

A. JUDD WOYTEK

SHAREHOLDER



AREAS OF PRACTICE

Workers' Compensation

CONTACT INFO

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ADMISSIONS

Pennsylvania
1995

U.S. Court of Appeals 3rd Circuit

EDUCATION

Widener University School of Law
(J.D., cum laude, 1995)

Ursinus College (B.A., 1992)

ASSOCIATIONS & MEMBERSHIPS

Bar Association of Lehigh County,
Workers' Compensation
Committee

Pennsylvania Bar Association

YEAR JOINED

1997

OVERVIEW

With more than 25 years of legal experience, Judd has secured successful results for clients in Northampton, Lehigh, Berks, Schuylkill, Monroe and Carbon counties including school districts, intermediate units, nursing homes, assisted living facilities, large retailers, manufacturers, construction companies, and various other employers. He has also defended coal mine operations throughout the eastern part of Pennsylvania in Federal Black Lung claims. A native of Allentown, Judd has spent his legal career defending clients in the Lehigh Valley region against workers' compensation claims.

Judd has significant experience litigating cases before Workers' Compensation Judges throughout the Commonwealth of Pennsylvania and before the Workers' Compensation Appeal Board. He has successfully defeated numerous claim petitions by presenting medical and factual evidence showing that the claimants did not sustain work-related injuries and/or corresponding disabilities. Judd utilizes innovative legal strategies and develops unique solutions to help clients achieve their litigation goals. He places a high value on communication and works closely with each client from case inception to completion.

Judd is also skilled in counseling clients on effective management of workers' compensation plans and development and implementation of innovative return-to-work programs. He also provides risk management services, which can help reduce litigation costs.

Judd is a graduate of Ursinus College in Collegeville, Pennsylvania. He received his *juris doctor* in from Widener University School of Law in Wilmington, Delaware, graduating cum laude. He is admitted to practice in Pennsylvania and before the United States Court of Appeals for the Third Circuit.

THOUGHT LEADERSHIP

What's Hot in Workers' Comp – Special PA Alert

King of Prussia
Workers' Compensation
June 10, 2024

On May 29, 2024, in the matter of Erie Insurance Property & Casualty Company v. David Heater (Workers' Compensation Appeal Board), No. 148 C.D. 2023, A. Judd Woytek and Audrey L. What's Hot in Workers' Comp – Special PA Alert – June 10, 2024,

What's Hot in Workers' Comp – Special PA Alert

King of Prussia
Workers' Compensation
January 18, 2022

The Pennsylvania Bureau of Workers Compensation has revised the Notification of Suspension or Modification (LIBC-751) to comply with Act 95 of 2021, that was signed into law by Governor Wolf on December 22, 2021. What's Hot in Workers' Comp is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

What's Hot in Workers' Comp - Special PA Alert*

Workers' Compensation
October 4, 2021

In the October issue of the What's Hot, issued on September 29, 2021, we reported that the Disaster Declaration, which suspended Section 449 of the Pennsylvania Workers' Compensation Act requiring the attestation of the claimant's signature on a C What's Hot in Workers' Comp is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal develop

What's Hot in Workers' Comp - Special PA Alert*

Workers' Compensation
October 1, 2021

As the result of the COVID-19 pandemic, Pennsylvania Governor Tom Wolf issued a Disaster Declaration which suspended Section 449 of the Pennsylvania Workers' Compensation Act requiring the attestation of the claimant's signature on a Compromise & a What's Hot in Workers' Comp is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

Special Workers' Compensation Alert - Pennsylvania

Workers' Compensation
May 14, 2021

The Pennsylvania Superior Court issued an important decision on May 13, 2021, in the matter of Mercer v. What's Hot in Workers' Comp is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest

CLASSES/SEMINARS TAUGHT

A State-By-State Guide to Avoiding Attorneys' Fees and Sanctions, Marshall Dennehey Workers' Compensation Seminar, October 27, 2022

Civil Litigation Updates in COVID-19 Litigation – Where Do We Stand One Year Later?, Marshall Dennehey Webinar, May 2021

IREs and WC Case Law Update, client webinar, May 19, 2021

Are You Coming or Going – Do You Know Your Course and Scope?, Marshall Dennehey webinar, October 26, 2020

Mitigating the Risk of Workplace Bullying, Marshall Dennehey Workers' Compensation Seminar, October 24, 2019

Return to Work: Perfecting Job Offers and the Revival of the Labor Market Survey, Marshall Dennehey Workers' Compensation Seminar, October 18 and 25, 2018

Ingredients for Successfully Defending Claims for Work Injuries at Home, Marshall Dennehey Workers' Compensation Seminar, October 19, 2017

Course and Scope, Marshall Dennehey Workers' Compensation Seminars, October 19 and 27, 2016

Cover Your Bases: A WCAIS Update, Marshall Dennehey Workers' Compensation Seminar, October 22, 2015

The Basics of WCAIS, client seminar, Parsippany, New Jersey, November 21, 2014

Social Media Update, Marshall Dennehey Workers' Compensation Seminar, November 6, 2014

Workers' Compensation: What's the Best Case, The Seltzer Group Workers' Compensation Seminar, Bethlehem, Pennsylvania, December 6, 2012

How To Control Your Claim, The Seltzer Group Workers' Compensation Seminar, Bethlehem, Pennsylvania, December 7, 2011

Workers' Compensation Hearings: Techniques & Strategies for Success, National Business Institute, Allentown, Pennsylvania, October 22, 2008

Advanced Workers' Compensation in Pennsylvania, National Business Institute, Allentown, Pennsylvania, 2003, 2004 (speaker and course planner)

Pennsylvania Workers' Compensation Law Seminar, Top 20 Cases of 2001 & 2002, Professional Education Systems Institute, Pittsburgh, 2002

Workers' Compensation Update Lecture, Institute of Management Accountants, Lehigh Valley Chapter, Holiday Inn Bethlehem, 1998

PUBLICATIONS

"Protz – One Year Later," *Defense Digest*, Vol. 24, No. 2, June 2018

"It 'Payes' to Be Abnormal - Is The Law Really Changing for Mental/Mental Claims in PA Workers' Comp?," *Defense Digest*, Vol. 20, No. 3, September 2014

"That 70's Show: Obamacare Takes Federal Black Lung Claims Back in Time," *Carrier Management*, December 2013 and *Defense Digest*, Vol. 20, No. 1, March 2014

RESULTS

Establishing Failure to Well-Plead Secures a Win for the Defense

Workers' Compensation

November 30, 2023

In our successful appeal to the Commonwealth Court, the workers' compensation judge had awarded a closed period of benefits and then terminated all benefits, despite the employer's late answer. The judge found that the description of injury was not well-pled and, therefore, not deemed admitted. The Appeal Board reversed the judge on the full termination of benefits, saying that, since our IME physician did not acknowledge a work-related psychiatric injury, his testimony was in conflict with the admitted injury due to the late answer.

Successful defense of claim petition alleging neurologic injuries from a slip and fall on ice.

Workers' Compensation

May 25, 2023

The claimant alleged issues with his speech, vision and balance. His treating physician diagnosed a concussion with post-concussion syndrome and cervicgia resulting in gait, visual and speech dysfunction, headaches, nausea, vomiting, dizziness, sensitivity to light and sound, and difficulty walking. The judge limited the injury to a scalp contusion and traumatic Bell's Palsy, awarded less than 11 weeks' of benefits, and terminated benefits as of our IME.

Favorable decision in Federal Black Lung case.

Workers' Compensation

November 10, 2022

We won a favorable decision from an Administrative Law Judge on a Federal Black Lung claim. The judge credited the claimant with 11 years of qualifying coal mining employment, but found that the claimant had failed to prove a totally disabling respiratory impairment and, therefore, denied the claim. We presented evidence from our medical expert that the claimant did not contract coal workers' pneumoconiosis as the result of his work in the coal mines, and that he was not disabled by a respiratory impairment.

Claim petition alleging lower back injury denied.

Workers' Compensation

November 1, 2022

We obtained a favorable decision denying a claim petition that alleged a low back injury, including sprain/strains and intervertebral disc displacement status, after multiple surgeries. The claimant had a lumbar laminectomy in 2016 and a lumbar fusion in 2018. He alleged a work injury in April 2019 when emptying a small trash can into a dumpster.

Successful defense of Yellow Freight motion.

Workers' Compensation

November 1, 2022

We established that the employer was never served with the notice of assignment of the claim petition to a judge. While the claimant's attorney had properly served the claim petition itself on the employer, we correctly argued that it is the notice of assignment that triggers the employer's obligation to file an answer within 20 days. We were able to prove that the employer's address on the notice of assignment had the wrong zip code and that the employer was never served. Therefore, the judge found that the employer had a reasonable excuse for its late answer to the claim petition.

SIGNIFICANT REPRESENTATIVE MATTERS

Defeated a claim where the claimant was alleging that his degenerative disc disease in his cervical and lumbar spine was caused by his years of employment as a lineman for a cable services company.

Prevailed in several cases for a meat packing company by proving that the claimants' alleged repetitive stress injuries to the upper extremities (shoulder injuries, carpal tunnel, etc.) were not caused by their employment.

Successfully defended numerous federal black lung claims filed by miners, even when the miner was able to prove an extensive coal mine employment history and significant exposure to coal dust, and widows' claims when the miners had been awarded lifetime benefits, but the widows were unable to prove that coal workers' pneumoconiosis caused or significantly contributed to the miners' death.

Successfully defended a claim in which claimant was seriously injured in an automobile accident on her way to work by convincing the judge and Appeal Board that the facts of the case did not meet the criteria for exclusion from the coming and going rule.

Successfully defended multiple claims where claimant was working under restrictions but was fired by the employer. Successfully argued to several Workers' Compensation Judges that the claimant was fired for cause and for reasons unrelated to the work injury and that benefits should not be awarded or reinstated.