

# Messa & Associates

ATTORNEYS WITH A REPUTATION FOR RESULTS

# The Legal Outlook

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### Consumer News:

## RECALL REPORT



### IKEA PATRULL Night Light Recalled due to Shock Hazard

IKEA has recalled over 440,000 PATRULL night-lights in the US and Canada due to a potential shock hazard caused by the detachment of the light's plastic covering. One incident of electric shock and injury reported in Austria.

Consumers are asked to immediately unplug the lights and contact IKEA for a full refund by calling 888-966-4532.

## Joseph L. Messa, Jr. and Eric H. Weitz Listed in the 22<sup>nd</sup> Edition of *The Best Lawyers in America*® for 2016



Messa & Associates, P.C. is proud to announce that firm founder, Joseph L. Messa, Jr. and firm partner, Eric H. Weitz, have been selected by their peers to be listed in the 22nd Edition of *The Best Lawyers in America*®. The publication by *Best Lawyers*®, the oldest and most respected peer-review publication in the legal profession, includes over 52 thousand of the top-performing attorneys in 137 practice areas across 50 states plus the District of Columbia. Mr.

Messa was nominated for his superior performance as a plaintiff's attorney in the area of Products Liability litigation. Mr. Weitz was nominated for his skilled representation of clients in a number of practice areas, including Mass Torts & Class Action litigation, Medical Malpractice litigation, Personal Injury litigation, and Commercial litigation.

Inclusion in the publication requires peer nomination and a detailed evaluation by fellow attorneys practicing in the field. The nomination and selection of Messrs. Messa and Weitz is a testament not just to their continued hard work and dedication to clients, but also to their devotion to service. Not only do both attorneys successfully represent catastrophically injured victims of medical malpractice and other forms of negligence, but they commit significant amounts of their time to community endeavors. Mr. Weitz serves consumers of Pennsylvania on the *Pennsylvania Patient Safety Authority* Board of Governors and serves his fellow legal professionals as Chairman of the Board of Governors for the *Philadelphia Bar Association*. Mr. Weitz is also an active board member of the *Philadelphia Trial Lawyers Association* and the *Pennsylvania Association for Justice*. Mr. Messa currently serves as President of the *Philadelphia Trial Lawyers Association*, is an active member of the *American Association for Justice*, is a Fellow of the *American Bar Association*, and serves on the *Pennsylvania Association for Justice* Board of Governors.

Both Joe Messa and Eric Weitz are skilled litigators, earning a number of seven- and eight-figure settlements and verdicts for clients, including a \$120 Million settlement in orthopedic bone screw litigation, \$35 Million in a single vehicle commercial truck product liability case for a man who was paralyzed, \$28.75 Million verdict for a foster child rendered a paraplegic in a motor vehicle accident, and an \$8.6 Million verdict for the family of a child who suffered severe brain damage because her delivery was inexplicably and negligently delayed.

Joseph Messa and Eric Weitz are exemplary attorneys and models of what Messa & Associates, P.C. stands for; dedication to clients and service to the community.

“ AUGUST RAIN: THE BEST OF THE SUMMER GONE, AND THE NEW FALL NOT YET BORN. THE ODD UNEVEN TIME.

SYLVIA PLATH



The **National Public Health Information Coalition (NPHIC)** prepares a communication tool kit each year to help promote the importance of immunizations during immunization awareness month in August. The **US Centers for Disease Control and Prevention (CDC)** called immunizations/vaccinations one of the top 10 public health accomplishments of the 20th century, but warns that vaccination rates for some diseases are not meeting national public health goals.

There are two central messages of the NPHIC's yearly initiative, including;

- Vaccines are an important step in protecting against serious, and sometimes deadly, diseases.
- Vaccines are recommended throughout our lives.

Information from the NPHIC details the instances in which immunization may be necessary after infancy, including school requirements, pregnancy, college requirements, and adulthood.

The tool-kit is available to anyone at [www.nphic.org/niam](http://www.nphic.org/niam). The CDC and the NPHIC both encourage anyone and everyone to download it's contents and read through it to become thoroughly educated on the necessity of immunization.

## Third-Annual School Supply Giveaway a Huge Success!



Messa & Associates teamed up for the second consecutive year with the Boys & Girls Clubs of Philadelphia to host our third annual Back-to-School Bash! This year's event took place at the Lauretha Vaird Boys & Girls Club in the Feltonville section of the city on a warm, sunny August 7th afternoon. Volunteers from the office included attorneys Joseph Messa, Tom Sweeney, Meg Kwak, and Ray Arreola, and staff members Cathy Steffa, Roseann Gomez, Laura Zaffiri, Lisa Lopez, Darla DiCrecchio, Angela Leone, Kate Britt, Joe Kerr, Chris Holmes, and Justice Hopkins. Friends and family of Messa Associates also attended to lend a hand and helped perform the many tasks necessary to carry out such a large scale event.

Children and families in attendance enjoyed free food and drink donated by local sponsors; fresh fruit donated by the Philadelphia Wholesale Produce Market; hot dogs donated by Clemens Food Group; potato chips donated by Herr Foods, Inc.; fruit juice donated by Cream-o-Land Dairies; cold water donated by The Office of Councilwoman Maria Quinones-Sanchez; candy donated by Frankford Candy; and popsicles donated by J&J Snack Foods. Children also had the opportunity to win prizes by playing a variety of carnival style games peppered throughout the large field outside the Lauretha Vaird club. In addition to carnival games, there was an arts and crafts tent that allowed children to create their own sand art and scratch art. There was also a face painting tent where children could have their faces painted and have balloons animals made.

The central focus of the day, however, was to send children home with backpacks filled with school supplies for the upcoming school year. Each year, 1,000 bags are prepared, in hopes that 1,000 children will attend and take home a bag. This year, that happened! One-thousand bags were given away and 1,000 students in Philadelphia will be better prepared for school come September.

The Back-to-School Bash is Messa & Associates' opportunity to give back to the community in an active way. We look forward to the day every year. We only hope that next year, we can be even more successful in providing a day of family fun while also setting up the children of Philadelphia for a successful school year.

# BREAKING IT DOWN

## DRAM SHOP CASES AND THE TRAUMA OF DRUNK DRIVING ACCIDENTS

■ **By Anastasia Buccino-Roth**

We at Messa & Associates are proud of our success in obtaining compensation for the innocent victims of someone else's negligence. Injuries may be caused by negligence occurring in a wide variety of areas. People may be injured by negligent medical treatment, a defective product, poor maintenance of property, careless driving, and other negligent acts and omissions.

All too often, horrific injuries occur when alcohol is combined with driving. In such cases, Messa & Associates pursue the drunk driver and in many cases we also pursue the business (most often a bar) that served alcohol to the drunk driver. Cases against the business that served alcohol to the drunk driver are known as Dram Shop cases.

Under Dram Shop law, a bar that serves alcohol to a visibly intoxicated person (a drunk) is legally responsible for the damage the visibly intoxicated person causes. The justification for making a bar responsible for the actions of a person it served alcohol to, is based on the nature of alcohol, its effects on drivers, and the trauma that results when alcohol and driving are combined.

This article discusses alcohol and its relationship to injuries.

We begin with a discussion of trauma. The praiseworthy work of the American Heart Association and the American Cancer society has made all of us aware of the seriousness and tragedy of these diseases. In addition to these terrible

diseases, a third and powerful killer lurks. This killer is trauma. Trauma is the medical term for damage to a person from an external source. Studies by the Center for Disease Control show that trauma is the leading cause of death for individuals aged 1 to 44 years old.

While the very young are less resistant to trauma, so are the elderly. Both groups are less able to sustain and recover from a traumatic injury. Of course trauma not only kills, it also maims and inflicts terrible pain, often permanently.

In addition to the human cost, trauma has a tremendous financial cost. As just one example of the cost of trauma, The National Institutes of Health estimate the cost of just one year of treating adult victims of trauma to be 27 billion dollars.

Everyday experience tells us that motor vehicle accidents are a major cause of trauma. This is confirmed by medical science. The Mayo Clinic points out that when considering the possible causes of spinal cord injuries, including falls and gunshots, the leading cause is motor vehicle accidents.

Trauma produces painful and expensive results. Motor vehicle accidents are a leading cause of trauma. This witch's brew of evil is stirred up and made worse by the addition of alcohol to motor vehicle operation. While the connection between excessive alcohol and traumatic injury is readily apparent, a presentation by the American College of Surgeons sets forth the connection

clearly and concisely.

Ethyl alcohol, or ethanol, is an intoxicating ingredient found in beer, wine, and liquor. A standard drink equals 0.6 ounces of pure ethanol. A standard drink would be: 12 ounces of beer; 8 ounces of malt liquor; 5 ounces of wine; or 1.5 ounces (a "shot") of 80-proof distilled spirits or liquor (e.g., gin, rum, vodka, or whiskey). The American College tells us, "[a]lcohol is a drug and affects the body just like pills or injections." The more you drink, the more you are affected. Alcohol affects the operation of a motor vehicle in many ways: shortens attention span, slows reaction time, interferes with performance of complex motor tasks, and causes serious misconceptions. "Alcohol is responsible for approximately half of all trauma deaths and nonfatal injuries in the United States—a very tragic and very expensive public health problem that continues every day and every night."

Alcohol is a drug that impairs those who use it. Impaired individuals injure innocent people. Those who sell alcohol must be careful who they sell alcohol to. If they sell alcohol to a visibly intoxicated person, they are properly held responsible for the consequences.



**Anastasia Buccino-Roth**  
([abuccino-roth@messalaw.com](mailto:abuccino-roth@messalaw.com)) is a medical malpractice and personal injury attorney representing catastrophically injured clients in PA and NJ.

## Settlements and Verdicts

### **CONFIDENTIAL**

**Irene M. McLafferty—\$400,000 settlement** in a dram shop case on behalf of the Estate of a young man killed in a motorcycle accident after leaving a Pennsylvania bar. Decedent was served alcohol for hours past the point that he was visibly intoxicated and was permitted to leave the bar on his motorcycle after last call.

# AROUND THE OFFICE



Messa & Associates offers a heartfelt goodbye to attorney Matthew Y. Rong who is moving on from MessaLaw to practice law in New Jersey. Thank you for all of your hard work and dedication and we wish you luck in all future endeavors! Bye, Matt!



MessaLaw celebrates many birthdays this August, including: Cathy Steffa (2nd), Lisa Lopez (8th), Matthew Rong (17th), Chris Holmes (20th), and Irene McLafferty (27th).  
Happy Birthday, Everyone!



Elaine Hopkins' granddaughter, Justice—a high school junior interested in law— spent three weeks with Messa & Associates as an intern. Justice proved a great help in the office, assisting with Back-to-School Bash preparation, deposition and meeting preparation, and other every day tasks. Thanks for your help, Justice. Good luck in school!

## 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

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