

THE LEGAL OUTLOOK

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Chinese Drywall Poses Potential Risks: What every Home Owner Should Know

While Florida seems to be the most affected area, with more than 36,000 homes damaged, it is estimated that more than 300,000 homes across the country may have been built with defective drywall from China, even if they have not yet experienced problems. The Southeastern United States is the most affected region due to the humidity and moisture, but states such as Nevada and Arizona have also been listed as having severe problems as well.

Following the 2005 hurricanes, millions of pounds of defective drywall were imported into the U.S., after the hurricanes caused a shortage of U.S.-made drywall due to the housing boom and construction surge. Houses rebuilt after Hurricane Katrina have also been effected. It is said that building materials may have exceeded 500 million pounds during this four-year period of soaring home construction.

Researchers are still uncertain as to what causes the reaction, but there are several theories as to why this happening. Some believe that fumigants are sprayed on the drywall and material inside it, and claim that the drywall is made with a coal by product that is less refined than what is used in the U.S. The dry wall, which has been linked to strontium and elemental sulfur, release a strong rotten-egg stench and intensifies when exposed to heat and humidity. This can destroy air conditioners, corrode electrical wiring and copper, ruin other appliances, blacken jewelry and silverware, and sicken people. Symptoms include: respiratory irritation, headaches, eye irritation, nose bleeds, coughing, and difficulty breathing. If you would like more information, or have any questions or concerns, please contact Messa & Associates at 215.568.3500 or visit us at Messalaw.com.

Pistachio Recall

The FDA and the California Department of Public Health (CDPH) are investigating Salmonella contamination in pistachio products sold by Setton Pistachio of Terra Bella Inc, Calif. Many people have already been diagnosed with salmonella across the U.S., and more are expected to occur.

The FDA first learned of the problem on March 24, 2009 when it was informed by Kraft Foods that it's Back to Nature Trail Mix was found to be contaminated with Salmonella. The pistachios were traced to a huge batch of pistachio nuts from the Setton Pistachio Company, which were then sold in large quantities to 36 different wholesalers across the U.S. It is not yet known whether any of the Salmonella strains found in the pistachio products are linked to an outbreak.

The Setton Pistachio Company has stopped all distribution of processed pistachios and will issue a voluntary recall involving approximately 1 million pounds of its products. Because the pistachios were used as ingredients in a variety of foods, it

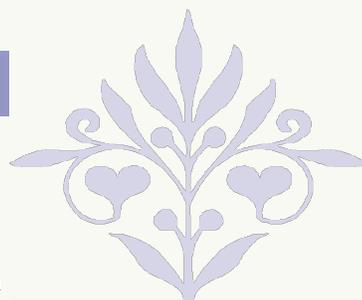
is likely this recall will impact many products. In addition, the investigation at the Setton Pistachio Company is ongoing and may lead to additional pistachio product recalls. So far, 64 products sold fewer than 21 brand names by six companies have been recalled. The most recent recalls are Kraft Planters brand products containing pistachios and Back To Nature brand products containing pistachios. Frito-Lay has recalled its Salted Pistachios (in shell).

The contamination involves multiple strains of Salmonella, which can cause serious and sometimes fatal infections in young children, frail or elderly people, and others with weakened immune systems. The FDA is conducting genetic testing of the samples to pursue all links. For more information, please contact Messa & Associates.



Recent Settlements & Verdicts:

\$8.5 million dollar recovery obtained by Messa & Associates for the family of a 30 year-old woman who subsequently died after giving birth to her first baby due to defendants' negligent treatment of postpartum hemorrhage. Defendants neglected to diagnose, treat and care for this young woman following her delivery on January 29, 2004, which led to her premature death on February 11, 2004.



Upcoming Events

Joseph L. Messa, Jr. will be speaking at the upcoming Catastrophic Injuries: Trial Strategies & Insurance Coverage Conference at The Hub Circa Centre at 30th Street Station, Philadelphia. He will speak specifically on *Multipliers/Reducers in the Most Dangerous Cases*. For more information on dates and times, please visit Messalaw.com and click the link on the home page titled *Litigation Conference*.

*For more information please contact Messa & Associates, P.C. toll free at 1.866.403.4LAW or visit www.Messalaw.com