

# Michele R. Punturi

Director, Workers' Compensation Department  
Shareholder

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As Director of the Workers' Compensation Department, Michele oversees more than 35 attorneys throughout nine 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 35 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.

In March 2022, Michele was inducted into the College of Workers' Compensation Lawyers, joining a select group of attorneys from across the country who have distinguished themselves in the practice of workers' compensation law.

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 University School of Law. Michele's success is due in large part to the care and

## Practices

- Workers' Compensation Defense

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.

## Education

- Widener University Delaware Law School (J.D., *cum laude*, 1990)
- University of Pittsburgh (B.A., *cum laude*, 1987)

## Admissions

- Pennsylvania, 1990
- U.S. District Court Eastern District of Pennsylvania, 1991
- U.S. Court of Appeals 3rd Circuit, 1991

## Honors & Awards

- AV® Preeminent™ by Martindale-Hubbell®
- The Best Lawyers in America®, Workers' Compensation Law - Employers (2023-2026)
- CLM Professional of the Year Award, Outside Defense Counsel, Finalist, 2026
- Pennsylvania Self-Insured Association, Award of Excellence (2008)
- Pennsylvania Super Lawyer (2007-2008, 2021-2026)
- Pennsylvania Super Lawyer Corporate Counsel Edition, 2008-2009
- Pennsylvania Super Lawyer Rising Star, 2005

## Associations & Memberships

- Claims & Litigation Management Alliance (CLM), Workers' Compensation Community Leadership team
- College of Workers' Compensation Lawyers
- Judge Alexander F. Barbieri Workers' Compensation Inn of Court
- Pennsylvania Defense Institute
- Philadelphia Bar Association, Women in the Profession Committee co-chair (2021, 2022); Judicial Commission (2022)

## Representative Cases & 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

## Classes & Seminars Taught

- *Preventable, Defensible, and Detectable: Managing Risk in Workers Compensation*

and Liability, CLM Annual Conference, Orlando, FL, March 26, 2026

- *Workers' Comp Risk Management Best Practices: Insights from High-Risk Industries*, CLM Focus Conference, Lake Buena Vista, FL, February 12, 2025
- *The Dream Team Approach to WC Case Management*, co-presenter, CLM Workers' Comp Week: A Virtual Series, August 1, 2024
- *Getting Caught With Your Hand in the Proverbial Cookie Jar*, ClaimsXchange Annual Conference, Philadelphia, PA, October 12, 2023
- *Building a Better Business, Achieving a More Diverse Future*, CLM Annual Conference, Tampa, FL, March 30, 2023
- *The Dawning of the Age of Remote Work*, CLM Workers' Compensation and Retail, Restaurant and Hospitality Conference, Chicago, IL, May 19, 2022
- *The Right Way to Avoid a Wrongful Termination Claim When the Employee Is Also a Workers' Compensation Claimant*, Marshall Dennehey webinar, March 3, 2022
- *Workers' Compensation Winter Roundup*, Graham Company webinar, December 15, 2020
- *Survivor: Workers' Compensation Edition*, CLM Workers Compensation and Retail, Restaurant & Hospitality Conference webinar, June 16, 2020

## Published Works

- "Danger: High Risk Ahead: Managing Workers' Comp Exposure in Risky Industries," *CLM Magazine*, June 1, 2025
- "6 Key Workers' Compensation Safety and Data Analysis Considerations," *Risk & Insurance*, September 12, 2024
- "Read A Banned Book - Bar Association Members Reflect on the Works That Have Stayed With Them," *The Philadelphia Lawyer*, Fall 2023
- "Reflecting the Talent You Want to Recruit: Building and Achieving a Diverse Team and a Better Business," *CLM Magazine*, September 2023
- "Why Contest Mental Health Claims in Workers' Comp When You Can Prevent Them to Begin With?" *Risk & Insurance*, March 29, 2023
- "In Court: What's New on the Medical Marijuana Front for Workers' Compensation," *Risk & Insurance*, August 8, 2022
- "Are You In or Out? Controlling Exposure During the Era of Remote Work," *CLM Magazine*, June 2022
- "Workers' Compensation Claims Mounting? A Collaborative Review Process Can Help," *Risk & Insurance*, December 13, 2021
- "Keep Your Eyes on the Road -- Distracted Driving and Workers' Comp Claims," *The Legal Intelligencer's Workers' Compensation Supplement*, October 13, 2020
- "Reflections on a Pandemic," *Philadelphia Bar Reporter*, August 2020
- "Driven to Distraction: How to Mitigate Distracted Driving Claims," *CLM Magazine*, March 2020

## Media Commentary

- "5 Questions on High-Risk Industries: CLM Session With Michele Punturi and Michelle Leighton," *Workerscompensation.com*, January 26, 2025
- "Workers' Comp Making Gains in Attracting Claims Talent," *CLM Magazine*, November 2024
- "Survivor: Workers' Compensation Edition," *Safety National Conference Chronicles*, June 16, 2020

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## Results

### **Successfully Prosecuted a Workers' Compensation Termination Petition**

We successfully prosecuted a termination petition involving a 65-year-old, 35+ year employee of a renowned international automobile corporation who sustained a left knee injury on June 19, 2023. We secured medical records supporting a significant pre-existing history—with a prior left knee replacement and treatment leading up to June 1, 2023—establishing that the only work injury sustained was a left knee contusion. Further, the opinions of the defense medical expert, a board-certified orthopedic surgeon with a sub-specialty in the treatment of the knees, were found competent and credible, thus supporting a full recovery based upon his comprehensive physical examination and his review of records and diagnostic studies. The workers' compensation judge further found the employer had a reasonable basis to contest all issues and denied attorney's fees. Such a decision will result in a substantial recoupment of indemnity and benefits payments made throughout the course of the litigation via a Supersedeas Fund Reimbursement recovery.

### **Termination Petition Involving Low Back Injury Successfully Prosecuted**

We successfully prosecuted a termination petition involving a low back injury for a delivery truck service company. Our expert opined that the MRI failed to reveal any acute or post traumatic findings, that the claimant only sustained a soft tissue lumbar sprain/contusion and the exam revealed no objective findings. The workers' compensation judge found our expert's opinions were well-supported and terminated all liability.

### **Expert testimony by Board Certified Orthopedic Surgeon key to workers' comp win.**

We successfully defended a claim petition on behalf of a well-known local hospital. The judge's decision was based upon a full recovery opinion by a Board Certified orthopedic surgeon who was found credible, competent and persuasive given his credentials and understanding of the claimant's extensive history, along with his review of post- and pre-injury records and diagnostic study films supporting no post-traumatic abnormalities. Based upon this strong medical expert testimony, the judge limited the claimant's claim to a period of three months only, despite the claim for ongoing total disability, and did not expand the claimant's nature of injury to include a herniated disc in the lumbar spine.

In addition to expert deposition testimony, surveillance was also submitted and accepted, which demonstrated the claimant's activities contrary to any ongoing disability and, more importantly and just as significant, were extensive medical records demonstrating that the claimant downplayed her prior injuries and her complaints, completely inconsistent with the actual medical records.

Further, the judge recognized the defense's cross-examination of the claimant's medical

expert, particularly with respect to his credentials, analysis of the MRI and lack of identifying a herniated disc diagnosis in all of his medical records, yet testifying to same in an effort to support the claimant's allegations of this description of injury.

#### **Successful prosecution of termination petition on behalf of hospital.**

We successfully prosecuted a termination petition on behalf of a well-known hospital and defended the claimant's petition for review to expand the nature of the accepted injury. The injury was accepted as a right distal bicep strain, which included a partial tear that resulted in surgery. The claimant asserted the injury should be expanded to also include right carpal tunnel, right elbow sprain and trigger fingers. A detailed cross-examination of the claimant established the complaints referable to right carpal and trigger fingers began six months after the injury, which was corroborated by the claimant's treating physician's records. The IME expert, a board-certified orthopedic surgeon with specialized training in hand surgery, had the opportunity to perform a comprehensive physical examination and review the diagnostic studies, post- and pre-injury medical records, and the claimant's family physician's records. This review revealed non-work-related carpal tunnel risk factor conditions, including obesity, post-menopausal, non-insulin dependent diabetes and testing for hypothyroidism. It was further argued that the claimant's medical expert did not have expertise in the surgery involved in the case and failed to review the claimant's testimony and diagnostic films. Ultimately, the judge found the defense medical expert competent, credible and persuasive.

#### **Successful defense of workers' compensation appeal involving penalty/termination petition.**

We successfully defeated a workers' compensation appeal involving a claim penalty/termination petition on behalf of a worldwide youth adult development organization. A Medical Only Notice of Compensation Payable acknowledged liability for a skull contusion and denied any associated disability. The claimant alleged injuries to the cervical spine, head, eyes, a concussion and post concussive syndrome, resulting in total disability. It was the claimant's position that the judge failed to render a well-reasoned decision in favoring the opinions of the three defense expert doctors and seven fact witnesses who challenged the mechanism of injury as well as disability. The Appeal Board concluded that the judge summarized the relevant evidence, rendered credibility determinations, provided objective explanations for those credibility determinations and was justified in granting the termination petition.

#### **Successful prosecution of termination petition.**

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. The workers' compensation judge found that the claimant was not credible because his testimony contradicted the defense medical expert. Additionally, the judge found the defense medical expert to be

competent, credible, persuasive and showed that the claimant was fully recovered from his work injuries, the resulting three surgeries, and all residuals. As such, the termination petition was granted.

#### **Defense sinks plaintiff's workers' comp claims.**

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. Due to the questionable mechanism of injury, the defense convinced the workers' compensation judge to travel to the employer's location to view the actual video of the incident. The employer presented multiple fact witnesses who corroborated the video and lack of disability. Based upon the video and the credible testimony of the fact witnesses, the judge found only a head contusion and no disability, and no liability for the claimant's extensive litigation costs.

#### **Successful Defense of National Car Company in Workers' Compensation**

##### **Litigation.**

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. The defense expert, a board certified orthopedic surgeon, reviewed all of the claimant's pre- and post-injury medical records and diagnostic study films. The claimant admitted that he had increases of pain with activities not associated with work (long drives out of state, shoveling snow, housework) which he had failed to report to the IME physician or his own treating doctor. The Workers' Compensation Judge ordered the termination of all the claimant's benefits. The judge also dismissed the claimant's petition to review the URO, finding the treating physician's treatment no longer reasonable and necessary. Finally, the claimant's penalty petition was dismissed.

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## Thought Leadership

June 1, 2025

### **Danger: High Risk Ahead - Managing Workers' Comp Exposure in Risky Industries**

September 12, 2024

### **6 Key Workers' Compensation Safety and Data Analysis Considerations**

September 1, 2023

**Reflecting the Talent You Want to Recruit: Building and Achieving a Diverse Team and a Better Business**

March 28, 2023

**Why Contest Mental Health Claims in Workers' Comp When You Can Prevent Them to Begin With?**

August 8, 2022

**In Court: What's New on the Medical Marijuana Front for Workers' Compensation**

December 10, 2021

**Workers' Compensation Claims Mounting? A Collaborative Review Process Can Help**

August 17, 2021

**Special Workers' Compensation Alert - Pennsylvania**