



**Bedminster**

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Cheryl Binosa represents national staffing agencies, trucking companies, retail stores, and manufacturers in all workers' compensation matters.

Focusing on the north New Jersey courts, Cheryl handles all aspects of New Jersey workers' compensation claims involving medical and temporary disability, permanent partial disability, permanent total disability issues, and Section 20 settlements. Cheryl also counsels her clients on claims regarding Medicare and Medicaid set-asides. Her experience includes negotiating medical bills involving medical provider applications filed both in New Jersey and New York.

With 10 years of experience, Cheryl is well versed in writing Appellate briefs and has successfully argued before the Appellate Division.

In Cheryl's previous role, she worked with insurance firms' special investigation units in identifying, investigating, and prosecuting fraudulent claims in New Jersey. She has been involved in the defense of personal injury protection (PIP)/no-fault matters in the National Arbitration Forum and New Jersey Superior Court.

**Experience**

- ***Results may vary depending on your particular facts and legal circumstances.***
- Successfully defended a claim before the Appellate Division affirming a Trial Court's decision that a Bihler operator did not suffer hearing loss during the course and scope of his employment. The Judge of Compensation found a lack of credible evidence to prove petitioner suffered physical injuries and hearing loss as a result of excessive noise exposure based on petitioner's inconsistent testimony, the records of the treating

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**Industries**

Transportation  
Staffing Companies, Employment  
Agencies and PEOs  
Manufacturing  
Retail

**Practices**

Workers' Compensation

**Education**

Thomas M. Cooley Law School, J.D.,  
2006  
Richard Stockton College of New Jersey,  
B.A., cum laude, 2003

**Bar Admissions**

New Jersey  
New York

**Court Admissions**

United States District Court for the District  
of New Jersey

doctors, and petitioner's expert testimony, which provided no basis for the diagnosis, as well as an inconsistent narrative of the facts of the case. The Appellate Court held that the judge's factual and credibility findings were amply supported by sufficient credible evidence in the record, and there was no basis to disturb them.

- Successfully tried a Motion for lack of coverage. In this matter, petitioner alleged injuries sustained in a MVA. The claim was denied as petitioner, the owner of the company, had excluded himself from coverage under the policy. Nonetheless, following the accident, petitioner claimed that he did not know that he specifically excluded himself from coverage. Emails were submitted to the court indicating that petitioner was given information about different policy premiums for coverage and non-coverage. The emails further indicated that he had previously excluded himself on an earlier policy. The motion was tried and testimony was taken both from the insurance broker and of the petitioner. The Judge did not find the petitioner credible noting that he frequently changed his answers when confronted with documents that contradicted his assertions. As such, the Judge granted our dismissal with prejudice. Respondent avoided being on the hook for payment of medical treatment for multiple injuries and temporary disability benefits.
- Successfully settled an occupational exposure claim in which the employee alleged exposure to heavy metals causing severe sinusitis. Various air monitoring testing and the employee's lab work revealed exposure to heavy metals. The claim was settled pursuant to a Section 20 settlement. The settlement prevented an indefinite payment of possible future medications and treatment for the alleged injury.
- Successfully defended an appeal in the Appellate Division of the Superior Court regarding the issue as to whether an employee, who was terminated after sustaining a compensable accident at his former employment and later deemed unable to work, was entitled to temporary disability benefits during his subsequent unemployment. The Judge did not find entitlement to temporary disability as the employee's testimony was lacking in credibility and there was no evidence in the record that he had any promise or prospect of employment that he had to forego due to his disability. The Court held that it would not second guess a judge when sufficient credible evidence in the records supports his or her credibility findings.

### **Professional & Community Involvement**

Cheryl A. Binoso  
Partner



Ombudsman with the Employer Support of the Guard & Reserve  
(ESGR)