

MICHAEL R. DUFFY

ASSOCIATE



AREAS OF PRACTICE

Workers' Compensation

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ADMISSIONS

New Jersey
2016

Pennsylvania
2016

EDUCATION

Widener University School of Law
(J.D., 2015)

Pennsylvania State University
(B.A., 2011)

OVERVIEW

Michael is an experienced workers' compensation attorney who focuses his practice on defending employers and insurance carriers in matters related to workers' compensation. He counsels clients on all aspects of workers' compensation claims management to help minimize their exposure. He has successfully defended employers in many industries, including trucking, construction, landscaping, manufacturing, hospitality and assisted living facilities.

Michael earned his Bachelor of Arts in Political Science from The Pennsylvania State University and his juris doctor from Widener University Delaware Law School. He is admitted to practice in Pennsylvania and New Jersey.

An active member of the legal community, Michael is a member of the Pennsylvania Workers' Compensation Coalition, Brehon Law Society, Philadelphia Bar Association and Judge Alexander F. Barbieri Workers' Compensation Inn of Court.

HONORS & AWARDS

Pennsylvania Super Lawyer Rising
Star
2022-2024

ASSOCIATIONS & MEMBERSHIPS

Brehon Law Society

Judge Alexander F. Barbieri
Workers' Compensation Inn of Court

Pennsylvania Workers' Compensation Coalition

Philadelphia Bar Association

URMIA

YEAR JOINED

2016

THOUGHT LEADERSHIP

Marshall Dennehey Announces 2024 Pennsylvania Super Lawyers and Rising Stars

May 17, 2024

Twenty-eight attorneys across Marshall Dennehey's six Pennsylvania offices have been selected to the 2024 edition of Pennsylvania Super Lawyers magazine.

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Marshall Dennehey Announces 2022 Pennsylvania Super Lawyers and Rising Stars

May 23, 2022

Thirty-four attorneys across Marshall Dennehey's six Pennsylvania offices have been selected to the 2022 edition of Pennsylvania Super Lawyers magazine.

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Bullying in the Workplace

King of Prussia
Workers' Compensation
December 14, 2021

Is There a Doctor In the House?

King of Prussia
Workers' Compensation
November 1, 2020

Exercising Reasonable Diligence: Commonwealth Court Provides Guidance to 120-Day Rule

Philadelphia - Headquarters
Workers' Compensation
December 10, 2018

Key Points: Defense Digest, Vol. 24, No. 4, December 2018. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

CLASSES/SEMINARS TAUGHT

Unique Workers' Compensation Aspects of Independent Contractors and Traveling Employees, Lorman Education Services webinar, December 16, 2021

Workers' Compensation 101, client seminar, August 19, 2020

PUBLISHED WORKS

"Bullying in the Workplace," CLM Magazine, December 2021

"Is There a Doctor in the House? Telemedicine Has Its Benefits, But Not for Contested Workers' Compensation Claims," CLM Magazine, November 2020

"Exercising Reasonable Diligence: Commonwealth Court Provides Guidance to 120-Day Rule," *Defense Digest*, December 2018, Vol. 24, No. 4

"Ingress and Egress: Appellate Division Finds Employer Had Control Over Parking Lot," *Defense Digest*, Vol. 23, No. 1, March 2017

RESULTS

Successfully Defended Against Two Review Petitions in Shoulder Injury Case

Workers' Compensation

December 13, 2024

We successfully defended against two review petitions in a case in which the client had accepted the claim as a right shoulder injury. As the claimant was lowering a trailer to a hitch, the trailer fell a few inches, causing the hand crank to spin and jerk the claimant's shoulder.

Successful defense of reinstatement petition.

Workers' Compensation

November 10, 2022

The petition was filed by the claimant before an administrative judge. The claimant alleged he was entitled to reinstatement of indemnity benefits after he voluntarily stopped working due to hand pain. We argued the light-duty position available and offered to the claimant was a one-handed position, and presented employer fact witness testimony and video of the light-duty job in rebuttal.

Workers' Compensation Judge's decision reversed on appeal.

Workers' Compensation

November 23, 2020

We won a case on appeal, reversing the judge's decision. Our insurance carrier client issued a Notice of Temporary Compensation Payable (NTCP), agreeing to pay both indemnity and medical benefits for a lumbar strain allegedly sustained by the claimant. The 90-day period began on April 22, 2018, and ended July 20, 2018. On June 21, 2018, the claimant filed a claim petition for workers' compensation benefits, alleging a low back injury.

SIGNIFICANT REPRESENTATIVE MATTERS

Received a favorable decision where the judge granted our termination petition and denied the claimant's Petition for Penalties and Petition to Review Utilization Review Determination. The employer had accepted a right middle finger sprain. In prior litigation, the claimant's review petition seeking to expand this injury was denied. In the pending termination petition, the judge found the claimant not credible with regard to his ongoing complaints. The claimant claimed to be bed bound, and the judge opined that this allegation as a result of a finger sprain was absurd. The penalty petition related to payment of medical bills, and the judge found that, since the medical bills were related to the hand and not the finger, the penalty was denied. He also denied the claimant's Petition to Review the Utilization Review Determination, finding that more than 185 physical therapy visits were not reasonable for a finger sprain and because the opinions of the reviewer were corroborated by the employer's expert's opinion of full recovery.

Obtained a decision granting the employer's termination petition. The claimant had sustained injuries to her low back as a result of a work injury wherein she was struck in her back by a coworker opening a door. The claimant alleged she sustained additional injuries, including multiple disc herniations. After subpoenaing records from various providers, Michael was able to show that the claimant had been in multiple car accidents and had prior injuries to her low back, resulting in treatment lasting up to a few months prior to the work injury. The claimant had denied any prior injuries during her testimony before the workers' compensation judge. The judge found the employer's expert credible and terminated the claimant's benefits.

Received a favorable decision in a case involving Claim and Penalty petitions. The claimant alleged cervical injuries requiring surgery. Our medical expert agreed that surgery was required but did not agree to a work injury based on the records obtained following the claimant's deposition. Though the claimant testified to never having prior injuries or treatment for his neck prior to the injuries, Mike was able to obtain medical records showing treatment for the same complaints two weeks prior to the work injury. The judge denied the Claim and Penalty petitions.

Obtained a Decision granting Review and Termination Petitions and denying the claimant's Review Petition. The claimant fell approximately 20 feet from a ladder and sustained bilateral calcaneal fractures. The employer/insurer issued an NCP accepting bilateral ankle fractures. The defense filed a Termination Petition alleging a full recovery and also filed a Review to amend the description of injury to change the description of injury to bilateral calcaneal fractures. The claimant then filed a Review to amend the description of injury to include traumatic neuropathic pain secondary to bilateral calcaneal fractures, lumbar spine strain, lumbar spine disc injury, and bilateral lumbar radiculopathy. In making his decision, the judge found the defense expert more credible than claimant's expert.

