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Consumer News:

RECALL REPORT



Graco Harness Buckles

As part of continuous product testing and improvement, Graco identified that food and dried liquids can make some harness buckles progressively more difficult to open over time or become stuck in the latched position. Therefore, a voluntary recall was conducted on the harness buckles used on all toddler convertible car seats and harnessed booster seats.

Injuries Reported: 0
Num. of Affected Units: 3.7 mil

*If your car seat has a square red bottom, it is already equipped with the new buckle.

Visit gracobaby.com to learn how to receive new harness buckles.

Richard J. Heleniak Named to 2014 New Jersey Super Lawyers List

Richard J. Heleniak has been selected to the 2014 New Jersey *Super Lawyers* list. Rich has been a trial lawyer for more than 30 years and has experience handling complex personal injury matters, including medical malpractice and products liability cases.

He has been rated an AV Preeminent Attorney by Martindale-Hubbell for 11 consecutive years and is a member of both the Million Dollar Advocates Forum and Multi-Million Dollar Advocates Forum. He is also Board Certified as a Civil Trial Specialist by the National Board of Trial Advocates and has been named a Top 100 Trial Lawyer by the National Trial Lawyers.

Rich has obtained multiple verdicts and settlements in excess of \$1 million for his clients, including a recent \$2.15 million verdict in a birth injury case affirmed by the Pennsylvania Supreme Court and establishing the right of parents to receive compensation for the loss of the society and companionship of their deceased child.

He is a member of the Pennsylvania Bar Association, Pennsylvania Association for Justice, American Association for Justice, Philadelphia Trial Lawyers Association and Association of Trial Lawyers of America – New Jersey.

Rich received his law degree with honors from Rutgers School of Law-Camden in 1980. He obtained a bachelor degree from Saint Joseph's University in 1977.

This is Rich's second selection to the New Jersey *Super Lawyers* list. He was previously named to the 2013 New Jersey *Super Lawyers* list and has been selected to the Pennsylvania *Super Lawyers* list six times.

Super Lawyers, a Thomson Reuters company, is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. Each year, no more than five percent of the attorneys in the state are selected by *Super Lawyers* to receive this honor.



JUSTICE IS TRUTH IN ACTION

BENJAMIN DISRAELI

MEET THE ATTORNEYS

Irene M. McLafferty



Q: When did you decide you wanted to be an attorney?

A: I decided at an early age because I have many relatives who are attorneys and they all enjoyed their work and the legal profession.

Q: What is your favorite thing to do outside of work?

A: My favorite thing to do outside of work is travel. I enjoy seeing new places and meeting people from different areas and cultures.

Q: Where would you go if you could play hooky for a day?

A: I would go to the beach in the summer and go skiing in the winter.

Q: What is one of the biggest challenges you face as an attorney?

A: The biggest challenge as an attorney is time management and maintaining a balance between work and family commitments.

Q: What is your proudest moment as an attorney?

A: My proudest moments as a lawyer were helping victims of crime obtain justice.

Q: What was your funniest rookie mistake?

A: The funniest rookie mistake occurred during a preliminary hearing for a criminal matter where I was the assistant district attorney. I didn't understand the colloquial slang terms used by a witness and asked the witness several times to repeat what was said. The police officers and others in the courtroom were hysterical.

Q: Describe yourself in 3 words.

A: Fun-loving, busy, relaxed.

Q: If you weren't a lawyer, what do you think you'd be doing?

A: It depends on my resources. If I have unlimited resources, I would travel anywhere and everywhere.

LAWSUIT FILED IN NEW JERSEY FIRE CASE

Messa & Associates, P.C. is representing the family of a seven-year-old girl killed by a fire in her Pemberton, N.J. home. The lawsuit, filed against Helen of Troy, Belson Products, Applica Consumer Products, Inc. and Intermatic, Inc., asserts that Belson's curling iron and Intermatic's power strip were both defective.

The lawsuit further states that the companies continued to market and sell these products despite the fact that they had received notice that their products could potentially cause residential fires during their intended use.

On December 28, 2011, Lamiyah Graves and her two siblings were asleep when a fire broke out in Lamiyah's bedroom. Because of the flames, thick smoke and heat, Lamiyah was unable to escape from her bedroom and attempts to rescue her from her bedroom window were unsuccessful.

Firefighters later discovered the child's severely burned body on the floor next to her bedroom closet. In addition to significant burn injuries, Lamiyah suffered from carbon monoxide poisoning.

The family is seeking compensatory and punitive damages for Lamiyah's death as well as damages on behalf of her siblings for their physical injuries and emotional distress related to the loss of their sister.

Cambridge Beauty Supply, Inc. and Tae E. Lee, owner of the Cambridge Beauty Supply, where the curling iron was purchased, are also named as defendants in the lawsuit.

The case was filed in the Philadelphia County Court of Common Pleas by Messa & Associates attorneys Joseph L. Messa, Jr. and Thomas N. Sweeney.

March is Brain Injury Awareness Month

A traumatic brain injury (TBI) is a common injury among many Americans, accounting for about 2.4 million injuries per year. There are many different situations in which a traumatic brain injury can occur. The leading cause of a traumatic brain injury is falls, making up more than 35 percent of all brain injuries. Other common causes include motor vehicle accidents (17.3 percent), being struck by or against objects—known as blunt force trauma (16.5 percent) and assault (10 percent).

According to the Brain Injury Association of America, a traumatic brain injury is defined as an alteration in brain function, or other evidence of brain pathology, caused by an external force. Any TBI, no matter how minor or significant, can alter the function of the brain. However, the lasting effects of a brain injury will depend on several factors including cause, location, and severity.

When a traumatic brain injury occurs, early treatment and diagnosis is extremely important. A delay in diagnosis or failure to diagnose a traumatic brain injury as a result of medical malpractice can cause additional injuries or even damage the patient's chances of recovery. There are several symptoms associated with TBIs. Some of the most common symptoms include: spinal fluid (thin water-looking liquid) coming out of the ears or nose, loss of consciousness, dilated pupils, change of vision, respiratory failure, dizziness, vomiting, headaches or confusion, difficulty speaking and body numbness or tingling.

In most cases, traumatic brain injuries are the start of a lifelong disease process that requires access to a variety of different medical treatment and support. Once a traumatic brain injury is properly diagnosed, it should be treated by an experienced team of medical professionals. Since no two brain injuries are identical, recognizing these symptoms and seeking prompt treatment are critical to a patient's care and recovery.

BREAKING IT DOWN

PAYING FOR YOUR MEDICAL EXPENSES AFTER AN ACCIDENT

■ By Matthew Y. Rong

The first question that is asked by our Pennsylvania and New Jersey clients after accidents is: “How am I going to pay for my medical bills?” Unfortunately, many clients that I meet with will delay or sometimes forego necessary medical treatment because of concerns that they will be unable to pay for it. The options that are available to you depend upon the type of accident that you have been involved in.

AUTOMOBILE ACCIDENTS

If you own a motor vehicle and it is insured at the time of the accident, first party benefits will be available to you, with very limited exceptions. Pennsylvania and New Jersey law both require that automobile insurance companies provide first party benefits in all policies of insurance that are sold. This amount is typically Five Thousand Dollars (\$5,000.00) in Pennsylvania and Fifteen Thousand Dollars (\$15,000.00) in New Jersey. These benefits are also known as “No Fault,” meaning that your insurance company will pay these benefits regardless of who is responsible for the accident – in other words, these benefits will be paid by your insurance company even if the accident was caused by another person’s vehicle. When you are asked for insurance information by any medical provider that will be treating you for the accident, provide them with

your automobile insurance information so that your medical bills will be sent to your insurance company for payment. The bottom-line is this: if you own a motor vehicle, it must be insured, not only because it affects your ability to receive first party benefits, but because it is the law in both Pennsylvania and New Jersey.

If you are a passenger, not the driver, of the motor vehicle involved in an accident, payment of your first party benefits depends upon whether 1) whether you own a motor vehicle, 2) whether that vehicle is insured, and 3) whether you live with any relatives that own insured motor vehicles. If you owned an uninsured motor vehicle at the time of the accident, the laws of both Pennsylvania and New Jersey preclude you from receiving first party benefits. If you own a vehicle that is insured and suffer injuries as a passenger, your insurance company will pay your benefits. If you do not own a vehicle but reside with a relative that owns an insured vehicle, the company insuring that vehicle will pay your benefits. If you do not reside with a relative, or you reside with a relative that owns an uninsured vehicle, the company insuring the vehicle in which you were a passenger at the time of the accident will pay your benefits.

FALL-DOWN ACCIDENTS

First party benefits are not available in fall-down accidents. When are injured in a fall-down type accident, your medical expenses will have to be submitted to your health insurance company for payment. If you do not have health insurance, some medical providers will agree to accept a letter from your attorney promising to pay them out of any money obtained in a settlement, at trial, or otherwise. It is important to know that only select medical providers will agree to provide you with treatment under this type of arrangement, and for this reason, it is important to maintain health insurance, which will provide you with more treatment options.

When you are injured in any type of accident, your first and foremost priority should be your health. We make it our first priority at Messa & Associates. We are here to help in obtaining the medical care that you need and exploring the payment options available to you.

Matthew Y. Rong, (mrong@messalaw.com) is a junior associate at Messa & Associates, representing motor vehicle and personal injury clients throughout Pennsylvania and New Jersey.



Settlements and Verdicts

Confidential Settlement

Maximum insurance policy limit for a medical malpractice case filed in Philadelphia County on behalf of a licensed professional whose job responsibilities require him to have excellent vision.

The 48-year-old man suffered an injury to his right eye at home. The Plaintiff sought and received treatment from a specialist later that evening. The specialist referred him to another specialist who examined him the following day. The specialist continued to treat him for several months and, in that time, failed to diagnose a retinal detachment. When the diagnosis was finally made, the Plaintiff underwent multiple eye surgeries which resulted in complications and scarring on his retina.

Following months of continued medical treatment, the Plaintiff’s right eye was deemed to have no useful vision and no depth perception, leaving him unable to resume his career as a result of his inability to perform the duties required of his position.

AROUND THE OFFICE



Jean Boccaccio, clothing designer and sister of senior attorney Irene M. McLafferty, designed the dress above, worn by NBA Countdown Host, Sage Steele. To view more of Jean's clothing design, visit her website at www.jboccaccio.net or on twitter, @jboccaccio. Congratulations, Jean!



Messa & Associates welcomes new legal secretary, Lauren C. Vollmer to the staff. Lauren is a South Philly native and a graduate of Widener University. She lives with her husband of 8 years, her daughter Adrianna, and their Pug Chico! Lauren enjoys reading, bowling, mini-golf, and traveling. Welcome to the team, Lauren!



Messa & Associates welcomes new receptionist and file clerk, Grisel M. Sanchez. Grisel is a mother of 3; two daughters and one son. She lives in Philadelphia with her children. Grisel is fluent in both English and Spanish and has over 15 years of experience in office support. Thanks for joining us, Grisel!

MAIN LOCATIONS

PHILADELPHIA

123 S 22nd St
Philadelphia, PA 19103
P: 215-568-3500

CHERRY HILL

2091 Springdale Rd.
Suite 2
Cherry Hill, NJ 08003
P: 856-810-9918

SATELLITE LOCATIONS

COLLINGSWOOD

475 White Horse Pike
Collingswood, NJ 08107
P: 856-833-0600

GERMANTOWN

6000-6002 Germantown Ave
Philadelphia, PA 19144
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CONSHOHOCKEN

923 Fayette St.
Conshohocken, PA 19246
P: 215-940-7700

LINWOOD

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Linwood, NJ 08221
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