

The Legal Outlook

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Halloween Safety Tips



- ☆ Plan a trick-or-treating route ahead of time
- ☆ Travel in groups with a chaperone and never approach a house alone
- ☆ Carry flashlights, wear reflective tape, and wear brightly colored costumes to remain visible to drivers
- ☆ Always stay on the sidewalk and cross the street at designated cross walks
- ☆ Only visit well-lit houses and always wait outside for treats
- ☆ All candy should be inspected prior to eating
- ☆ HAPPY HALLOWEEN!



Consumer News:

SPECIAL RECALL REPORT: TAKATA AIRBAGS

If you've been paying attention at all to current events in October, then you've no doubt heard about the massive automotive recalls made by car manufacturers regarding defective airbags produced by Japanese automotive parts maker, Takata Corporation.

The recalls revolve around defective airbags, installed in upwards of 11 million vehicles, that have been linked to four deaths and over 100 injuries. When the defective airbags are deployed, a metal can of chemical propellant explodes, sending shrapnel into the vehicle and harming drivers and passengers. Sean Kane, Founder and President of *Safety Research and Strategies, Inc.*, likened the exploding metal canister to an improvised explosive device (IED), saying, "This is literally like having an IED in your car. When it explodes, it literally sends shrapnel into the vehicle and peppers the occupants, causing severe lacerations and in some cases, death."

The National Traffic and Highway Safety Administration (NHTSA) revealed that Honda, the biggest buyers of Takata airbags, learned about the exploding airbags in 2004 but didn't make any recalls until 2008. Clarence Ditlow, who leads the *Center for Auto Safety*, said, "This is one of the deadliest defects that we've ever seen yet, 10 years later, we're just beginning to get to the bottom of it."

Takata believes that the exploding canisters are being caused by humidity, allowing moisture to permeate the mechanism. The recalls began happening geographically in warmer climates, but since, car makers have been issuing nationwide recalls and provided repairs to drivers with the defective airbags.

Toyota, one of ten car manufacturers that issued recalls for the defective airbags, issued an urgent warning to all customers, stating that anyone affected by the recall should have no passengers until the airbags are fixed.

Go inside the newsletter for a complete list of affected makes, models, and years.



IF YOU ARE NEUTRAL IN SITUATIONS OF INJUSTICE,
YOU HAVE CHOSEN THE SIDE OF THE OPPRESSOR .

DESMOND TUTU



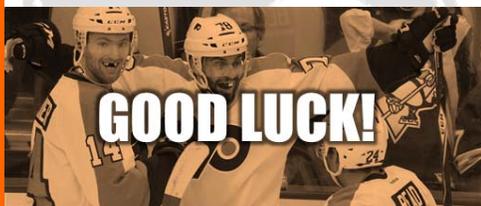
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Recall Report Continued, Affected Vehicles List

HONDA	TOYOTA
2001-2005 Honda Civic 2001-2007 Honda Accord 2002-2006 Honda CR-V 2003-2011 Honda Element 2002-2004 Honda Odyssey 2006 Honda Ridgeline 2003-2007 Honda Pilot 2003-2006 Acura MDX 2002-2003 Acura TL/CL 2005 Acura RL	2002-2005 Lexus SC 2002-2005 Toyota Corolla 2003-2005 Toyota Corolla Matrix 2002-2005 Toyota Sequoia 2003-2005 Toyota Tundra
NISSAN	BMW
2001-2003 Nissan Maxima 2001-2004 Nissan Pathfinder 2002-2004 Nissan Sentra 2002-2003 Infiniti QX4 2001-2004 Infiniti I30/I35 2003-2005 Infiniti FX35/FX45	2000-2006 3 Series Coupe 2000-2005 3 Series Sedan 2000-2005 3 Series Sports Wagon 2000-2006 3 Series Convertible 2001-2006 M3 Coupe 2001-2006 M3 Convertible
CHRYSLER	MAZDA
2003-08 Dodge Ram 1500 2005-08 Dodge Ram 2500 2006-08 Dodge Ram 3500 2006-08 Dodge Ram 4500 2005-08 Dodge Durango 2008 Dodge Ram 5500 2005-08 Dodge Dakota 2005-08 Chrysler 300 2007-08 Chrysler Aspen	2003-2007 Mazda6 2006-2007 MazdaSpeed6 2004-2008 Mazda RX-8 2004 B-Series Truck 2004-2005 MPV
FORD	SUBARU
2004 Ranger 2005-2006 GT 2005-2007 Mustang	2003-2005 Legacy 2003-2005 Baja 2003-2005 Outback 2004-2005 Impreza
MITSUBISHI	GENERAL MOTORS
2004-2005 Lancer 2006-2007 Raider	2005 Saab 9-2X 2003-2005 Pontiac Vibe

OCTOBER IS BREAST CANCER AWARENESS MONTH



Breast cancer is the most common form of cancer among women in the United States (aside from skin cancer) and the second leading cause of death in women. There is no way to prevent breast cancer, but risk factors can be managed by limiting alcohol intake, exercising regularly, and maintaining a healthy body weight.

You may be at a high risk if: you have a known BRCA1 or BRCA2 gene mutation or a first-degree relative with a BRCA1 or BRCA2 gene mutation; had radiation therapy to the chest between the ages of 10 and 30 and have Li-Fraumeni syndrome, Cowden syndrome, or Bannayan-Riley-Ruvalcaba syndrome; or have first-degree relatives with one of these syndromes.

Early detection is also vital to increasing chances of effective treatment. Breast cancer can be detected through self and clinical examinations, mammograms and Magnetic resonance imaging (MRI) testing. Consult your physician about the best method for you based on your personal risk factors.

BREAKING IT DOWN

XOLAIR AND XARELTO: NEWLY DISCOVERED DANGERS OF HIGHLY PRESCRIBED DRUGS

■ By Claudine Q. Homolash

Sometimes, it seems like there are more medicines than diseases. Many times, drugs that are supposed to help with your medical condition worsen your underlying condition or even hurt you. With more and more drugs being brought to market, the Food and Drug Administration (“FDA”) occasionally streamlines the drug approval process and drugs are sold to patients without being adequately tested or with unknown risks.

Messa & Associates has recently expanded its drug injury practice. Claudine Homolash, Esquire along with the firm’s founder, Joseph L. Messa, Jr. Esquire, are investigating two drugs that may cause you or a loved one significant injury.

The first drug of focus is XARELTO. XARELTO (rivaroxaban) is one of the newest blood thinners on the market. It is manufactured by Bayer and marketed by Johnson & Johnson’s subsidiary, Janssen Pharmaceuticals. The drug was approved in 2011. With XARELTO being the most highly prescribed drug in its class, many of the nation’s top

doctors are very concerned about the drug’s safety. There have been a number of serious bleeding events attributed to XARELTO. Injuries reported include death caused by uncontrolled bleeding, intestinal bleeding, rectal bleeding and brain hemorrhaging. In addition, while it is supposed to prevent blood clots, the FDA has already received reports of dangerous blood clots in people taking the drug. Unlike the common blood thinner Coumadin (warfarin), XARELTO has no antidote to stop uncontrollable bleeding. Lawsuits against the drug makers accuse the drug companies of concealing important safety information and not conducting sufficient testing prior to bringing the drug to market.

Messa & Associates is also investigating injuries caused by the anti-asthma drug XOLAIR. The FDA recently announced that XOLAIR is associated with a higher risk of heart attack, mini-stroke, chest pain and blood clots in the lungs and veins, among other problems.

The FDA added information about the increased risks to the drug’s label after analyzing findings from a

five-year safety study submitted by the drug’s manufacturer, Genentech, a unit of Roche Holding AG, and 25 clinical trials comparing XOLAIR to a placebo.

XOLAIR is an injectable drug that was originally approved in 2003 to treat moderate to severe asthma in adults and children ages 12 or over whose condition was not controlled by inhaled steroids. The drug is also approved to treat a chronic form of hives in adults and adolescents.

The FDA said that the recent data is suggestive of a serious safety signal. The FDA also reported that it could not rule out a potential cancer risk associated with the drug, and therefore required the manufacturer to add this information to the drug’s label.



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Counsel attorney with Messa & Associates,
representing victims of drug injuries in
PA, NJ, and NY.*

Settlements and Verdicts

Cabrero v. City of Philadelphia

\$350,000 settlement for a client that was rear-ended by an unmarked Philadelphia Police vehicle.

As a result of the crash, plaintiff suffered severe injuries to her cervical spine requiring spinal fusion surgeries and causing permanent numbness in fingers as well as permanent loss of cervical range of motion.

AROUND THE OFFICE



The attorneys at Messa & Associates attended the Philadelphia Bar Association's Bench-Bar & Annual Conference on October 17-19, 2014. The conference was held at the Borgata in Atlantic City, New Jersey. During the conference, the attorneys attend courses to earn CLE credits.



Have a safe and happy Halloween!



Many congratulations to Bev Miller, the winner of our Phillies SuperFan Photo Contest! Bev's fan selfie earned 726 votes! She won 2 tickets to the Diamond Club complete with parking passes and \$30 dollars for food and drink. Bev let us know that she was, "very grateful to be the winner." Thanks for participating, Bev!

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Suite 2
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Conshohocken, PA 19246
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