



MESSA & ASSOCIATES, P.C.  
Attorneys at Law

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**We Never Forget that  
Behind Every Case,  
are Real People**

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## RICHARD J. HELENIAK SECURES VICTORY FOR A DISABLED MAN IN FEDERAL COURT

In *Morgan v. The Prudential Insurance Company of America*, the plaintiff was represented by Messa & Associates' attorney, Rich Heleniak. Prudential terminated Morgan's long-term disability benefits because he suffered from a mental illness, which was subject to a two year limit.

Mr. Heleniak argued Morgan's anxiety and depression were secondary to a primary diagnosis of fibromyalgia. He contended that Prudential's decision was the consequence of a biased review process, engineered specifically to result in a mental disability finding.

U.S. District Judge Timothy J. Savage, agreed with Mr. Heleniak stating, "[Dr.] Howard was hired to render an independent opinion. Yet, rather than supplying him with only the medical records, Prudential provided him with documents that alerted him to what it had decided and why. Consequently, Howard was pointed in the direction where Prudential was heading."

## MESSA & ASSOCIATES JOINS SALVATION ARMY'S ADOPT-A-FAMILY

As part of the firm's mission to help the local community, the staff at Messa & Associates has adopted a family for the holidays. The Adopt-A-Family (AAF) program is sponsored by the Salvation Army and matches impoverished families with sponsors to provide for their tangible needs at Christmas. Being adopted is designed to be a once in a lifetime event for recipient families. The community support prevents the sponsored families from experiencing a very grim holiday. To learn more, visit [www.salvationarmyusa.org](http://www.salvationarmyusa.org).



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The attorneys and staff at Messa & Associates, P.C. wish you a safe and happy Holiday Season!

## MOST DANGEROUS TOYS OF 2010 ACCORDING TO W.A.T.C.H

This holiday season, Messa & Associates, P.C., wants to advise parents and families to be cautious when purchasing gifts for loved ones. The following is a list of the "Worst Toys of 2010" according to W.A.T.C.H. (World Against Toys Causing Harm, Inc.). For more information contact Messa & Associates at 1.800.MessaLaw.

1. **Spy Gear Split-Blaster**  
The dart gun, sold at Toys R Us, is capable of shooting two darts at once with such force that it can cause eye injuries.
2. **Supasplat Splatblaster**  
This toy gun could potentially cause harm to the eyes and face. The toy was sold at K Mart and shoots "splatballs" at such a speed that it could hurt children. While the box advises users to use the safety glasses at all times, it also says that those same glasses do not provide any actual protection.
3. **Buzz Magnet**  
This toy includes magnets that may cause internal damage if a child swallows them. The Buzz Magnets were sold on Amazon.com.
4. **Kung Fu Panda Sword of Heroes**  
This toy, inspired by the Kung Fu Panda movie, is a sword that can cause serious injury to a person's face due to the rigid plastic material. Kung Fu Panda Sword of Heroes was sold at Toys R Us and made by Mattel.
5. **Ballzillion Tug Boat Play Center**  
The Tug Boat Play Center is regarded as dangerous due to the potential for injury or death. The package's picture and advertisements show children standing on the toy and says it is for inside and outside use. However, the tug boat toy also warns that it's "not intended to be used as a flotation device" and standing on it could cause "injury or death." The Ballzillion Tug Boat Play Center was sold at Toys R Us.
6. **My First Mini Cycle**  
This plastic mini cycle could cause head injuries. The toy is marketed for toddlers as young as 18 months. Because it sits very low to the ground, it creates a fall hazard when used outdoors. A helmet should be worn when using.
7. **Pull Along Caterpillar**  
Sold at Toys R Us, this wooden pull toy's "breakaway pull string" creates a choking hazard to children.
8. **Animal Alley Pony**  
Sold at Toys R Us, the Animal Alley Pony is marketed for infants, but its fiber like hair comes off easily and if ingested, could cause serious injury.
9. **Big Bang Rocket**  
The Big Bang Rocket is sold on Amazon.com and could cause hearing loss due to the loud noise it makes.
10. **Walkaroo II Aluminum Stilts**  
The stilts, made out of aluminum, advertise children starting at age five can use them. While it warns users to "always remain in control of motions," this is often a difficult task for very young children. The stilts create the potential for head and other injuries.

"We know you want and *deserve* the best when it comes to representation. At Messa & Associates, we strive for nothing short of perfection."

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