

Injured worker transfers case, obtains more benefits

\$350,000 settlement

Published: November 1, 2010

An employee of a Connecticut company injured his back on the job and eventually was diagnosed with a herniated disc at L4-5. He subsequently required surgery.

Although the employer was a Connecticut firm, it had an office in Plainville. Initially, the employee was paid benefits pursuant to Connecticut law, but a claim was filed on his behalf to transfer the case to Massachusetts on the basis that the contract of hire was executed in Massachusetts. The order was approved.

The employee received §34 benefits, temporarily total disability, for two-and-a-half years. A claim was filed on his behalf for §34A benefits, permanent total disability, which he was awarded at a conference level.

An impartial examiner found the plaintiff capable of sedentary work. Prior to a hearing, the parties reached a settlement, which reflected a substantial number of future benefits under Massachusetts law.

According to plaintiff's counsel, it would not have been possible to maintain the benefits associated with post-settlement medical care in Connecticut.

Type of action: Workers' compensation

Injuries alleged: Disc herniation

Name of case: Withheld

Court/case no.: Department of Industrial Accidents (no. withheld)

Tried before judge or jury: N/A (settled)

Amount of settlement: \$350,000

Date: Oct. 15, 2010

Most helpful expert: Dr. Mathew Philips, Dartmouth

Attorney: Goncalo M. Rego, Law Offices of GMRego, Fall River (for the plaintiff)

Detailed Information

Type:	Settlement
Total Value:	\$350,000.00
Verdict/Settlement Date:	10/15/2010
Type of Action:	Workers' Compensation
Court:	Department of Industrial Accidents (MA)
Case Number:	Confidential
Caption:	<i>Confidential v. Confidential</i> Plaintiff(s) v. Defendants(s) Confidential Confidential
Injuries Alleged:	Back, spine
Injuries Detail:	Disc herniation

Tried Before: Not Applicable

Judge or Mediator or Arbitrator: Not Specified

Attorney(s) for Plaintiff(s)

Lead Attorney: Goncalo M. Rego

Firm: Law Offices of GMRego (Fall River, Massachusetts)

Attorney(s) for Defendant(s)

No defendant attorneys

Insurance Carrier(s)

No insurance companies involved

Plaintiff(s) Expert(s)

Expert: Mathew Philips

Title: Dr.

Specialty: Not Specified

Company/Institution:

City/State: Dartmouth, Massachusetts

Defendant(s) Expert(s)

No defendant experts