



Evans, Stanley L.

Position: Partner

Chair :

Workers' Compensation,

Co-Chair :

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Location

Buffalo, New York

Practice Areas

[Workers' Compensation](#)

[Construction](#)

[General Litigation](#)

[Municipal and Government](#)

[Risk Reduction and Loss Avoidance](#)

[Insurance Solutions](#)

Admissions

New York



Biography

Stan is the chair of the firm's Workers' Compensation practice group. He has appeared before the Workers' Compensation Board in hundreds of claims on behalf of insurance carriers, self-insured employers, governments and municipalities, and uninsured employers; conducted depositions of medical experts; drafted appeals, rebuttals, and memoranda; and negotiated and drafted settlement agreements. Stan's experience includes successful outcomes in litigation of controverted claims, fraud, death claims, opioid medication weaning, and permanency/loss of wage earning capacity. Well versed in negotiations, Stan has successfully resolved long-pending and complex workers' compensation matters with Section 32 settlements. He has obtained reimbursement for carriers through third-party action liens, loss transfer arbitration, Section 44 apportionment, and Special Funds Conservation Committee liability. Stan frequently counsels claims professionals and risk managers on risk avoidance and strategy in both controverted and established claims. He has presented on complex workers' compensation issues to claims offices throughout Gerber Ciano's footprint. Stan has the unique perspective of having defended workers' compensation claims both in private practice and as a direct employee of an insurance carrier. Prior to joining Gerber Ciano, Stan was an attorney at Liberty Mutual Group, Inc., after spending years in private practice at one of the nation's largest firms. This experience gave him the insight to identify and align client goals with litigation strategy. Stan is a graduate of the University at Buffalo Law School and received a B.A. in Political Science from Case Western Reserve University. When he is not working, Stan enjoys hiking, camping, tennis, canoeing and traveling with his wife.

Education

- State University of New York at Buffalo School of Law, 2011
- Case Western Reserve University, 2007

Honors

- Upstate New York Rising Stars 2015-2022

Community

- Vice President, Family Promise of Western New York, 2015-current.

Representative Matters

Repetitive Motion Injuries/Occupational Diseases Occupational disease and repetitive motion injuries can be tough for an employer to defend as they often revolve around the claimant's own description of his or her work. When required, Stan will take an intensive investigation to properly and fully defend these claims. To obtain the successful dismissal of a repetitive shoulder injury claim



brought by a factor worker, Stan went the extra mile by visiting the employer's factory, touring the facility and claimant's work space, working with the employer's risk manager and interviewing the claimant's coworkers and supervisors to present a compelling case to the Board. This thorough investigation and subsequent defense resulted in the Workers' Compensation Law Judge dismissing the claim.

Death Claims A carpenter was killed when he was struck by a motor vehicle while working at a construction site of a large hotel and apartment complex. Stan successfully obtained the dismissal of a claim for death benefits by demonstrating that the motor vehicle accident did not occur in the course of employment, but rather while the decedent was on break and exiting the construction site.

Penalties Sections 25-a and 114-a of the NYS Workers' Compensation Law provide the Workers' Compensation Board broad authority to penalize carrier's and self-insured employers for various infractions. However, this authority can be abused. A Workers' Compensation Law Judge unjustly imposed a penalty for a late payment of indemnity benefits upon a carrier. Stan successfully had this penalty overturned by demonstrating that the carrier had timely and diligently corrected an error in the amount of the benefits.

Section 114-a Fraud Stan has represented employers and carriers in multiple fraud cases. Teaming with investigators, he successfully obtained the disqualification from lifetime indemnity benefits in a decades old claim where it was discovered the claimant was working.

Application for Board Review While a Workers' Compensation Law Judge makes rulings at the trial level, often this is not the end of the matter. The Application for Board Review process is an essential part of any workers' compensation practice. Stan has successfully obtained reversals of unfavorable decisions and affirmations of favorable rulings through the Workers' Compensation Board Panel.

Coverage Stan has successfully obtained the discharge of employers and carriers in workers' compensation matters involving disputes over coverage, proper employer, proper carrier, independent contractor and cancelation of policy. In a claim where carrier had been improperly named the proper carrier by the Workers' Compensation Board four years earlier, when the claim was sent to him, Stan successfully invoked Section 123 to obtain the discharge of the carrier from the claim.