part(s) of Body Injured or Affected Brain				
<small>I CERTIFY THAT THE ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I HAVE PROVIDED THIS INFORMATION IN ORDER TO OBTAIN THE BENEFITS OF NEVADA'S INDUSTRIAL INSURANCE AND OCCUPATIONAL DISEASES ACTS (NRS 616A TO 616D, INCLUSIVE OR CHAPTER 617 OF NRS). I HEREBY AUTHORIZE ANY PHYSICIAN, CHIROPRACTOR, SURGEON, PRACTITIONER, OR OTHER PERSON, ANY HOSPITAL, INCLUDING VETERANS ADMINISTRATION OR GOVERNMENTAL HOSPITAL, ANY MEDICAL SERVICE ORGANIZATION, ANY INSURANCE COMPANY, OR OTHER INSTITUTION OR ORGANIZATION TO RELEASE TO EACH OTHER, ANY MEDICAL OR OTHER INFORMATION, INCLUDING BENEFITS, OR PAYABLE, PERTINENT TO THIS INJURY OR DISEASE, EXCEPT INFORMATION RELATIVE TO DIAGNOSIS, TREATMENT AND/OR COUNSELING FOR AIDS, CHOLERA, DYSENTERY, TUBERCULOSIS, ALCOHOL OR CONTROLLED SUBSTANCES, FOR WHICH I MUST GIVE SPECIFIC AUTHORIZATION. A PHOTOSTAT OF THIS AUTHORIZATION SHALL BE MAILED WITH THIS REPORT.</small>							
Date 1-9-09	Place	Employee's Signature [Signature]					
THIS REPORT MUST BE COMPLETED AND MAILED WITHIN 3 WORKING DAYS OF TREATMENT							
Place		Name of Facility Valley Hospital					
Date 11/28/08	Diagnosis and Description of Injury or Occupational Disease Brain mass		Is there evidence that the injured employee was under the influence of alcohol and/or another controlled substance at the time of the accident? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (if yes, please explain)				
Hour							
Treatment: 12/4/08 -> craniotomy for tumor removal using neuronavigation			Have you advised the patient to remain off work five days or more? <input checked="" type="checkbox"/> Yes Indicate dates: from 11/28/08 to 1/21/09				
X-Ray Findings: Brain mass			<input type="checkbox"/> No If no, is the injured employee capable of: <input type="checkbox"/> full duty <input type="checkbox"/> modified duty				
From information given by the employee, together with medical evidence, can you directly connect this injury or occupational disease as job incurred? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			If modified duty, specify any limitations/restrictions:				
Is additional medical care by a physician indicated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
Do you know of any previous injury or disease contributing to this condition or occupational disease? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Explain if yes)							
Date 1-9-09	Print Doctor's Name Dr. Amy Nagy		I certify that the employer's copy of this form was mailed to the employer on:				
Address 8285 W. Arby Ave Ste 220			INSURER'S USE ONLY				
City Las Vegas	State NV	Zip 89113	Provider's Tax I.D. Number 88-0440674	Telephone 702-737-7000	Degree MD		
Doctor's Signature [Signature]							