

THE LEGAL OUTLOOK

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“Live so that when your children think of fairness, caring, and integrity, they think of you.”

H. JACKSON BROWN, JR.

Messa & Associates Attorneys Named to Super Lawyers, Rising Stars, and Top 100 Lists, Firm Features Client Stories on www.WhyMessa.com



Messa & Associates, P.C. proudly announces that six of the firm’s thirteen attorneys have been selected to the 2016 Pennsylvania Super Lawyers list, two of those seven have also been selected as Top 100 in Philadelphia and Top 100 in Pennsylvania, and an additional two Messa & Associates attorneys were named to the Pennsylvania *Rising Stars* list for 2016. Less than 5 percent of the attorneys in Pennsylvania are selected by Super Lawyers to receive these prestigious honors.

“We at Messa & Associates strive to ensure that our focus remains on the needs of our clients,” said Joe Messa today. *“I am pleased to work with an esteemed group of attorneys that is recognized by peers, year after year, for the outstanding work they do every day to serve the clients of our firm.”*

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MAY IS: SKIN CANCER AWARENESS MONTH

The American Academy of Dermatology (AAD) has an important question for you this May;

WHO'S GOT YOUR BACK?

May is *Melanoma/Skin Cancer Detection and Prevention Month*® and AAD wants to remind us that when it comes to skin protection, our *backs* should be at the **front** of our minds. Our backs are the hardest part of our bodies to protect from the sun and the hardest part to check for skin damage. They are also the most common location for *melanoma*, the deadliest form of skin cancer.

In addition to the many regular **PREVENTION** methods, including a broad spectrum sunscreen of SPF30 or higher on ALL exposed areas of the body, **DETECTION** is important in protecting yourself from melanoma and skin cancer. Catching skin cancer in its earliest stages is crucial in curing it. Allow someone you trust to help you apply sunscreen to your back and to help you check your skin for unusual marks or spots. If you find something you are unsure of, **ALWAYS** schedule an appointment with your dermatologist. When it comes to skin cancer, safe trumps sorry every time.

SUPERLAWYERS, cont'd

In addition to the announcement of the Super Lawyers and Rising Stars selections, the firm has added a client testimonial to

www.WhyMessa.com, a website focusing on accounts from former clients regarding why they chose MessaLaw and how the firm fought for their needs. Among the clients highlighted is Barbara Daquilante, a 51-year-old woman who suffered tremendous physical and emotional

Messa & Associates turned our fears and anxieties into excitement for our future. They were with us from the beginning, every step of the way. We couldn't have asked for better lawyers.
-Barbara & Carmen Daquilante

IT'S ALWAYS BEEN ABOUT OUR CLIENTS

Messa & Associates is PLEASED TO ANNOUNCE THE FIRM'S SELECTION TO 2016 PENNSYLVANIA SUPER LAWYERS

- Joseph L. Messa, Jr.*
- Richard J. Heleniak
- Irene M. McLafferty
- Eric H. Weitz*
- Lee D. Rosenfeld
- Thomas N. Sweeney

Messa & Associates is PLEASED TO ANNOUNCE THE FIRM'S SELECTION TO 2016 PENNSYLVANIA RISING STARS

- Ramon A. Arreola
- Angelo Theodosopoulos

*DISTRICT SELECTED TO TOP 100 PRACTICES AND TOP 100 FIRM

FIND OUT MORE ABOUT MESSA & ASSOCIATES, P.C.
VISIT www.WhyMessa.com
OR CALL 1-877-MESSALAW

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turmoil after being run down by a garbage truck in a dark parking lot on her way to work. Barbara and her husband Carmen are featured in the firm's Pennsylvania Super Lawyers ad (left).

Founding partner, Joseph L. Messa, Jr. appears on the Pennsylvania Super Lawyers list for the eighth consecutive year, recognized in his primary areas of practice: medical malpractice and products liability. In addition to Mr.

Messa, Richard J. Heleniak, Irene M. McLafferty, Eric H. Weitz, Lee D. Rosenfeld, and Thomas N. Sweeney were also selected to the Pennsylvania Super Lawyers list for 2016, and Ramon Arreola and Angelo Theodosopoulos were selected to the 2016 Pennsylvania Super Lawyers *Rising Stars* list.

RECALL REPORT: NISSAN RECALLS 3M VEHICLES

Nissan North America, Inc. has issued a recall of approximately 3.2 million vehicles due to a potential airbag-related defect. The recall involves a sensor defect that fails to correctly detect the occupant of the front passenger seat. In some instances, the sensor detects that an adult is a child, or that the seat is completely empty, which then disengages the passenger side airbag.



The recall affects the following models/years:

Nissan Maxima, 2016-2017	Nissan Altima, 2013-2016
Nissan NV200, 2013-2016	Nissan Sentra, 2013-2016
Nissan LEAF, 2013-2016	Nissan Pathfinder, 2013-2017
Nissan NV200 Taxi, 2014-2016	Infiniti QX60/Q50, 2014-2016
Nissan Rogue, 2014-2017	Nissan Murano, 2015-2016
Chevrolet City Express, 2015-2016	Infiniti JX35, 2013

Nissan has stated that they will notify owners affected by the recall and offer to fix the issue for free. As of yet, the company has not released a schedule for notifications or repairs.

An additional 620k 2013-2016 Nissan Sentras are also being recalled for air bag sensor defects. If the front passenger side belt bracket is used to secure a child's restraint system (car-seat), the bracket could become deformed. This deformed bracket can cause the airbag to turn off in error. Engineers have not yet determined how to amend this issue and are asking owners not to install child restraint systems in the front seat. Once a solution has been reached, consumers will be notified and repairs will be offered for free.

BREAKING IT DOWN:

STUDY FINDS CORRELATION BETWEEN MALPRACTICE CLAIMS AND PHYSICIAN PERSONALITY TRAITS

■ By Angela D. Leone

A recent study reported by the New England Journal of Medicine linked certain personality traits (or lack thereof) in physicians to increased medical malpractice claims.

The Journal utilized data from the **The National Practitioner's Data Bank (NPDB)** for medical malpractice claims paid against physicians between 2005 and 2014; 66,246 claims paid against 54,099 doctors. The data presented a few noteworthy conclusions;

- 1) Approximately 1% of the 54,099 doctors included in the study (or 541 doctors) accounted for 32% of all paid medical malpractice claims.
- 2) Among the 54,099 physicians with paid claims, 84% appeared only once during the study, 16% appeared twice, and 4% appeared at least three times.
- 3) Physicians connected to more than one paid medical malpractice claim all shared a lack of comforting characteristics, including communication, responsiveness, availability, and empathy.
- 4) Patients who are unhappy with their treatment, medical and/or personal, are more likely to sue.
- 5) Patients who are happy with their physicians personality or who feel that their physician genuinely cares from them, find it difficult to sue.

PHYSICIANS' PERSONALITY CAN AFFECT CARE

The results of the Journal's study seem to speak a somewhat obvious truth: compassionate and caring doctors make better overall caregivers than those that lack empathy and an ability to connect to their patients.

Physicians who are empathetic to their patients' suffering and who take time to effectively communicate with their patients not only make their patients feel better/safer, but according to the study, provide better and more satisfactory medical care. These doctors also tend to be sued less, perhaps in spite of medical errors.

APOLOGY STATUTES

Many states in the US have recently enacted an "Apology Statute" which disallows the use of an apology or a "gesture of sympathy" as evidence or admission of guilt in a medical malpractice lawsuit. In Pennsylvania, this statute is formally titled *The Benevolent Gesture Medical Professional Liability Act*. As consumers and patients, it's important for us to understand that this legislation **DOES NOT** mean that an apology is a relinquishment of professional responsibility. It just means that an attorney can't use an apology against a physician in court.

When dealing with serious medical errors, the damages speak for themselves. If your physician has deviated from the standard of care and has caused serious injury or even death, his/her apology or gesture of sympa-

thy does not exonerate them from responsibility for your injuries. As a patient, you are entitled to compensation for any injuries sustained through medical malpractice or negligence, regardless of any heartfelt or sympathetic apology.

At Messa & Associates, we are committed to improving patient safety. Virtually every day, we console clients whose lives have been irreparably changed because hospitals and physicians break patient safety rules and deviate from standards of care. We feel the impact that these harms and losses have on victims, their families, and their friends.

The medical malpractice attorneys at Messa & Associates are experienced in handling complex medical malpractice cases, including but not limited to MRSA infections, surgical site infections, foreign objects, missed diagnoses, surgical errors, and treatment errors/negligence. If you or a loved one are dealing with the consequences of a medical error, Call **877-MessaLaw** for a free consultation.



AROUND THE OFFICE



Messa & Associates welcomes new **Client Relations Coordinator**, Noelle McHugh, to the team! Noelle comes to the firm with lengthy customer service, marketing, and volunteer experience. We are excited to have her on board. Good luck to you, Noelle!



Happy Happy Birthday to the **ONLY** May birthday at Messa & Associates, **Legal Nurse Consultant**, Meg B. Knysh! Meg celebrated her birthday on May 1st with a chocolate cake! Hope you had a great time, Meg, and thank you for all you do for the firm.



Congratulations are in order for **Paralegal Manager**, Catherine Steffa, on the recent birth of **TWO** grandchildren . Baby Colton Andrew born to Cathy's daughter, Katie and Katie's husband, Jeff; and baby Madelyn Grace born to Cathy's son, Mike, and Mike's wife, Kaitlyn.

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