

## 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)

### HONORS & AWARDS

The Best Lawyers in America®,  
Workers' Compensation Law -  
Employers  
2025

### 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

### **Pennsylvania Bureau of Workers' Compensation Payment Authorization Form**

**King of Prussia**  
**Workers' Compensation**  
**January 14, 2025**

On October 29, 2024, Pennsylvania Governor Josh Shapiro signed into law Senate Bill 1232, which amended the Pennsylvania Workers' Compensation Act to require that employers and insurers offer claimants the option to receive What's Hot in Workers' Comp – Special PA Alert – January 14, 2025,

### **Goodbye 'Yellow Freight' Road?**

**King of Prussia**  
**Workers' Compensation**  
**November 15, 2024**

### **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

## **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**

"Goodbye 'Yellow Freight' Road?," *The Legal Intelligencer*, November 15, 2024

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

"It 'Pays' 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

### Successfully Represented an Insurance Company in a Workers' Compensation Appellate Matter

#### **Appellate Advocacy & Post-Trial Practice**

#### **Workers' Compensation**

**June 29, 2024**

We successfully represented an insurance company before the Commonwealth Court of Pennsylvania. The court agreed with our argument that the claimant needed to provide notice of his work-related injury to the defendant insurance company within 120 days of the occurrence of the injury due to his combined status as sole proprietor/owner and also the employee in this matter. The judges distinguished the facts of the case due to the fact that the claimant was a sole proprietor, owner and the only employee of his own business.

### 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.

## **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.