

Jeffrey D. Newby

Partner / Workers' Compensation Co-Managing Partner & Board of Directors

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Jeff Newby manages both large and small scale New Jersey workers' compensation programs for a range of national and regional clients while developing creative and innovative solutions to high claims volume, exposure reduction and catastrophic workers' compensation matters.

Jeff's steadfast approach to case supervision and control, and his partnership with a diverse range of clients and their often challenging requirements, satisfies his clients' metrics goals, long-range financial planning and current fiscal targets. Jeff directly oversees multifaceted litigation, initiates file reviews to enforce universal accountability, and goes to court often to personally orchestrate his clients' desired results. Jeff also assists clients with addressing the course and scope of employment issues along with protecting subrogation reimbursement rights.

Jeff is a *Certified Workers' Compensation Attorney* by the New Jersey Supreme Court and was inducted into the College of Workers' Compensation Lawyers in 2010.

Every year since 2012, Jeff has achieved an AV Preeminent Rating from Martindale-Hubbell. This is given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers. Jeff has also been recognized by *Best Lawyers* as a peer-reviewed and recommended workers' compensation defense attorney, and has been every year since 2010.

For more information regarding methodology for these accolades, pursuant to New Jersey Lawyer Advertising guidance, please see here: <https://bit.ly/WGMartindaleHubbell> and <https://bit.ly/WGBestLawyers>. No aspect of this advertisement has been approved by the Supreme Court.

Jeff has testified before the New Jersey State Senate regarding

Assistant

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Industries

Staffing Companies, Employment
Agencies and PEOs

Nonprofit

Gaming

Transportation

Practices

Workers' Compensation

Education

Wake Forest University School of Law,
J.D., 1985

University of Notre Dame, B.A., 1982

Bar Admissions

Pennsylvania

New Jersey

Court Admissions

United States Court of Claims

United States Court of Appeals Federal
Circuit

United States Court of Appeals for the
Second Circuit

United States District Court for the
Southern District of Pennsylvania

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comprehensive changes to the Workers' Compensation Statute as a member of the Executive Committee of the New Jersey Bar Association. Jeff has also argued before the Pennsylvania Supreme Court, Pennsylvania Superior and Commonwealth Courts, Federal Court, and the New Jersey Superior Court.

Selected Cases

- *American Red Cross v. WCAB (Romano)*, 745 A.2d 78 (Pa. Commw. 2000), aff'd per curiam, 766 A.2d 328 (Pa. 2001).
- *American Red Cross v. WCAB (Curran)*, 741 A. 2d 244 (Pa. Commw. 1999).
- *Harris v. Branin Transport, Inc.*, 711 A.2d 331 (N.J. App. Div. 1998).
- *Goldberg v. WCAB (Star Enters.)*, 696 A.2d 263 (Pa. Commw. 1997).
- *Root v. WCAB (U.S. Plywood Corp.)*, 636 A.2d 1263 (Pa Commw. 1994), app. denied, 649 A.2d 678 (Pa. 1994).
- *Bell Telephone Co. of Pennsylvania v. WCAB (Artuch)*, 562 A.2d 427 (Pa. Commw. 1989).

Experience

- ***Results may vary depending on your particular facts and legal circumstances.***
- Secured a dismissal after a trial on a case that dated back to a 2003 injury. The injured worker was involved in a motor vehicle accident and ultimately underwent a cervical fusion. She initially received an award of permanency of 25% of partial total for the injury to her neck. Upon reopening the case our psychiatric expert found depression and anxiety in addition to the physical injuries. The award was increased to 31% of partial total. The petitioner applied for and received Social Security Disability finding her totally permanently disabled. The petitioner then filed a second application to review her award contending that she was totally and permanently disabled. Following a trial with testimony of the petitioner, her orthopedic and psychiatric experts as well as surveillance evidence and our orthopedic and psychiatric experts, the judge dismissed the case and found no change in her disability. The case closed with prejudice saving the client approximately \$500,000.00 in future exposure.
- Successfully tried a case for a healthcare agency where an employee alleged sustaining a low back injury when leaving a client's home. She slipped and fell on ice. The claim was dismissed with prejudice following the presentation of four witnesses. We were able to convince the judge that in contrast to the employee's allegations, she was not going to her car in

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order to retrieve a timesheet. Had the judge believed that fact issue, the trip to the car may have been deemed work-related. Using her recorded statement and other documentation including fact witness testimony, the case was dismissed and saved the employer in the range of \$100,000 in wage loss, medical bills as well as an award of permanent disability.

Professional & Community Involvement

- National Retail Restaurant Defense Association (NRRDA), Member
- New Jersey State Bar Association, Member
- The College of Workers' Compensation Lawyers, Fellow
- The Council for Litigation Management, Fellow
- Jewish Relief Agency, Volunteer
- Habitat for Humanity, Volunteer
- Ronald McDonald House, Volunteer