

## Robert M. Caplan

Partner

Workers' Compensation Subrogation Team Leader

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### OVERVIEW

Robert Caplan has been practicing law for more than 34 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 has been a Co-Chair of NASP's Spring 2023 Conference, "Subrogation Excellence", and a recurring Track Leader for the Workers' Compensation Subrogation Track at NASP's annual conferences. 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® 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

### **\$19,000,000 Lien Recovery (South Carolina)**

White and Williams Partner Robert Caplan recovered \$19,000,000 after intervening into a work related action involving a paper manufacturing facility chemical contamination and arc welding burn fatality case. Rob obtained the largest lien reimbursement in South Carolina history.

### **\$1,000,000 Lien Recovery (New Jersey)**

White and Williams Partner Robert Caplan recovered \$1,000,000 as a lien reimbursement in a case arising from design defects and inadequate warnings in bakery equipment manufactured by a foreign manufacturer and distributed by a US supplier, causing a dominant hand amputation. Rob obtained a 100% lien reimbursement.

### **Confidential Seven Figure Settlement and 100% Lien Reimbursement (Iowa)**

White and Williams Partner Robert Caplan obtained a confidential seven figure settlement, including a 100% lien reimbursement in a case involving a defective industrial cooling fan case resulting in a hand amputation.

### **Confidential Seven Figure Settlement (North Carolina)**

White and Williams Partner Robert Caplan obtained a confidential seven figure settlement, including substantial lien reimbursement in a case involving an industrial wood chipper winch design defect resulting in multiple amputations and head injury. This was a particularly difficult case involving NC's strict 1% contributory negligence statute and due to the head injuries involved, an incompetent worker who was a ward of the state.

### **100% Lien Recovery (Louisiana)**

White and Williams Partner Robert Caplan obtained a large lien recovery in a case involving a DOT trucking violation when a broken down vehicle improperly re-entered the roadway, causing an unavoidable collision with a fully loaded gasoline tanker truck and ensuing explosion, which led to catastrophic injuries. Late involvement and intervention into mediated settlement negotiations resulted in 100% lien reimbursement.

### **\$1,800,000 Settlement and 100% Lien Reimbursement (Pennsylvania)**

White and Williams Partner Robert Caplan obtained a \$1,800,000 settlement and 100% lien reimbursement in a motor vehicle negligence case involving a major soft drink beverage truck driver crossing the center line while texting, causing a

## EDUCATION

Temple University Beasley School of Law,  
JD, 1988

Pennsylvania State University, BA, 1985

school bus driver with busload of children to run off the road, resulting in catastrophic injuries to the bus driver.

## IN THE NEWS

White and Williams Announces 15 Lawyer Promotions  
1.3.22

## EVENTS

Don't Let Your Guard Down! Expert and Legal Perspectives on Failure to Properly Guard Product Cases  
2023 NASP Annual Conference, 11.7.23

Workers' Compensation Subrogation Jeopardy  
2023 NASP Annual Conference, 11.6.23

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 1)  
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 2)  
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