

Jeffrey E. Appel, Esquire

APPEL HARDEN LAW GROUP

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Board Certified Workers' Compensation Attorney

AV Preeminent Rated – Martindale-Hubble

Editor-In-Chief – *News & 440 Report*

CURRICULUM VITAE

Background

Born March 9, 1968, Melbourne, Florida
Raised in Stuart, Florida
Graduated Martin County High School (1986)

Legal Education (August 1990 - July 1993)

University of Florida College of Law
Degree: **Juris Doctor**, Awarded 1993
Law Clerk: Scruggs & Carmichael, P.A.

Bar Admission

The Florida Bar (1993 - present) – **Board Certified Workers' Compensation**
U.S. District Court for Middle District of Florida (1994 - present)

Graduate Education (August 1989 - August 1993)

University of Florida Graduate School
Degree: **Master of Arts** in Sociology, Awarded 1993
Graduate Research and Teaching Assistant, Department of Sociology
Research Assistant to Department Chair, Felix M. Berardo, Ph.D.

Undergraduate Education (August 1986 - August 1989)

University of Florida College of Liberal Arts and Sciences
Degree: **Bachelor of Arts** in Sociology, Awarded 1989

Employment

Present

Appel Harden Law Group
Lakeland, Florida
Trial Attorney, Workers' Compensation, Appellate Work

1997 to 2005

Harbsmeier, DeZayas, Appel, Harden & DeBari, LLP
Lakeland, Tallahassee and Fort Lauderdale, Florida
Founding Partner and Trial Attorney, Workers' Compensation

1993 to 1997

Holland & Knight, LLP
Lakeland, Florida
Associate Attorney

1992

Law Clerk
Scruggs & Charmichael, P.A.
Gainesville, Florida

1989 to 1992

Research and Teaching Assistant
University of Florida Graduate School

Professional Associations

American Bar Association Member
Florida Bar Association
Workers' Compensation Section Member
Family Law Section Member
Florida Workers' Advocates
Amicus Committee Contributor
Workers' Compensation Claims Professionals
Certified Continuing Education Provider for Workers' Compensation
Insurance Adjusters

Speeches and Presentations

Major Contributing Cause/Appportionment
Continuing Education Course – W/C Section Winter Retreat 2013

The Application of Section 57.105 to Florida Workers' Compensation Claims
Continuing Education Course – FWA Conference 2013

Handling Crime Victim Claims
Presentation
Approved as a CEU Course for Adjusters

Attorney Ethics
Panel Discussion
Florida Workers' Compensation Conference, Orlando, Florida.

Adjuster Ethics
Presentation
Approved as a CEU course for Adjusters.

Case Law Update
Presentation
Approved as a CEU Course for Adjusters.

Application of 120 Day Rule in Florida Claims
Presentation
Approved as a CEU Course for Adjusters.

W/C Fraud and Misrepresentation under Florida Law
Presentation
Approved as a CEU Course for Adjusters.

Publications

Berardo, F.M., Appel, J., & Berardo, D.H. (1993). Age dissimilar marriages:
Review and assessment. Journal of Aging Studies, 7, 93-106.

1997 to 2005 - Creator and Editor

The Employer/Carrier's Update

Quarterly workers' compensation legal update for Florida Employers and Carriers

1997 to 2005 - Creator, Editor and Publisher

The Special Information Bulletin

Periodic publication for time sensitive developments in Workers' Compensation

Presently: Editor-In-Chief

News & 440 Report

The official newsletter of the Workers' Compensation Section of the Florida Bar

Major Litigation and Advocacy

Florida Supreme Court Appellate Experience

Curry v. State, 682 So.2d 1091 (Fla. 1996)

Significant Appellate Court Experience

Important Case Law Decisions:

Hinzman v. Winter Haven Facility Operations, LLC, ___ So.3d ___ (Fla. 1st DCA 2013). A workers' compensation decision on the calculation of time for a carrier to provide a change in physician which challenged the conventional wisdom of the calculation of claims handling deadlines.

Staffmark v. Merrell, 43 So.3d 792 (Fla. 1st DCA 2010). An important and frequently cited workers' compensation case involving apportionment of medical and indemnity benefits prior to MMI.

King v. Parker Hannifin Corporation, 34 Fla. L. Weekly D 1624 (Fla. 2nd DCA 2009). A significant case involving the issue of when Florida's Circuit Courts have jurisdiction to enforce orders of workers' compensation judges.

Lebance v. Dawsey, as Sherriff of Citrus County, 34 Fla. L. Weekly D 1362 (Fla. 5th DCA 2009). An important case on the issue of sovereign immunity and when law enforcement owes a duty to protect the public during police actions.

Ferrellgas v. Childers, 928 So.2d 36, (Fla. 1st DCA 2008). Interpreted the PTD standard as enacted in the 2003 workers' compensation reform bill.

Goodman v. BFI of Florida, 755 So.2d 191, (Fla. 1st DCA 2000) This case helped clarify the standard for compensability of psychiatric conditions in Florida Workers' Compensation claims after the 1994 statutory amendments.

GTE v. Hall, 676 So.2d 996 (Fla. 1st DCA 1996) A case defining the standard of judicial review for appropriate notice of an accident under the Florida Workers' Compensation Statute.

Freeman v. IMC-Agrico, 678 So.2d 1349 (Fla. 1st DCA 1996) Established that a physician of one specialty may give an opinion that is accepted over the opinion of another physician in a different specialty, if the witness has experience in the area. For example, the opinion of a neurosurgeon may "trump" the opinion testimony of a chiropractor.

Gadson v. Florida Tile Industries, 647 So.2d 907 (Fla. 1st DCA 1996) Successfully argued that a JCC may limit a hearing to one date of accident and that a denial of late amendment of pretrial stipulations was not an abuse of discretion.

Extensive Trial Experience

Lead Counsel in over 200 trials (bench and jury) and administrative hearings.

Mediation Conferences

Advocate for clients in thousands of mediations.

Subrogation in the Workers' Compensation Arena

Examples of Significant Results:

Millions Recovered for Florida Employers from the SDTF.

Reynolds v. Pizza Hut

Successfully shifted 100% liability to Carrier for prior workers' compensation claim, for contribution.

Workers' compensation liens prosecuted to conclusion in numerous cases.

Resolution of Large Loss Claims

These claims involve exposures often over one million dollars and issues including attendant care, housing and transportation. Their resolution required utilizing Life Care Plans, Medicare Set-Aside Trusts and Structured Settlements.

Representative Past and Present Clients

American Greetings Corporation
Crawford & Company
Ecolab
Employee Leasing Solutions
Ferrellgas Company
Gallagher Bassett
Insurance Company of America
International Paper
KFC
Life Care Centers of America
Long John Silvers
McDonald Construction
Parker Hannifin
PMA
Pizza Hut
Progressive Employer Services
Rural Metro Ambulance Services
Sedgwick
Taco Bell
Underwriters
YUM! Brands, Inc.