

THE LEGAL OUTLOOK

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“The only thing necessary for the triumph of evil is for good men to do nothing.”

**EDMUND
BURKE**

PHILADELPHIA CITY COUNCIL PRESENTS JOE MESSA WITH CITATION HONORING HIS WORK AS AN ADVOCATE FOR INJURED WORKERS.



On August 31st, Messa & Associates, P.C. founder, Joseph L. Messa, Jr., received a city council citation, presented by Councilman David Oh, to celebrate and honor Mr. Messa’s contributions and achievements as an advocate for injury victims, especially injured workers throughout the Philadelphia region.

The citation comes as a result of an anonymous nomination to and subsequent committee review by PhillyLabor, an organization that provides programs, resources, and services to the Philadelphia area union community. PhillyLabor’s

Injured Workers Advocacy Initiative “recognizes and honors top injured workers, professionals, and advocates who have dedicated their professional lives to serving and advocating on behalf of injury victims and injured workers with distinction.”

The nomination and selection of Mr. Messa is a testament not just to his continued hard work and dedication to clients, but also to his commitment to the Philadelphia union community. Mr. Messa grew up in a union household, where his father at different times was a member of the Transport Workers Union of America (TWU), Railroad Train Workers Union, and AFSCME, while employed for 30 years by Penn Dot. Joe Messa respects the work of union laborers and uses his own skills to make sure that job-site injuries don’t ruin lives.

In addition to his work for injured victims throughout the Philadelphia region, Joe Messa also spends time in service to the community. He hosts a yearly event to provide school supplies for underprivileged students in Philadelphia, sponsors an annual food and music festival in South Philadelphia, and annually donates to many organizations, including the Salvation Army, Philabundance, The Boys & Girls Clubs of America, and more. Joseph Messa is an exemplary attorney and a model of what Messa & Associates, P.C. stands for; dedication to clients and service to the community.

SETTLEMENTS & VERDICTS

Richard J. Heleniak has secured a confidential \$1.6M settlement for his client who sustained permanent brain damage caused by vitamin B1 deficiency, the result of the medical providers' failure to include necessary vitamin additives in the total parenteral nutrition which they ordered and supplied. Mr. Heleniak's client is now unable to return to work in the financial field, is affected in his ability to walk, is unable to drive or to enjoy his former hobbies which included traveling with his wife. The settlement will provide funds necessary for ongoing cognitive therapy and will replace lost wages for both him and his wife, who is now his caretaker.

Messa & Associates sponsors 4th Annual Yo' South Philly Phestival!

On Sunday, September 10th, attorneys and staff members at Messa & Associates joined hundreds of South Philly residents at the Yo' South Philly Phestival at 18th & Pollock streets to celebrate music, food, and culture in South Philadelphia.

Messa & Associates was the title sponsor of the music festival for the second consecutive year and handed out prizes to guests who stopped to visit the table. Prizes include hoodies, t-shirts, fidget spinners, edible treats, lip balm, and water bottles. Four very lucky guests won tickets for the Eagles, Flyers, Phillies, and Temple Football.

On sponsoring the event, Joe Messa said,

"Supporting the community sometimes means supporting community initiatives and I am more than happy to back this initiative 100%. With so

many efforts these days to tear communities apart and pit people against each other, it's more important than ever for people to come together. I am proud to be a member of this community and I want to do anything and everything I can to support its members."

A stage set up at the back of the church yard on 18th & Pollock featured local celebrities and music acts, including DJ Johnny Looch, Gabby Delisi, Justin Gonzalez, Buster, The Cultour, Flip the Page, Tony Mecca & The Heavy Metal Gypsies, The Business, Charlie Gracie, Night Fever featuring Jimmy Lee, and Felicia Punzo.



Target Recalls 4-Drawer Dressers

-"Room Essentials" dressers recalled due to tip over and entrapment hazards.

Retail giant, Target, has issued a recall of their *Room Essentials 4-drawer dressers*, sold in three colors, due to serious tip-over and entrapment hazards. The recall includes about 180,000 units in the United States and Canada.

Dressers pose death hazard

The Room Essentials dressers, when not correctly anchored to the wall, are unstable and pose a tip-over hazard. Tip-over accidents are incredibly dangerous and kill at least one child every two weeks in the United States.

At least 12 incident reports were filed regarding these Target brand dressers tipping over. Two of those incidents involved a dresser falling on a toddler. Fortunately, no injuries or deaths were reported.

The recalled dressers were sold at Target stores nationwide and online at Target.com from January 2013 to April 2016 for about \$120. The dressers were available in black, espresso,

and maple.

Consumers affected by the recall should immediately stop using the dresser if it is not properly anchored to the wall. If children are present in the home, the dresser should be moved to an area they can not access. The dresser can be returned to Target for a full refund.

More information is available by calling Target customer service at 1-800-440-0680 from 7 a.m. to 8 p.m. CT, seven days a week. Or you can visit online at www.Target.com and click on "Recalls" at the bottom of the page, then "Furniture" for more information. Information can also be found on the "Product Recalls" tab at www.Facebook.com/Target.



Civil Justice for Crime Victims

Justice, under the law, can come in two forms: criminal AND civil.

■ **By Brett M. Furber**

In a moment your entire life has changed. One minute you were safe, secure, with nothing to fear. Then, in a terrifying instant, your life is turned upside down due to the criminal act of another. It may result from being hit by a drunk driver, after being physically assaulted in a hotel or shopping center, or even being sexually abused in a supposedly safe environment. After any such harrowing experience, there is one thing that the law can provide to the victims of these crimes – justice. But a crime victim and their family must remember that justice, under the law, can come in two forms: criminal AND civil.

According to The National Crime Victim Bar Association, more than 24 million Americans are victimized by crime each year. While most victims of crime think of justice in terms of a prison sentence, it is very important to remember that the law provides for justice in another form, via a civil lawsuit. The civil justice system does not try to determine the guilt or innocence of a defendant but rather determines if that defendant or, possibly a third party, is liable for your injuries. If

any party is found liable for hurting you, they can be ordered to pay you money as compensation. This form of justice cannot be overlooked by crime victims.

Imagine the horrible situation where you or a loved one were stuck by a drunk driver. Fortunately, that driver is arrested and prosecuted criminally. You may be asked by an Assistant District Attorney to go to court and testify as a witness against the Defendant. While that process can provide a strong sense of comfort and justice to you and others in the community, you must also remember your civil justice rights as well. You, as a victim, deserve to be made whole for the physical, emotional, and property damaged that you suffered. That drunk driver may have been visibly intoxicated and negligently overserved at a local bar prior to the accident. If so, that bar could be liable for damages relating to your injuries.

Unlike in the criminal context, where a government attorney or prosecutor, who represents the state, is assigned to your case, you now have the responsibility of hiring legal representation on your

behalf to pursue civil justice. Just because a defendant was arrested, does not mean that any civil proceedings will begin unless you proactively seek an attorney who files a lawsuit on your behalf. That is where the lawyers at Messa & Associates, with our vast background in both civil and criminal courts, can step up to assist you at a time of need. We have the knowledge, information, and knowhow to navigate the system and hold the proper parties responsible for your loss.

It is important to remember your civil justice rights after you have been victimized by a criminal. Civil justice provides you with the best opportunity to be compensated financially for your injuries and damages. Even if there is one criminal defendant, the negligence of many different parties may have resulting in you being victimized. Speak with an attorney who understands the complex world of criminal and civil justice, like those at Messa & Associates, to make sure you fully seek justice after such a terrible ordeal.



*Brett M. Furber
(bfurber@messalaw.com) is a
medical malpractice and
personal injury attorney
representing catastrophically injured
clients in Pennsylvania and
New Jersey.*

AROUND THE OFFICE



On Sunday, September 17th, attorney Justin Groen finished the Rock 'n' Roll Philly half marathon, sponsored by the American Association for Cancer Research. The race, which was just over 13 miles, started and ended at Eakins Oval, in front of the Art Museum. Congratulations, Justin!



Messa & Associates welcomes two new paralegals to the team! Stephanie McDevitt and Jodi Paulus will be working on medical malpractice and personal injury cases with attorneys Almquist, Theodosopoulos, dePillis, and Groen. Welcome to the firm!



September is a big month for birthdays at Messa & Associates! Wishing a great day and coming year to Gina Iezzi (Sep 2), Elaine Hopkins (Sep 21), Megan Kwak (Sep 25), Roseann Gomez (Sep 26) and Brett Furber (Sep 26).

Happy Birthday!!

MAIN LOCATIONS

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

CHERRY HILL
2091 Springdale Rd., Ste. 2
Cherry Hill, NJ 08003
P: 856-810-9500

SATELLITE LOCATIONS

GERMANTOWN
6000-6002 Germantown Ave
Philadelphia, PA 19144
P: 215-844-1614

PITTSTON
309 Wyoming Ave
Pittston, PA 18643
P: 570-883-0800

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

LINWOOD
605 New Road
Linwood, NJ 08221
P: 609-601-1644

ROSELLE
520 West First Ave
Roselle, NJ 07203
P: 908-300-3900

COLLINGSWOOD
475 White Horse Pike
Collingswood, NJ 08107
P: 877-637-7252

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