

## Robert M. Caplan

Partner

Workers' Compensation Subrogation Team Leader

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### OVERVIEW

Robert Caplan has been practicing law for more than 33 years and is a Partner and Team Leader of White and Williams' Workers' Compensation Subrogation practice. He has industry leading experience recovering workers' compensation subrogation liens for insurance companies and large self-insured companies in addition to litigating complex personal injury cases on behalf of injured workers. Rob represents clients throughout the United States and has successfully pursued workers' compensation subrogation and personal injury cases involving product defects, construction and workplace accidents in numerous federal and state jurisdictions throughout the country.

In addition to litigating and trying cases, Robert is a frequent lecturer at national and regional conferences held by the National Association of Subrogation Professionals (NASP) where he is a regular Track Leader for the Workers' Compensation Subrogation Track. Rob also lectures and conducts webinars for insurance companies and large self-insured corporations on issues involving workplace accidents and workers' compensation subrogation.

If you would like to submit a new workers' compensation subrogation referral assignment, please [click here](#).

### RECOGNITION AND INVOLVEMENT

Rob is AV<sup>®</sup> rated by the Martindale-Hubbell peer review rating system for both Legal Ability and Ethical Standards. Rob has also been designated as a Pennsylvania "Super Lawyer".

Robert was also a two-term, six year Hearing Committee Member for the Disciplinary Board for the Supreme Court of Pennsylvania.

### PRACTICES

Subrogation  
Workers' Compensation Subrogation

### BAR AND COURT ADMISSIONS

Pennsylvania  
New Jersey  
New York  
U.S. District Court for the Eastern District of Pennsylvania  
U.S. District Court for the Middle District of Pennsylvania  
U.S. District Court for the Western District of Pennsylvania  
U.S. District Court for the District of New Jersey  
U.S. District Court for the Southern District of New York  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Western District of Michigan  
U.S. District Court for the Western District of Wisconsin  
U.S. Court of Appeals for the Third Circuit  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for the Sixth Circuit  
U.S. Court of Appeals for the Eighth Circuits  
U.S. Court of Appeals for the Eleventh Circuits  
U.S. Supreme Court

## REPRESENTATIVE MATTERS

Paper manufacturing facility involving chemical contamination and arc welding burn fatality case. Obtained substantial confidential personal injury settlement, resulting in largest lien reimbursement (\$19 Million Dollars) in jurisdiction's history.

Trucking accident resulting in death and traumatic brain injury to multiple workers. Resulted in 8-figure jury verdict and 100% lien reimbursement in 1% strict contributory jurisdiction.

Motor vehicle accident resulting in paraplegia to worker. Resulted in significant settlement, including 100% lien reimbursement.

Industrial baking equipment design defect and warnings case, with burn and amputation injuries against foreign manufacturer. Obtained seven figure recovery and 100% lien reimbursement.

Commercial riding lawnmower rollover design defect and warnings case resulting in a worker fatality. Obtained substantial confidential settlement and 100% lien reimbursement.

Industrial cooling fan design, guarding and warning defect case resulting in amputation. Obtained substantial judgment and 100% lien reimbursement.

Industrial wood chipper winch design defect case resulting in multiple amputation and head injury. Obtained seven figure recovery and substantial lien reimbursement in 1% contributory negligence jurisdiction.

DOT trucking violation case involving failure of a broken down vehicle to properly re-enter roadway, causing explosion of gasoline tanker and fatal injuries. Late involvement and intervention into mediated settlement negotiations resulting in 100% lien reimbursement.

Motor vehicle negligence case involving major soft drink beverage truck driver crossing center line while texting, causing school bus driver with busload of children to run off road, resulting in catastrophic injuries to bus driver. Obtained significant personal injury settlement and 100% lien reimbursement.

DOT trucking case involving improper shoulder parking by long-haul truckers resulting in striking vehicle driver/worker's fatality. Obtained significant personal injury settlement and 100% lien recovery in 1% strict contributory negligence state.

## EDUCATION

Temple University Beasley School of Law,  
JD, 1988

Pennsylvania State University, BA, 1985

Agricultural grain bin sump design defect, warnings and negligence case resulting in leg amputation. Obtained seven figure recovery and 100% lien reimbursement.

Crane collapse negligence case resulting in catastrophic personal injuries. Obtained significant personal injury recovery and lien reimbursement in 1% strict contributory jurisdiction.

Slip and fall on ice resulting in fracture. Obtained personal injury recovery and full lien reimbursement.

## IN THE NEWS

White and Williams Announces 15 Lawyer Promotions  
1.3.22

## EVENTS

Teamwork Makes the Dream Work! Tips for Carriers, Employers, Injured Workers and Counsel Cooperating to Maximize Workers' Compensation Subrogation Recoveries  
2022 NASP Annual Conference, 11.8.22

Leadership Ethics: Confronting Ethical Issue Case Studies Involving the Worker, Employer, and Carrier in Lien Recovery Litigation  
National Association of Subrogation Professionals, 2022 Spring Hybrid Conference, 3.17.22

Zoom® Your Way to Lien Recoveries! How Technology Can Efficiently and Cost Effectively Generate Successful Results  
2021 National Association of Subrogation Professionals Spring Conference, 3.25.21

Best Practices Reboot! An Industry Insider Panel and Attendee Discussion on Complex Relationships That Impact Lien Recoveries  
National Association of Subrogation Professionals Annual Conference, 11.17.20

Don't Lose Your Head! Or Arm, Leg, or Other Body Parts: How Workers' Compensation Subrogation Professionals Can Still Obtain Lien Recoveries Despite Worker Error (Part 2)  
2020 National Association of Subrogation Professionals Spring Conference Webinar, 4.24.20

Don't Lose Your Head! Or Arm, Leg, or Other Body Parts: How Workers' Compensation Subrogation Professionals Can Still Obtain Lien Recoveries Despite Worker Error (Part 1)  
2020 National Association of Subrogation Professionals Spring Conference Webinar, 4.24.20

Best Practices for Effective Communications Between Carriers and Counsel: An Industry Panel Discussion on the Relationships and Issues that Lead to Successful Lien Recoveries  
National Association of Subrogation Professionals, Annual Conference (Washington, DC), 10.29.19

NASP 2019 Subrogation Litigation: Skills & Management Conference  
NASP Spring Conference (Rancho Mirage, CA), 3.28.19

D.O.T. Your I's and Cross Your T's: Maximizing Your Workers' Compensation Subrogation Lien Recoveries in Transportation Industry Related Accidents  
NASP Annual Conference, Orlando, FL, 11.13.18

Don't Get Burned! The Causes And Effects Of Burn Injury Claims  
NASP Subrogation Litigation: Skills & Management Conference, New Orleans, LA, 3.23.18

Missing in Action! What is the Reasonable Person?  
A New and Improved Method of Engineering Failure Analysis And Cause Determination To Assist Worker's Compensation Subrogation  
Professionals In Obtaining Successful Lien Recoveries  
NASP Annual Conference, Austin, TX, 11.6.17

Symbiotic Recovery Success: An Interactive Case Study To Max Out Your WC Subrogation Recoveries Through Effective Insurer And  
Counsel Collaboration  
NASP Annual Conference, Colorado Springs, CO, 10.24.17

Multiple Employer Worksites: Overcoming the Challenges and Issues Presented  
NASP Subrogation Litigation: Skills & Management Conference, Scottsdale, AZ, 4.28.17

Workers' Compensation Subrogation, Recovery Strategies  
Mitsui Sumitomo Insurance Group, Los Angeles, CA, September 14-15, 2015

Workers' Compensation Subrogation, Recent Developments 2014-2015  
Sentry Insurance Company, Stevens Point, WI, 5.5.15

## **PUBLICATIONS**

The Right of Workers' Compensation Reimbursement is Alive and Well in Indiana  
*The Subrogation Strategist*, 10.1.21

In New Jersey, Workers' Compensation Liens Are No Longer Subject to the Verbal Threshold  
*The Subrogation Strategist*, 1.25.19

"Bad Kamara/Good Karma" — Life After *Hartford v. Kamara*  
*The Subrogation Strategist*, 11.29.18

Pennsylvania Supreme Court Declares Future Credit on Medical Benefits Dead  
*The Subrogation Strategist*, 6.25.18

Recent Court Challenges Could Signal a Change for Special Arbitration  
*The Subrogation Strategist*, 7.15.16