

Kristy Olivo Salvitti

Shareholder

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As a shareholder in the Workers' Compensation Department, Kristy devotes her entire practice to workers' compensation defense litigation, representing universities, hospitals, construction companies, retailers, health care institutions, temporary employment agencies, supermarkets and various other small employers. Kristy is admitted to practice in Pennsylvania and New Jersey, making her one of few attorneys in the firm who handle workers' compensation matters in both jurisdictions. Her knowledge and commitment to clients, as well as her professionalism toward her adversaries, have resulted in her being selected as a Super Lawyer - Rising Star in Pennsylvania and New Jersey.

Kristy attended Monmouth University on a lacrosse scholarship, earning honors including Athletic and Academic All-American, Northeast Conference Athletic and Scholar Athlete of the Year. She was also named Monmouth's Woman Athlete of the Year. Upon graduation, Kristy attended Widener University School of Law. While at Widener, she served on the editorial board of the *Widener Law Review*. Kristy also interned at the Burlington County Prosecutor's office and served as a mediator for landlord/tenant disputes in Philadelphia.

Education

- Widener University Delaware Law School (J.D., 2002)
- Monmouth University (B.S., 1999)

Admissions

- New Jersey, 2002
- Pennsylvania, 2002

Honors & Awards

- New Jersey Super Lawyer Rising Star (2005-2007)

The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this

Practices

- Workers' Compensation Defense

advertisement has been approved by the Supreme Court of New Jersey.

- **Pennsylvania Super Lawyer Rising Star (2013-2017)**

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advertisement has been approved by the Supreme Court of New Jersey.

Associations & Memberships

- American Bar Association
- New Jersey State Bar Association
- Philadelphia Bar Association

Classes/Seminars Taught

- *Strategies to Limit Exposure and Minimize Risk*, Marshall Dennehey Workers' Compensation Seminar, October 27, 2022
- *The URO Challenge and the Impact of Medical Marijuana*, Marshall Dennehey webinar, October 29, 2020
- *Double Play: What Happens When Your Claim Crosses Multiple States?*, Marshall Dennehey Workers' Compensation Seminar, October 22, 2015

Published Works

- "Is Paying Temporary Total Disability Benefits Still an Admission of Liability In New Jersey Workers' Compensation?," *Defense Digest*, Vol. 20, No. 2, June 2014
- "Can "Excess" Mean Less? A Broader Interpretation in Cardiovascular Injuries," *Defense Digest*, Vol. 17, No. 4, December 2011
- "Additional Question To Ask Before Paying Temporary Disability Benefits In New Jersey Even If Petitioner Is Disabled From The Work Injury," *Defense Digest*, Vol. 16, No. 3, September 2010
- "Be Careful Using the 'We Are Not The Last Employer' Defense," *Defense Digest*, Vol. 15, No. 3, September 2009, and *New Jersey Self-Insurers Association Newsletter*, 2009-10

Results

Dismissals on the Rise! Our New Jersey Workers' Compensation attorneys are successful in precluding litigation

Lela Eke received a Dismiss Without Prejudice for Lack of Prosecution, after filing a Motion to Dismiss in response to numerous discovery requests that remained unanswered. At the hearing, Petitioner's counsel was unable to provide an explanation for the delay. We argued that keeping the case open to give them more time to respond to our discovery and Motion would be prejudicial against us, and the Court granted our Motion.

Jessica Gordon received a dismissal for lack of prosecution in a case where the claim was denied with ongoing request for medical treatment, but there had been no report from the Petitioner to support the request and no demand was made in lieu of litigation.

William Murphy successfully obtained an order for dismissal for a claim involving a workplace assault. In the case, the Petitioner alleged injuries to their neck, back, chest, and right hand following an assault at work. After the Petitioner missed multiple independent medical exams scheduled by the employer, we filed a motion to dismiss this claim for lack of prosecution. The judge of compensation granted the motion.

Rachel Ramsay-Lowe was successful in defending a case where the Petitioner was not complying with discovery requests and did not appear for Respondent's permanency evaluation. We filed a Motion to Dismiss for Lack of Prosecution and the Court entered the dismissal Order.

Kristy Salvitti was successful in obtaining an Order for Dismissal where the Petitioner had filed a Reopener of a Claim Petition relative to a prior permanency award arguing that disability to his right shoulder, thoracic and lumbar spine had increased to permanent and total disability. If successful, Petitioner would receive lifetime related medical treatment and 450 weeks to life of his temporary total disability rate. However, following oral argument that Petitioner failed to timely prosecute the claim, the Reopener Petitioner was dismissed.

Thought Leadership

January 1, 2023

Three times is the charm. The Appellate Court again addresses the abuse of workers' compensation judges' discretion in awarding fees, costs and penalties.

April 13, 2021

Special Workers' Compensation Alert - New Jersey