

Perry D. Merlo

Shareholder

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Perry is a seasoned attorney with nearly 35 years of experience representing employers and insurers in workers' compensation matters across Pennsylvania. His clients span a broad range of industries, including manufacturing, retail, national restaurant chains, higher education, and health care.

Perry is an accomplished litigator who has successfully defended clients before Workers' Compensation Judges, the Pennsylvania Workers' Compensation Appeal Board, the Commonwealth Court of Pennsylvania, and the Supreme Court of Pennsylvania. He has also delivered oral arguments before each of these judicial bodies.

A respected contributor to the workers' compensation community, Perry has authored articles for the *Pennsylvania Bar Quarterly* on subjects such as mental stress, specific loss and fatal claims, and Supersedeas Fund Reimbursement. He is often invited to present to employers and insurance carriers on key issues impacting workers' compensation law and practice.

Before joining Marshall Dennehey, Perry was a shareholder at a Harrisburg-area law firm. He has served as Secretary of the Workers' Compensation Section of the Dauphin County Bar Association and as an official for the Pennsylvania Interscholastic Athletic Association from 2019 to 2021.

Education

- Penn State Dickinson Law (J.D., 1990)
- Elizabethtown College (B.A., 1987)

Admissions

- Pennsylvania, 1990
- U.S. District Court Middle District of Pennsylvania, 1991

Practices

- Workers' Compensation Defense

Associations & Memberships

- American Bar Association
- Dauphin County Bar Association
- Pennsylvania Bar Association, Workers' Compensation Section

Representative Cases & Matters

- *Department of Labor & Industry, Bureau of Workers' Compensation v. WCAB (Crawford)*, 23 A.3d 511 (Pa 2011) - Secured \$30,000 supersedeas recovery for client and established favorable case law for employers allowing for supersedeas reimbursement on medical bills incurred before supersedeas requested, but paid after denial of supersedeas.
- *Kramer v. WCAB (Rite Aid Corporation)*, 584 Pa. 309 (Supreme Court of Pennsylvania 2005) - Secured credit for severance benefits paid by employer as credit against workers' compensation benefits paid by workers' compensation carrier.

Classes & Seminars Taught

- "Workers' Compensation Case Law Update," yearly client update, 2014-2025
- "Avoiding Litigation," Pennsylvania Workers' Compensation Conference, 2019

Published Works

- "For All Practical Intents and Purposes, The Burden of Proof in Pennsylvania Workers' Compensation Specific Loss Cases," *Pennsylvania Bar Association Workers' Compensation Section Newsletter*, December 2012
- "Employers' Right to Reimbursement in Workers' Compensation Supersedeas Cases," *Pennsylvania Bar Quarterly*, October 2011
- "Mental Stress Claims in Pennsylvania Workers' Compensation Cases: Weapons as a Factor in Determining the Compensability of Psychic Injuries," *Pennsylvania Bar Quarterly*, October 2010
- "Leveling the Playing Field Relative to Disfigurement Awards," *Pennsylvania Workers' Compensation Newsletter*, December 2009
- "A Bad Day at Work: Contrasting Occupational Disease Fatal Claims and 'Disease as Injury' Fatal Claims," *Pennsylvania Bar Quarterly*, April 2009
- "The Workers' Compensation Supersedeas Fund Reimbursement Game: Robbing Peter to Pay Paul," *Pennsylvania Bar Quarterly*, October 2007
- "Putting a Price on Scarring" Pennsylvania Workers' Compensation Disfigurement Awards," *Pennsylvania Bar Quarterly*, October 2006
- "Recent Developments in Workers' Compensation Supersedeas Fund Reimbursement," *Pennsylvania Bar Quarterly*, July 2005
- "The Changing Burden of Proof in Pennsylvania Workers' Compensation Mental Injury Claims, 1972-2004," *Pennsylvania Bar Quarterly*, July 2004