

# Messa & Associates

ATTORNEYS WITH A REPUTATION FOR RESULTS

# The Legal Outlook

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## Consumer News:

## RECALL REPORT



### Madewell Sandals Recalled due to Fall Hazards

Ten styles of the *Sightseer Sandals* in Madewell's 2015 spring collection are being recalled due to a fall hazard. Eight incidents have been reported of metal shanks dislodging and breaking through the bottom of the outsole. Fortunately, no injuries have been reported.

Consumers are urged to immediately stop use of the recalled shoes and return to Madewell for a full refund. Return details found at [Madewell.com](http://Madewell.com)

## MESSA & ASSOCIATES, P.C. ENDS THE SUMMER WITH MULTIPLE PRESTIGIOUS HONORS



As the summer winds down and we move into the "busy season," it seems that Messa & Associates, P.C. has a lot to be proud of. In the last few weeks, following the *Best Lawyers*® nominations of Joseph L. Messa, Jr. and Eric Weitz, the firm has received a number of additional (and prestigious) professional recognitions. The endless hard work and dedication by the attorneys and the staff are obvious at times like this and it is with tremendous pride that we list these honors.

Corporate America, through their *Legal Elite* program, named Messa & Associates the **Best Catastrophic Injury Law Firm** in Pennsylvania for 2015.

Messa & Associates received a *Corporate LiveWire Legal Award* for **Medical Malpractice Law Firm of the Year** in Pennsylvania.

Joseph L. Messa, Jr. was named a **Top Rated Lawyer** in Philadelphia for the fifth year in a row by *Philadelphia Life Magazine*.

Messa & Associates received a nomination for the **2015 Legal Awards** presented by *Acquisition International*.

Messa & Associates, P.C. works diligently to help repair the lives of those catastrophically injured by negligence. Firm founder, Joe Messa, said of the recent awards,

*"While the real victories for us are those that provide medical treatment to a permanently injured victim or a second chance at a normal life for a quadriplegic or a college education for a child who lost a parent, these honors just help solidify for us the reality that we are achieving what we've set out to achieve. We are improving the lives of helpless victims and we are effectively fighting for those that can't fight for themselves."*

AUTUMN IS A SECOND SPRING  
WHEN EVERY LEAF IS A FLOWER

ALBERT CAMUS

Sepsis, sometimes referred to as blood poisoning, is the body's often deadly response to infection. Sepsis kills and disables millions each year and requires early detection & treatment.

A 2010 study published in the *Archives of Internal Medicine* found that Sepsis that resulted from hospital-acquired infections alone killed an average of 48,000 a year and cost an additional \$8.1 Million dollars to treat. A year after these alarming results were published, the Sepsis Alliance, which utilizes the entire year to spread Sepsis awareness among healthcare workers and the public, began promoting September as Sepsis Awareness Month.

Because Sepsis requires early detection to properly treat, the alliance utilizes the phrase, '*Suspect Sepsis. Save Lives.*' to encourage healthcare workers and the public to suspect Sepsis when they see any of the early warning signs, including fever, Hypothermia, above-average heart rate, fast respiratory rate, altered mental status (confusion/coma, edema (swelling), and high blood glucose without diabetes.

The risk of death associated with Sepsis increases every hour that passes without treatment, but when acted upon quickly, Sepsis is easily treatable with antibiotics and fluids.

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For more information on detection, treatment, and Sepsis Awareness community events, visit

[sepsis.org/  
sepsisawarenessmonth](http://sepsis.org/sepsisawarenessmonth)

## THE POPE IS COMING! TIPS TO KEEP YOUR FAMILY SAFE DURING THIS BUSY TIME IN PHILADELPHIA



It's a big weekend in America as people the world over are flocking to the east coast to catch a glimpse of the leader of the Roman Catholic Church, Bishop of Rome, and Sovereign of Vatican City— Pope Francis.

For the last few months, we've all heard about how the Holy Father's United States visit will affect Philadelphia; bridge closures, parking passes, traffic boxes, and other inconveniences caused by the anticipated influx of people this weekend. It's important at this exciting and busy time to know exactly what's happening and take proper precautions to keep your family safe.

For those preparing to see the Pope and those planning to stay home amidst the excitement, the World Meeting of Families and the Department of Health have released some tips for your continued safety this weekend.

1. **BE PREPARED FOR CONGESTION.** Roads and highways will most likely be very congested due to a high number of travelers coming from all directions. Whether you are home or on the road, stock-up as soon as possible on essentials like food, water, medicines, first aid supplies, and anything your pet/s might need.
2. **BE PREPARED TO WALK.** Festival grounds will be closed to vehicles and for most, walking will be the only way to get around. Stay hydrated and remain aware of your surroundings. Walk around large crowds instead of through them. If you find yourself in the middle of a crowd, stay standing! Sitting down could result in a deadly accident. Wear comfortable clothing and comfortable shoes and if you feel yourself getting tired or becoming over-exerted, move to the side to sit and take a break.
3. **BE PREPARED FOR EMERGENCY.** This remains true for those at home and those out and about for the festivities. Keep cell-batteries charged and health information on your person at all times. It will be difficult and time consuming to maneuver crowds and traffic congestion in the event of an emergency, so be pro-active. If you suspect a possible emergency, act quickly.

Be safe this weekend, everyone!

# BREAKING IT DOWN

## BULLYING IN THE WORKPLACE

■ By Denise F. Diaz

Research into the consequences of bullying in the workplace has shown that exposure to this type of negative behavior may have devastating effects on the health and well-being of workers.

According to the Workplace Bullying Institute (WBI), workplace bullying is abusive conduct that is threatening, humiliating, or intimidating. While bullying most commonly takes the form of verbal abuse, it is any action by the perpetrator that causes work interference and prevents the target from being productive in the workplace.

There are several factors that contribute to workplace bullying. In highly stressful, competitive work environments, employees may attack one another to simply survive in the workplace. Bullying behavior is perpetuated when employees are not reprimanded or if their harmful actions or words are free of consequences. Bullying differs from aggressive behavior in that while aggression may involve a single act, bullying involves repeated attacks against the target.

Acts of workplace bullying are not always committed by those in positions of power. “Tough” or “demanding” bosses are not necessarily bullies as long as their actions are fair and respectful and their primary motivation is to set high yet reasonable expectations in order to obtain the best performance from their employees. Some bullying situations involve peer-to-peer attacks. Mobbing, a form of bullying, occurs when a group of coworkers target another worker.

Examples of bullying include:

- Exclusion or social isolation
- Being treated differently from the rest of the work group

- Unwarranted or invalid criticism
- Excessive monitoring or micromanaging
- Being sworn at, shouted at, or humiliated
- Blame without factual justification
- Being given unrealistic work deadlines

Bullying is considered institutional when it is entrenched in an organization and is accepted as part of the workplace. Factors that increase the risk for bullying behavior include worker characteristics, such as age, gender, or appearance, and significant organizational change, such as frequent or major restructuring or employee turnover. Workplace relationships also increase the risk of bullying when there is an inadequate flow of information between organizational levels and lack of employee participation in workplace decision-making.

The consequences of bullying can be devastating for both the victim and the organization. Targets of bullying often experience significant physical and psychological problems, including:

- Musculoskeletal problems
- Sleep disturbances
- Gastrointestinal disturbances
- Post-traumatic stress disorder
- Family tension and stress
- Reduced self-esteem
- Frequent absences from work, leading to financial problems due to absence
- Feelings of depression

It is important to note that bullying is different from harassment. Harassment is a type of illegal discrimination defined as offensive and unwelcome conduct toward an individual’s protected class. Protected

classes in employment include race, religion, national origin, sexual orientation/gender identification, marital status, disability, honorably discharged veteran, and military status.

At the first sign of bullying in the workplace, an employee should check if the company has a code of conduct or workplace violence program that addresses psychological intimidation and aggression not based on a protected characteristic. Recognition of bullying behavior is the first step to controlling it. An employee who is being bullied should keep a diary detailing the nature of the bullying and obtain copies of paper trails that contradict the bully’s accusations. If the victim is comfortable doing so, he or she should confront the bully or talk with a trusted individual in the workplace. The victim should always remember that bullying is about control and has nothing to do with his or her performance.

Employers should create a zero tolerance anti-bullying policy that is part of a wider commitment to providing a safe, healthful work environment. Bullying behavior should be addressed and any incidents should be investigated. The most successful organizations promote professionalism, address disruptive behaviors, and adopt a framework for understanding and approaches for taking action. Strong policies that clearly define issues and provide guidelines for action to address bullying behaviors are essential for the health and well-being of an organization and its workers.



**Denise F. Diaz** ([ddiaz@messalaw.com](mailto:ddiaz@messalaw.com)) is an actively licensed registered nurse in PA and NJ and holds national nursing certifications as a Certified Nurse Educator (CNE) and a Certified Post-Anesthesia Nurse (CPAN).

## Settlements and Verdicts

Joseph L. Messa, Jr. and Jenimae Almquist have obtained a **\$6M Confidential Settlement** against two hospitals, three physicians, and three nurses for a 48-year old woman who died prematurely because of a delay in diagnosis and treatment of a rare blood disorder, thrombotic thrombocytopenic purpura (“TTP”). The allegations of the lawsuit included the failure to timely administer lifesaving blood products and plasma exchange therapy and miscommunications about transfer to an institution that could definitively treat the patient.

# AROUND THE OFFICE



Paralegal Manager Cathy Steffa celebrated the wedding of her daughter, Christine Steffa, to Nicholas Karabin on August 29th, 2015 at Christ the King Catholic Church in Haddonfield, NJ. Congratulations to Cathy and many good wishes to the newlyweds!



Messa & Associates welcomes two new members to our skilled team of paralegals! Kristen Healy, paralegal to Suzanne dePillis and Jenimae Almquist, and Adriana Mendoza, receptionist and file clerk. Welcome to the team, ladies!



So many September Birthdays! We wish happiest of birthdays to Gina Iezzi (9/2), Joseph Kerr (9/4), Shari Larson (9/9), Kate Britt (9/20), Elaine Hopkins (9/21), Megan Kwak (9/25), and Roseann Gomez (9/26). Enjoy!

## 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

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