

# The Legal Outlook

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### Consumer News:

## RECALL REPORT



### Baby Food Recalled for Glass Content

Beech-Nut has issued a recall of approx. 1,900 lbs of baby food that may be contaminated with foreign matter. The recall includes only 4-ounce jars containing "Stage 2 Beech-Nut CLASSICS Sweet Potato & Chicken." An expiration date on the jar reads "Dec 2016." One oral injury reported.

Consumers are urged to STOP USAGE and call 866-674-4446 for more information.

## SPRING FORWARD WITH SAFETY: THE NATIONAL SAFETY COUNCIL REMINDS US TO TAKE THE PROPER PRECAUTIONS FOR THE SEASON



After a cold and snowy winter, Spring is FINALLY upon us. Blistering winds and icy roads are soon to be replaced with warm sunshine and the smell of fresh cut grass. Color and life will return to our gardens and parks, and the cheerful sounds of children playing will return to our streets. During this exciting transition from Winter to Summer, the National Safety Council (NSC) offers a few reminders to help us "Spring Forward with Safety."

Those who practice Spring Cleaning would be smart to follow these easy tips from the NSC;

1. When moving furniture, keep your back straight and lift with the legs.
2. Keep cleaning products and solutions out of reach of children. When using cleaning products, follow instructions on the label.
3. Use caution while walking on wet surfaces.
4. Wear a mask while cleaning dusty areas of your home.

Because spring breezes are so pleasant, it's very common for windows and doors to remain open during the day. The NSC offers tips on Window Safety to ensure that you and your family remain unharmed around open windows.

**(cont'd on page 2)**

IF WE DO NOT MAINTAIN JUSTICE, JUSTICE WILL NOT MAINTAIN US.

FRANCIS BACON

# #CallsKill

Every year, the **National Safety Council (NSC)** promotes *Distracted Driving Awareness* during the month of April. This year, the council's distracted driving campaign, **#CallsKill**, focuses on the dangerous and often deadly habit of making phone calls (hand held and hands-free) while operating a vehicle.

The NSC aims to use their 2015 campaign to help educate drivers of the risks associated with cell-phone use while driving. The council also wants drivers to learn that hands-free devices are not safer than hand held devices, as phone conversations while driving still provide a significant cognitive distraction.

The council's statistics state that cell phone use while driving leads to 1.6 million crashes and 330,000 injuries a year. Eleven teens die EVERY DAY as a result of texting while driving.

As part of the campaign, the NSC urges drivers to take the Focused Driver Challenge and pledge to drive cell free.

Visit [www.nsc.org/pledge](http://www.nsc.org/pledge) to take the **Focused Driver Challenge & PLEDGE TO DRIVE CELL FREE.**



## SPRING FORWARD, CONT'D.

According to a 2015 report by SafeKids.org, eight children under the age of five die from falling out of a window each year. In order to prevent this kind of tragedy in your home, follow the NSC's simple window safety tips.

1. There is no substitute for adult supervision when it comes to a child's safety around open windows.
2. When opening windows for ventilation, make sure children can't reach them.
3. Do not rely on insect screens to prevent a fall—they are not designed to withstand the weight of a person.
4. Keep furniture away from windows to prevent children from climbing up to windows and potentially falling.

The National Safety Council has much information to offer when it comes to keeping your family safe throughout the year. Visit their website at [www.NSC.org](http://www.NSC.org) for more information. HAPPY SPRING!

## LISTERIA SCARE CAUSES CREAMERY TO CEASE OPERATIONS

As the weather gets warmer, indulging in cold treats becomes a fun activity for kids, friends, and families alike. This spring, it's important to know about two ice cream recalls that could potentially put your family in danger.

**Blue Bell Creameries** and **Jeni's Splendid Ice Creams** have both issued voluntary recalls of their entire inventories due to possible contamination by *Listeria Monocytogenes* which can cause Listeriosis. Fortunately, Listeriosis is not considered a serious risk for most healthy humans. Generally, it manifests as a fever, muscles weakness, diarrhea or other gastrointestinal symptoms. These severe side effects pose a greater risk to individuals with compromised immune systems or women who are pregnant. Listeriosis can cause miscarriage, stillbirth, premature labor and serious illness or death in newborn babies.

In addition to the recall, Blue Bell Creameries has completely shut down it's Oklahoma plant until the source of the bacteria is found and neutralized. Jeni's has closed all scoop shops and production lines until the bacteria threat is gone. *Blue Bell And Jeni's* products were distributed nationwide.

If you are experiencing any symptoms following the consumption of a recalled product, it is important to seek the attention of a medical professional.



# BREAKING IT DOWN

## MEDICAL MALPRACTICE AND ITS IMPLICATIONS IN PHILADELPHIA

■ By Justin L. Groen

This past month, I had the privilege of lecturing Emergency Department residents of a prestigious Philadelphia hospital about the realities and law of medical malpractice claims.

Together we discussed the residents' fears of medical malpractice claims and examined the real world implications of medical malpractice in the Philadelphia area. While researching for the presentation, I was surprised by the following statistics and the implications that they have on our practice.

According to the Pennsylvania Supreme Court, in 2013 there were only 1,546 medical malpractice cases filed throughout the Commonwealth of Pennsylvania. More specifically, 382 medical malpractice cases were filed in Philadelphia County, 53 were filed in Bucks County, and 94 malpractice cases were filed in Montgomery County.

In context, the amount of malpractice claims are only a minuscule number of patients who

receive treatment in our area hospitals. For instance, according to their websites, Thomas Jefferson University Hospital treats more than 60,000 adult and pediatric patients annually, Methodist Hospital treats 43,000 patients annually, Hospital of the University of Pennsylvania treats over 60,000 patients annually, and Pennsylvania-Presbyterian Medical Center treats over 40,000 patients per year.

More telling is that in 2013, fifty-five percent (55%) of the verdicts in Philadelphia were for medical providers, one hundred percent (100%) of the verdicts in Bucks County were for medical providers, eighty-one and a third percent (81.3%) of the verdicts in Montgomery County were for medical providers, and seventy-seven and a third percent (77.3%) of the verdicts were rendered for medical providers statewide.

The implications of this information were important not only to the residents, but also for our practice at Messa & Associates. For the residents, it was important to realize that the next person they

render treatment to was not (statistically speaking) their next malpractice claim, but rather their next patient. For our practice, the information confirmed the importance of our increasingly thorough review and diligent representation of our clients' malpractice claims.

We understand that although we have an uphill battle, we have been extremely successful in obtaining wonderful results for our clients. This is because our team of experienced malpractice attorneys and nurse paralegals review each case to ensure that our clients receive the best representation and advice we can provide. That way, we ensure that when we go to trial on behalf of our clients we are in a position to obtain positive verdicts, and ensure that our clients are appropriately compensated for their life altering injuries.



**Justin L. Groen**  
*(jgroen@messalaw.com) is a personal injury and medical malpractice attorney, representing catastrophically injured clients in Pennsylvania and New Jersey.*

## Settlements and Verdicts

### **CONFIDENTIAL**

**\$1.3 Million** jury verdict in a medical malpractice case regarding serious injuries sustained in a negligent gynecological surgery.

# AROUND THE OFFICE



Messa & Associates welcomes new medical malpractice paralegal Mercedes Cauchi to the firm's skilled and dedicated support staff. Mercedes, or Merc, comes with over 20 years of paralegal experience, on both the plaintiff and defense sides. Merc will be working with Eric Weitz. Welcome!!



Happy Birthdays are in order this month at Messa & Associates for secretary Caroline James and attorney Justin L. Groen.

Happy Birthday to you!



On Thursday, April 23rd, it was wonderful to have Roseann Gomez's grandson Christian and Donna Feltman's grandson Bailey with us for **Take your Child to Work Day!** The two were busy helping their Grand-moms with scanning, copying, faxing, stapling, and more!

## 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  
P: 215-844-1614

### 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

# Messa & Associates

TRIAL ATTORNEYS WITH A REPUTATION FOR RESULTS

## EDITORS

ANGELA LEONE | [aleone@messalaw.com](mailto:aleone@messalaw.com)

MEGAN KWAK | [mkwak@messalaw.com](mailto:mkwak@messalaw.com)

## CONTRIBUTORS

ANGELA LEONE | [aleone@messalaw.com](mailto:aleone@messalaw.com)

KATHLEEN BRITT | [kbritt@messalaw.com](mailto:kbritt@messalaw.com)