



We Never Forget that Behind Every Case, are Real People

Joseph L. Messa, Jr.
Richard J. Heleniak
Irene M. McLafferty
Lee D. Rosenfeld
Thomas N. Sweeney
Noelle L. Palazzo
Anastasia Buccino- Roth

Of Counsel

Steven Friedman, M.D.
Vincent DiCioccio,
B.S.C.E., M.S.C.E
Jennifer Messa
Brian Kelly
Andrew D. Swain

Messa & Associates, P.C.

1-877-MESSALAW

123 S. 22nd. Street
Philadelphia, PA
215-568-3500

2901 Springdale Rd
Suite #2
Cherry Hill, NJ
856-810-9500

www.messalaw.com

Joseph L. Messa Jr. Delivers Speech at American Academy of Orthopedic Surgeons Annual Conference

Founding attorney, Joseph L. Messa, Jr. of Messa & Associates, P.C., recently took part in a symposium at the American Academy of Orthopedic Surgeons (AAOS) annual conference in New Orleans, Louisiana.

The program titled, "Beyond Medical Liability Reform: Keeping Our House in Order," brought to the attention how the prospect of National tort reform has faded since 2006, and most changes and reforms have progressed on a state-by-state basis. However, there have been important changes in the scrutiny being applied to expert witness testimony on both sides, and controversy continues between physicians who act as experts for Plaintiffs and those who defend physicians.

Messa was one of five lecturers, two attorneys (one Plaintiff and one Defense) and three medical doctors (two orthopedic surgeons and one neurosurgeon), who discussed

fair and just ways to protect the rights of the harmed patient and improve the safety of medical care all within the economy of sustainable medicine.

Messa discussed the importance of the physician's moral and ethical duty to injured patients when an expert witness is needed in court. He believes that, "there is a peer pressure/stigma of testifying for injured patients against other doctors that make it difficult for legitimately injured patients to make their claims."

He adds, "As a citizen and as a professional with special training and experience, the physician has an ethical obligation to assist in the administration of justice [...] the public should know they will be protected in the event of injury from sub-standard care."

For more information regarding the symposium, please contact Jessica Neff at **1 877 MESSALAW** or Jneff@messalaw.com.

Boston Scientific Recalls seven Brands of Implantable Defibrillators

Boston Scientific is issuing a massive recall of its implantable heart defibrillators. According to a Boston Scientific press release, the company is halting sales and retrieving field inventory of all its implantable cardioverter defibrillators (ICDs) and cardiac resynchronization therapy defibrillators (CRT-Ds) because it did not get approval from federal regulators for changes to its manufacturing processes.

All of the devices in the recall were acquired by Boston Scientific in 2006 when it purchased

medical device manufacturer [Guidant Corp.](http://www.guidantcorp.com), of St. Paul, Minn., for \$28.4 billion. The recall impacts seven brands of Boston Scientific defibrillators: COGNIS®, CONFIENT™, LIVIAN™, PRIZM™, RE-NEWAL®, TELIGEN® and VITALITY™. The Company's pacemakers and other products are not affected by the action.



Continued on the back...

Government Recalling over 1 Million High Chairs



1.2 million of Graco highchairs are being recalled due to a fall hazard. Consumers should immediately stop using the Harmony™ high chair.

The Consumer Product Safety Commission has received 24 reports of children falling when the legs to the chair have become dislodged or broken.

For more information, please call **1 877 MESSALAW** or go to www.gracobaby.com for a repair kit from Graco if you own a Graco "Harmony" high chair.

Models affected: 3920BAN, 3920BAN2, 3920BEB, 3920BEBB, 3920COV, 3920DOH, 3920GEI, 3920GEIDSP, 3920GRN, 3920HMP, 3920IVY, 3920LAU, 3920PKR, 3930DDH, 3930DHO, 3935CAL, 3935OXB, 3935PKR, 3935PKRDSP, 3935SPM, 3935SPMDSP, 3935THR, 3935THR2, 3935THR3, 3940BIA, 3940BIADSP, 3940CAP, 3940CLE, 3940COT, 3940DRM, 3940HML, 3940MCH, 3940NGS, 3940SAV, 3940SLT, 3940SPT, 3940STA, 3940UNN, 3951CLO, 3951CLT, 3951COT, 3951ORC, 3951WLO, 3955WSR, 3960BGN, 3960CJG, 3960CNP, 3960GGG, 3980CNR, 3E00ABB, 3E00BAT, 3E00DCF, 3E00DCF DSP, 3E00DGP, 3E00DGP DSP, 3E00GPK, 3E01BDS, 3E01BDSCA, 3E01DNY, 3E01DNY1, 3E01ELP, 3E01ELP DSP, 1752404, 1755859, 1755860, 1757259, 1757412, 1760429

Boston Scientific Recalls seven Brands of Implantable Defibrillators

The recall is expected to take a heavy toll on the company's bottom line. According to The Wall Street Journal, Boston Scientific will lose about \$5 million in sales each day it cannot sell the devices.

This is not the first time Boston Scientific's Guidant acquisition has proved troublesome for the device maker. In November, the company agreed to plead guilty and pay \$296 million to resolve federal charges it failed to fully disclose earlier problems with its implantable defibrillators to the FDA.

For more information, please contact **1 877 MESSALAW**.

For more information check out:
www.messandassociates.blogspot.com

RECENT SETTLEMENTS

\$2.5 million settlement for a motor vehicle accident involving a 54 year old man and a major national trucking company.

On June 26, 2008, Samuel Ofei was rear-ended by a tractor trailer on Interstate 95 southbound in Philadelphia, Pennsylvania after his car struck a metal object on the roadway.

Following the collision, Mr. Ofei had difficulty breathing and moving his arms and legs and required extraction from his severely crushed vehicle with the Jaws of Life, and was transported by ambulance to Thomas Jefferson University Hospital for emergency spinal surgery.

Ultimately, through intense and painful rehabilitation, he regained full use of his upper and lower extremities and is able to walk, but is left with some neurologic deficits and has not been able to return to his work as a care provider helping individuals with special needs.

Mr. Ofei had pre-existing symptomatic spinal stenosis, however; the accident caused additional neurologic injury on top of his underlying spinal stenosis and neurological defects.

www.Messalaw.com



Phone: 215-568-3500

Fax: 215-568-3501

E-mail: JNeff@messalaw.com