

State of New York Court of Appeals

This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 130 SSM 18
In the Matter of the Claim of
Melody Wohlfeil,
Respondent,
v.
Sharel Ventures, LLC,
Respondent,
Workers' Compensation Board,
Appellant.

Submitted by Laura Etlinger, for appellant.

Submitted by Melvin Bressler, for respondent Wohlfeil.

Submitted by Melissa B. Habberfield, for respondent Sharel Ventures, LLC.

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On review of submissions pursuant to section 500.11 of the Rules, order reversed, with costs, and decision of the Workers' Compensation Board reinstated. On this record, substantial evidence supports the Board's determination that claimant has a permanent partial disability with a 75% loss of wage-earning capacity (see generally Matter of Zamora v New York Neurologic Assoc., 19 NY3d 186, 192-193 [2012]; see also Matter of Burgos v Citywide Cent. Ins. Program, 30 NY3d 990, 990-991 [2017]). Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia, Wilson and Feinman concur.

Decided September 6, 2018