

In the News: Louisiana Workers' Compensation Win Affirmed. What Stands Out for Employers?

Galloway attorneys Doris Bobadilla and Kelsey Bonnaffons obtained a complete defense verdict in a Louisiana workers' compensation case. On appeal, the claimant asserted the workers' compensation court erred as follows:

- Giving greater weight to the testimony of employer's medical expert over claimant's medical expert;
- Denying benefits under the Louisiana Workers' Compensation Act based on the lack of a sudden precipitous event;
- Finding employer's representative more credible; and
- Finding claimant's claim was "reasonably controverted" and denying claimant penalties and attorney's fees.

The Fifth Circuit Court of Appeal, State of Louisiana affirmed the judgment of the workers' compensation court and found claimant did not maintain his burden of proving the claimant's injury was in the course and scope of his employment and denying him workers' compensation benefits.

What Stands Out for Employers?

- When employer's expert's opinion is more definitive that claimant's injury is not work-related, a court is not manifestly erroneous or clearly wrong in rendering judgment against claimant where his treating physician seemed to indicate various possible causes of claimant's injury based on other health-related issues.
- When an employee does not prove a work-related accident by his own uncontradicted testimony without circumstances challenging the reliability of his assertions, employers may reasonably dispute a workers' compensation claim.

Read more [HERE](#).

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