

OUR PRACTICE

Workers' Compensation

Workers' compensation liability is a reality for every employer, no matter what its business. In addition to compliance, companies should take steps to minimize workers' compensation liabilities through an efficient handling of compensable claims, an aggressive defense of non-compensable claims, and the pursuit of employees making fraudulent claims. Our attorneys partner with clients to address all these issues, and understand that sometimes the best approach is the compassionate one. We guide clients through the various court and industrial commission workers' compensation systems and keep them apprised of every step.

Quite often the Family and Medical Leave Act and the Americans with Disabilities Act are implicated in workers' compensation situations, and our attorneys are well-versed in the intricacies of these claims. When litigation is at hand, we team with the attorneys best suited for the job no matter their location, and work to get the best possible result for our clients. We also provide training when needed, and work with our clients to create offensive and defensive strategies in the face of fraudulent claims.



Representative Matters

- Obtained a dismissal for Belfor USA Group, a general construction contractor, from a workers' compensation claim brought by the employee of a subcontractor previously in a collective action seeking overtime wages from Belfor under the Fair Labor Standards Act.
- Obtained a dismissal for a kitchen appliance manufacturer against a claim of mesothelioma contraction due to exposure to asbestos fibers from the clothing of the spouse who worked around commercial baking ovens which allegedly contained asbestos materials.
- Dismissed on appeal all claims by 53 plaintiffs against a construction company for asbestos exposure, intentional misrepresentation, and whistleblower violations related to the alleged presence of asbestos at a job site and subsequent termination of the plaintiffs' employment.
- Obtained a defense verdict after a bench trial in a high exposure occupational disease case on a statute of limitations defense.
- Obtained reversal of a death benefit judgment in a heart attack case on appeal to Tennessee Supreme Court.
- Obtained appellate reversal of a judgment for a workers' compensation claimant where the trial court had found that claimant's injury was "obvious" and required no medical proof.
- Obtained multiple defense verdicts on defenses of failure to give statutorily required notice and/or statute of limitations.
- Obtained evidence which led to the perjury conviction of a workers' compensation claimant.
- Successfully referred claimants to Tennessee's workers' compensation fraud unit for investigation and/or prosecution.