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Vanessa Mendelewski defends insurance companies, self-insured employers, and third-party administrators in New Jersey workers' compensation matters.

Vanessa has worked with hospitals, nursing homes, staffing agencies, retailers, and construction entities in workers' compensation claims.

She works with clients in both the public and private sectors to develop a comprehensive strategy to defend their workers' compensation claims. Vanessa handles claims in all categories under the New Jersey Workers' Compensation Act and represents her clients in coverage disputes.

Vanessa's extensive experience includes defending claims involving medical, temporary disability, and permanent disability issues, as well as medical provider bills. She also has experience on issues involving coverage cancellations. She has prepared and submitted briefs to the New Jersey Appellate Court.

Experience

- ***Results may vary depending on your particular facts and legal circumstances.***
- Successfully defended a claim before the Appellate Division on a question of insurance coverage and whether the policy was in effect at the time of injury. The policy at issue was provided to a subcontractor hired by our insured. The claim was initially filed in Pennsylvania where the injured worker lived, and his employer was located. Based on Pennsylvania law, it appeared that the carrier canceled the workers' compensation insurance coverage for non-payment. The injured worker then chose to pursue his claim in New Jersey, where the injury occurred. He also received medical treatment in New Jersey totaling over \$1.3 million for an extended hospital stay due to his severe burns. The insurance carrier for the subcontractor attempted to

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Industries

Insurance
Construction
Healthcare
Public Entities
Manufacturing
Retail

Practices

Workers' Compensation

Education

Widener University School of Law, J.D.,
2012

Pennsylvania State University, B.A., 2009

Bar Admissions

New Jersey
Pennsylvania
New York

argue that there was no coverage in place in New Jersey at the time of the accident as the insurance carrier did not operate nor write policies in New Jersey. The insurance carrier claimed cancellation of the Pennsylvania policy was transferable to New Jersey and, therefore, there was no need to show proper cancellation in New Jersey. However, the insurance carrier did not deny that New Jersey was not excluded under the policy. After briefs were submitted, and without oral argument, the Appellate Division denied the Motion for Leave to Appeal and dismissed the Notice of Motion for Appeal.

- Successfully defended a motion for medical treatment involving a claim where the petitioner had two work-related accidents within months of each other with alleged injury to the hip in both claims, among other injuries. The petitioner filed a Motion for Medical and Temporary Disability Benefits seeking hip surgery recommended by her expert for a labral tear. This contrasted with the respondent's expert who found no discrete tear from an accident and no need for treatment. After testimony by the petitioner and both experts, all conducted using Zoom, the Judge entered an Order denying the Motion for failure to sustain the burden of proof. While the Judge noted the petitioner was a credible individual, the issue turned on causation to which the Judge looked to the experts. The Judge found the respondent's expert to be more thorough in his explanations of his conclusions during testimony and in his ability to explain his review of the MRI study as well as being able to show the MRI during testimony.
- Successfully obtained a voluntary dismissal of a medical provider application where the provider was seeking additional payment for services rendered to the injured worker. The medical provider rendered medical services to the petitioner for a New York workers' compensation claim. They were seeking additional payments pursuant to the New Jersey compensation statute. The insured was located in NY, the injured worker was employed in NY and worked in NY. As the medical provider had no jurisdiction to seek additional payments pursuant to the New Jersey compensation statute, they agreed to voluntary dismissal of the medical provider application.
- Successfully litigated on behalf of employer, a Motion to Dismiss filed on a compensable claim filed by the employee, due to lack of prosecution. The claim involved injury to the right hand for which the petitioner missed two need for treatment examinations and a permanency examination. As the employee repeatedly failed to attend examinations, the respondent's Motion to Dismiss was ultimately granted. The

employee filed an Application for Re-instatement, however she sustained subsequent injury to the right hand and the claim was resolved pursuant to N.J.S.A. 34:15-20 and with full and final dismissal. The dismissal also allowed the employer to collect a portion of the fees assessed for the missed examinations.

Professional & Community Involvement

North Penn Legal Services, Former Pro Bono Attorney

North Jersey Claim's Association, Member