



The leader in workers' compensation defense law.

Counseling employers and insurance carriers throughout California.

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Mullen & Filippi Administration
1435 River Park Drive, Suite 300
Sacramento, CA 95815
T (916) 492-8020 | F (916) 442-1028
www.mulfil.com



Mullen & Filippi was founded in 1949. This longevity speaks not only to stability, but excellence in client centered services since then. Integral elements of those services are an aggressive and collaborative approach to litigation, continuing education for our clients, attorneys, and staff, along with a judicious and measured use of the best technology available in the industry, all aimed at how to best meet the needs of our clients.

Our attorneys and staff take pride in our responsiveness, efficiency and cost effective approach toward meeting our clients' expressed interests, whether that be moving a case towards resolution by a favorable negotiated settlement or by continuing litigation to trial.

Attorneys and staff are well educated in all aspects of the law, including recent developments and best practices resulting from continuous changes in the industry. The Firm is recognized as a leader in the provision of continuing education to the Workers' Compensation community through well-attended statewide seminars, our website, and legal publications. Our attorneys regularly provide customized presentations for organizations and are always available for onsite client workshops covering a diverse range of topics.

Mullen & Filippi recognizes the need to invest in information technology that can be customized to support each client's unique goals and objectives, while providing efficient and cost effective outcomes. Our billing and case management software is fully integrated, so we can provide clients with budgets for actual costs, on a real time basis. Our technology can identify catastrophic cases or matters with costs trending at a higher than average rate. With this capability we work with clients as an integrated team, so that strategies and decisions can be made with accurate up-to-date information. Outcomes and phases of case handling can be measured, so that our case handling is transparent and easily understood by clients.

In the end, our longevity in this practice of law comes down to the people who make up our Firm and its leadership. We recognize the need to take care of our intellectual talent and thus understand that our attorneys and staff need an appropriate balance between work and other life interests, in order to perform at their best. This approach allows us to provide our clients a breadth of experience and in-depth knowledge of the law that achieves excellent results.

Practice Areas



Workers' Compensation

Mullen & Filippi represents and advises employers, insurance carriers, and third party administrators in matters arising from workplace injuries. The Firm represents a variety of public entities and provides insight on issues of disability involving public employees and the relationship with the Public Employees Retirement System and or County Retirement Act of 1937. For all types of employers, representation by the Firm allows our clients access to the expert consulting and litigation services – including expert medical consultants, vocational rehabilitation, injury prevention and risk management consultants – necessary to comply with current law and successfully defend against claims.

Workers' compensation defense law is an area of practice that is dynamic: subject to frequent statutory and regulatory changes, especially in recent years. Our attorneys' close scrutiny of such developments is complimented by their wealth of experience. We believe providing our clients' reliable representation requires thorough preparation.

Workers' compensation practice requires thorough knowledge of both the applicable law and the special procedures governing claim litigation, and as a result, the State of California has designated workers' compensation as an area in which a State certification of practice specialization can be obtained. Many of the Firm's attorneys have undergone the rigorous State certification examination process and have obtained the designation of "certified specialist" in workers' compensation.



OSHA Defense

Employers are subject to significant and costly sanctions for alleged violations of Federal and State Occupational Health & Safety laws (OSHA). These sanctions are not only pecuniary, but also such sanctions open up the possibility of greater sanctions in other venues. OSHA violations can give rise to third party lawsuits, penalty sanctions at the WCAB (LC 4553-Serious & Willful), and can drive up insurance rates. Often, OSHA investigations can be one-sided or simply revenue hunting expeditions. Defending actions before the Occupational Health & Safety Appeals Board requires firsthand experience of labor and occupational laws and regulations. Furthermore, The Mullen & Filippi team understands the impact of OSHA issues as they relate to other exposures faced by the employer.



Asbestos Defense

Mullen & Filippi handles workers' compensation asbestosis cases by providing a defense at the two Workers' Compensation Appeals Boards that handle these cases in California: San Francisco and Long Beach. We are aware and can utilize the differences in how those two venues adjudicate asbestos claims. The Firm provides clients with advice and representation on the relationship of the asbestos workers' compensation laws with Federal Medicare rules, the Longshore and Harbor Workers' Compensation Act, third party credit issues, and Alternative Dispute Resolution procedures.



Serious & Willful Misconduct, L.C. 132(a) Discrimination Defense

Mullen & Filippi attorneys are experienced in providing effective representation to employers on claims filed under these statutes. By law, these claims are not insurable and can be potentially costly to an employer, who pays for any award.

If serious and willful misconduct is found to have occurred, the amount of compensation otherwise recoverable shall be increased 50%, again paid by the employer. It is important for employers to have competent and experienced counsel if they are involved in these claims.

If an employer is found in violation of Labor Code Section 132(a), the employee's compensation shall be increased by 50%, but in no event more than \$10,000. Any such employee may also be entitled to reinstatement and reimbursement for lost wages and work benefits caused by a violation of the statute. It is important for employers to have competent and experienced counsel if they are involved in these claims.



Longshore and Harbor Workers' Compensation Act

Practice under the Longshore and Harbor Workers Compensation Act, (L & H), the Defense Base Act, the Non-Appropriated Fund Instrumentalities Act (NAFI) and the Outer Continental Shelf Lands Act focuses on the representation of major longshore employers and their carriers. The Firm offers services ranging from legal advice on coverage and jurisdiction, dual representation in claims that have filings under both the L & H Act and the California WCAB, in both state and federal forums, and representation in all phases of litigation, from pre-trial through trial and appellate review.

The Firm has represented clients with countless trials and oral arguments at the Ninth Circuit Court of Appeals.



Subrogation

Mullen & Filippi has long maintained a Subrogation Department to represent the interests of those clients for whom we handle workers' compensation defense. The Firm provides representation at the pre-trial, discovery, trial, and appellate levels, and also advises in the pre-litigation areas of injury prevention, risk management and job safety issues, as well as the legal impact of express indemnity agreements and insurance contracts. In the litigation context, the Firm offers access to necessary experts and consultants on complex liability and medical issues.

In addition, the Firm actively encourages participation in Alternative Dispute Resolution procedures, including binding and non-binding arbitration, mediation, early neutral evaluation and private judicial settlement conferences, and provides a full range of legal services aimed at resolving complex liability disputes efficiently and cost-effectively.