

MICHELE R. PUNTURI

DIRECTOR, WORKERS' COMPENSATION DEPARTMENT
SHAREHOLDER



AREAS OF PRACTICE

COVID-19 Task Force 2020
Workers' Compensation

CONTACT INFO

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2000 Market Street, Suite 2300
Philadelphia, PA 19103

ADMISSIONS

Pennsylvania
1990

U.S. District Court Eastern
District of Pennsylvania
1991

U.S. Court of Appeals 3rd
Circuit
1991

EDUCATION

Widener University School of
Law (J.D., cum laude, 1990)

University of Pittsburgh (B.A.,
cum laude, 1987)

OVERVIEW

Michele is a member of a firm wide, multidisciplinary group – Marshall Dennehey COVID-19 Task Force – created to address and support your real-time legal and business concerns in response to the coronavirus pandemic.

As director of the Worker's Compensation Department, Michele oversees more than 40 attorneys throughout 11 of the firm's offices. She is also a member of the firm's Board of Directors. Michele has been with the firm for more than 30 years, and has been a shareholder in the Worker's Compensation Department since 1998. Michele represents third party administrators, insurance carriers and self-insureds, handling matters for construction companies, steel product and technology companies, hospitals, retailers, supermarkets, hotels, personnel corporations, landscaping contractors, assisted living facilities, townships, and manufacturers. In addition to her managerial and litigation responsibilities, Michele supervises client development efforts for the Workers' Compensation Department.

During her career, Michele 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. Her innovative legal strategies have included requesting the judge's presence at the employer's premises. In addition, Michele has argued numerous cases in front of the Workers' Compensation Appeal Board and has taken multiple cases to the Commonwealth Court.

Michele has lectured for various organizations, including the Claims & Litigation Management Alliance and Philadelphia Bar Association. She has published many articles and educational/training materials and has authored a chapter on workers' compensation in the prestigious *West Pennsylvania Forms and Commentary Employment Law* treatise.

Michele graduated *cum laude* from the University of Pittsburgh and the Widener

HONORS & AWARDS

AV® Preeminent™ by
Martindale-Hubbell®

Pennsylvania Self-Insured
Association, Award of
Excellence, 2008

Pennsylvania Super Lawyer,
2007-2008

Pennsylvania Super Lawyer
Rising Star, 2005

Pennsylvania Super Lawyer
Corporate Counsel Edition,
2008-2009

ASSOCIATIONS & MEMBERSHIPS

Claims & Litigation
Management Alliance (CLM)

Defense Research Institute

Judge Alexander F. Barbieri
Workers' Compensation Inn of
Court

Pennsylvania Bar Association

Pennsylvania Defense
Institute

Philadelphia Bar Association

YEAR JOINED

1988

University School of Law. Michele's success is due in large part to the care and dedication she exhibits to each client and the attention to detail shown in her work. It is these characteristics that have led many of her clients to look to her as a sounding board for business and legal advice.

Michele is active in the community, donating her time to a host of charitable organizations including Northern Children's Services and the American Cancer Society.

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THOUGHT LEADERSHIP

Marshall Dennehey Announces COVID-19 Task Force

COVID-19 Task Force 2020

March 23, 2020

Through this very difficult time, and in response to emerging and uncertain legal developments arising from the coronavirus pandemic, Marshall Dennehey has assembled a firmwide, multidisciplinary task force to advise, address and support your legal

[Read More](#)

Michele R. Punturi Named Director of the Workers' Compensation Department at Marshall Dennehey

Workers' Compensation

January 14, 2020

Michele R.

[Read More](#)

COVID-19 AND THE LAW: Workers' Compensation Compensability in Delaware, Florida, New Jersey and Pennsylvania

COVID-19 Task Force 2020

Workers' Compensation

April 1, 2020

The material in this newsletter has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

CORONAVIRUS AND THE LAW: A Legal Guide for the Healthcare Industry

COVID-19 Task Force 2020

Health Care Liability

Long-Term Care Liability

Workers' Compensation

Behavioral Health Risk and Liability

March 31, 2020

In late 2019, news of a new virus began to emerge from China. The material in this newsletter has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

What's Hot in Workers' Comp -- Special Alert -- Coronavirus & Workers' Compensation Liability

**Workers' Compensation
COVID-19 Task Force 2020
March 17, 2020**

The rapid-fire spread of the coronavirus is beyond worrisome. What's Hot in Workers' Comp

Tempering the Tempest of Workplace Violence

**Philadelphia - Headquarters
Workers' Compensation
October 15, 2019**

Fighting for Safety: How to Stop Workplace Violence in Its Tracks

**Philadelphia - Headquarters
Workers' Compensation
March 1, 2019**

CLASSES/SEMINARS TAUGHT

Workman's Compensation & Third Party Liability, National Association of Women in Construction Philadelphia Chapter, February 26, 2020

Determining the Value of Your Case, Marshall Dennehey Workers' Compensation Seminar, October 24, 2019

Maximizing the Productivity of an Aging Workforce, CLM Workers' Compensation Conference, Chicago, IL, May 22, 2019

Driven to Distraction - Mitigating Distracted Driving Claims, CLM Annual Conference, Orlando, FL, March 14, 2019

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

Private Eyes: They're Watching You!, Philadelphia Bar Association Workers' Compensation Section Meeting, September 14, 2018

Workers' Compensation Settlement Evaluation Analysis and Mediations, guest lecturer, Villanova University Charles Widger School of Law, April 11, 2018

The Rise in Workplace Violence: Practical Tips and Guidance to Avoid Devastating Consequences and Reduce Liability, CLM Annual Conference, March 15, 2018

Don't Get Burned: How to Keep a Medical Only Claim From Becoming an Indemnity Claim, Marshall Dennehey Workers' Compensation Seminar, October 19, 2017

Today's "Medical Only" Claim is Tomorrow's "Indemnity Claim," CLM & Business Insurance Workers' Compensation Conference, Chicago, Illinois, May 24, 2017

Do's and Don'ts of Fact Witnesses, Marshall Dennehey Workers' Compensation Seminar, October 27, 2016

Developing a Robust Return to Work Program, CLM Atlanta, Atlanta, Georgia, May 2016

Put Me In Coach: Top 10 Opportunities in Claims and Litigation Management, Marshall Dennehey Workers' Compensation Seminar, October 22, 2015

The Dream Team Approach to Workers' Compensation Case and Litigation Management, 2015 CLM Annual Conference, Palm Desert, California, March 25, 2015

Checks and Balances: A Dream Team Approach, Marshall Dennehey Workers' Compensation Seminar, October 30, 2014

A New Era of Workers' Compensation Claims? The Potential Impact of Social Trends, claims workshop presented by The Graham Company, Philadelphia, PA, April 18, 2013

You Can't Handle the Truth: A Mock Trial, Marshall Dennehey Workers' Compensation Seminar, Philadelphia, PA, November 30, 2012

Pennsylvania Workers' Compensation Forms and Defenses, MAC Risk Management, June 15, 2012

Defense Consideration and Limiting Exposure in Pennsylvania Workers' Compensation, Connor Strong & Buckelew, February 2, 2012

Judicial Panel, Annual Florida Workers' Compensation Institute Conference, August 2011

The New Uniform-Based Task Management System (UBTMS) Workers' Compensation Code Set, Annual Florida Workers' Compensation Institute Conference, August 2010

Understanding the WC Claims Process, Pennsylvania Chamber of Business and Industry Workers' Compensation Roundtable, June 3, 2010

The Litigation Process, Pennsylvania Self-Insured - A to Z Training Course, March 11-12, 2010

The Litigation Process, Pennsylvania Self-Insured - A to Z Training Course, March 27-28, 2008

Defense Considerations in Pennsylvania Workers' Compensation, The Graham Company Employer's Training Course, November 29, 2007

Successfully Navigating Workers' Compensation Law - Hot Topics in Pennsylvania Workers' Compensation - Case Law and Legislative Update, Insurance Society of Philadelphia, October 12, 2006

The Litigation Process, Pennsylvania Self-Insured - A to Z Training Course, March 23-24, 2006

Workers' Compensation Mock Trial, The Addis Group's 2006 Risk Management Forum, March 23, 2006

Workers' Compensation Mock Trial, Churchill Dallas Risk Control Workshop, March 16-17, 2006

Workers' Compensation Mock Trial, Raffles Risk Control Workshop, Captive Resource, April 2005

Tough Problems in Workers' Compensation 2003, Pennsylvania Bar Institute, March 27, 2003

Workers' Compensation 2003 Fall Section Meeting, Pennsylvania Bar Association,

September 2003

The Litigation Process, Pennsylvania Self-Insured - A to Z Training Course, April 11-12, 2002

The Impact, Aftermath and Reality of Act 57, Annual Conference, Pennsylvania Self-Insured, June 25, 1998

Impairment Ratings from the Doctor's and the Attorney's Perspectives, Philadelphia Bar Association/Workers' Compensation Section, June 17, 1998

Legal Update, Annual Conference, Pennsylvania Self-Insurers Association, June 27, 1997

Impairment Rating Under Act 57, REM, August 23, 1996

PUBLISHED WORKS

"Driven to Distraction: How to Mitigate Distracted Driving Claims," *CLM Magazine*, March 2020

"Tempering the Tempest of Workplace Violence," *The Legal Intelligencer*, Workers' Compensation Supplement, October 15, 2019

"Fighting for Safety: How to Stop Workplace Violence in its Tracks," *CLM Magazine*, March 2019

"For My Next Trick: The Magic of Keeping Medical Only Claims From Turning Into Indemnity Claims," *CLM Magazine*, March 2018

"Eliminating Risk With Robust Return to Work Programs," *PRIMA Press*, June 2017

"Getting Healthy With Return-to-Work Programs," *Risk Management*, November 2016

"Controlling Exposures in Workers' Compensation Litigation: Ten Areas of Consideration for Employers," *Catalyst* magazine, page 28, Fall 2016

"The Dream Team Approach to Workers' Compensation Case Management," *Workers' Compensation* magazine, August/September 2015

"Beware: If We Snooze We May Lose. A Closer Look at LIBC-756 as Interpreted in *Muir v. WCAB (Visteon Systems, LLC)*," *Workers' Compensation (PSIA Newsletter)*, October 2012

"Medical Suspension Has Life," *PSIA Newsletter*, May 2011

"A Pennsylvania Workers' Compensation 4-Phase Checklist," *PSIA Newsletter*, September 2009

"IRE's At Issue Again," *PSIA Newsletter*, May 2009

"IRE's At Issue Again," *Defense Digest*, March 2009

"Notice of Ability To Return To Work - LIBC 757 - An Analysis of *Allegis Group v. WCAB*," *PSIA Newsletter*, July 2006; and *Defense Digest*, June 2006

"Recent Developments," Pennsylvania Bar Association's Workers' Compensation Section, 2003 Fall Section Meeting, September 2003

"Case Law Update-Tough Problems in Workers' Compensation 2003," Pennsylvania

Bar Association, March 2003

"Employer Liability for Employee Violation of Company Policy," *PSIA Newsletter*, November 2000

"Recourse for Judge's Monetary Settlement Recommendation," *PSIA Newsletter*, January 2000

Contributor to the PSIA Newsletter, 1996-2012

RESULTS

Successful prosecution of termination petition.

Workers' Compensation

March 1, 2020

We successfully prosecuted a termination petition on behalf of a national water company. After securing all prior medical records, the defense uncovered a past medical history of similar complaints and treatment, and a later fall that was not disclosed by the claimant. After questioning, the claimant admitted to the nature and extent of his prior treatment, including office visits, prescription medication and MRIs, which supported our contention that his prior complaints were virtually identical.

Defense sinks plaintiff's workers' comp claims.

Workers' Compensation

July 25, 2019

We successfully defended a worldwide youth development organization in litigation surrounding an employee fall at work. The claimant allegedly fell after walking into an object that he claimed had a metal connector that struck his head, causing his glasses to fall off. He claimed temporary total disability. He was diagnosed with orthopedic, neurologic and neuro-ophthalmologic injuries, including but not limited to the neck, eyes, skull contusion, concussion and post-concussive syndrome. The employer captured the incident on video.

Successful Defense of National Car Company in Workers' Compensation Litigation.

Workers' Compensation

May 11, 2018

We successfully defended a national car company in a case involving the defense of a termination petition, the claimant's petition for review of the utilization review determination, the claimant's petition to review compensation benefit off-set, and a petition for penalties. The case involved a 2013 injury involving low back sprain/strain and an aggravation of degenerative disc disease with radiculopathy and facet arthropathy.

Defense Successfully Litigates Termination Petition

Workers' Compensation

August 30, 2017

Successfully litigated a termination petition on behalf of a retailer. The claimant sustained a work-related hand injury, for which he underwent surgery. The defense presented substantial evidence via the defense medical expert, who had the opportunity to review all of the claimant's medical records and diagnostic study films and perform two comprehensive physical examinations. The doctor ultimately concluded upon the second exam that the claimant was fully recovered. His testimony was accepted by the Workers' Compensation Judge, and the termination petition was granted.

Supersedeas Fund Awards \$1.7M Reimbursement

Workers' Compensation

December 6, 2016

We secured a favorable decision from the Supersedeas Fund awarding \$1,771,961.74 for medical payments. The case involved a 2005 injury with a self-insured employer who had excess coverage provided by a carrier, which was a reimbursement policy. In 2000, the employer lost its self-insurance status and replaced it with a WC self-insurance replacement policy. The claim then pierced to self-insured retention, and the replacement policy carrier became insolvent (liquidated in 2001). Upon liquidation, the claim came under the ongoing payment policy of the Pa WC Security Fund.

SIGNIFICANT REPRESENTATIVE MATTERS

Nathan Armstrong v. W.C.A.B. (Haines & Kibblehouse) - the court held that the filing of a Temporary Notice of Compensation Payable and Notice of Compensation Denial acknowledging an injury and no disability was sufficient acknowledgement of an injury for purposes of seeking a utilization review treatment.

Lane Enterprises, Inc. v. W.C.A.B. (Patton) - prepared an *amicus curiae* "friend of the court" brief