

Dawn successfully defends a International shipping company

Successfully defended an international shipping company against a Claim Petition, in which the employee alleged that he sustained an umbilical hernia as a cumulative result of lifting and carrying packages over time. The employee sought wage loss and medical benefits from the date of injury and ongoing. In denying the Claim Petition, the Judge found the employee's testimony to be incredible given the temporal proximity of the worker's symptoms with him recently helping a family member move. The Judge questioned the employee's assertions that he lifted only light items during the move. The Judge also found the employee's medical expert testimony not believable to the extent that it suggested that the employee's umbilical hernia was causally related to his occupational duties. The Judge specifically found the defense medical expert's testimony credible. Given the employee's notable compensation rate, the win resulted in substantial savings for the client and eliminated the potential for ongoing benefits. She wrote the brief for this matter.