

Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: February 11, 2015

518032

In the Matter of the Claim of
LIOUDMILA CAMPIONE,
Appellant,



v

MEMORANDUM AND ORDER

FMCS et al.,

Respondents.

WORKERS' COMPENSATION BOARD,
Respondent.

Calendar Date: January 15, 2015

Before: Lahtinen, J.P., Garry, Devine and Clark, JJ.

Lioudmila Campione, Pompano Beach, Florida, appellant
pro se.

Weiss, Wexler & Wornow, PC, New York City (Andrea Catalano
of counsel), for FMCS and another, respondents.

Clark, J.

Appeal from a decision of the Workers' Compensation Board,
filed August 8, 2013, which ruled that claimant did not sustain a
causally related disability and denied her claim for workers'
compensation benefits.

Claimant applied for workers' compensation benefits,
alleging that she suffered neurological injuries caused by
exposure to pesticides at her workplace. A Workers' Compensation
Law Judge denied the claim and the Workers' Compensation Board
affirmed, prompting this appeal.

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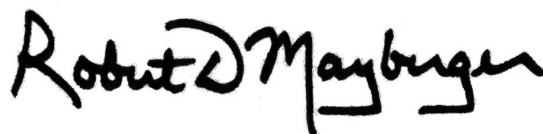
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We affirm. The employer's medical expert, a neurologist who conducted an independent medical examination of claimant, found no objective evidence of any toxicity, toxic reaction, neurological disability or cognitive impairment. Although claimant's medical experts opined that she suffers from a causally related neurologic condition, those opinions were largely based upon her subjective complaints. According proper deference to the Board's resolution of conflicting medical evidence and evaluation of witness credibility, we find the Board's determination to be supported by substantial evidence and decline to disturb it (see Matter of Alm v Natural Health Family Chiropractic, 85 AD3d 1500, 1501 [2011]; Matter of Ogden v PCA Intl., 26 AD3d 625, 625-626 [2006]).

Lahtinen, J.P., Garry and Devine, JJ., concur.

ORDERED that the decision is affirmed, without costs.

ENTER:



Robert D. Mayberger
Clerk of the Court