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WHAT'S IN THIS MONTH'S ISSUE:

Deadly Crash Upstate in NY
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5 PEOPLE KILLED, DOZENS INJURED IN DEADLY TOUR BUS CRASH IN UPSTATE NEW YORK

Police identified the five people who were killed in a tour bus crash in western New York on Friday August 22, including a Columbia University student. The tour bus, traveling from Niagara Falls to New York City, careened out of control and fell on its side along an interstate parkway near Buffalo around 12:45 p.m. on Friday. The bus was carrying 54 people, including the driver and a tour guide. Some of the occupants were ejected from and trapped under the bus, according to authorities. Dozens of the occupants were hospitalized for their injuries, including several children.

Authorities are still investigating the cause of the crash, which did not involve any other vehicles. However, they said Friday they believe the driver, Bin Shao, 55, of Flushing, New York, "became distracted, lost control, and overcorrected." Shao "had no signs of impairment and the tour bus had no mechanical failure," according to the news release. The National Safety Council states that each year, distracted driving kills more than 3,000 people, or about eight people each day. You cannot drive safely unless the task of driving has your full attention. Any non-driving activity you engage in is a potential distraction and increases your risk of crashing.

Not just any personal injury or motor vehicle accident attorney is prepared to handle this type of accident. The Philadelphia motor vehicle accidents lawyers at Messa & Associates make it our practice to investigate all possibilities, from the personal responsibility of the driver involved to the design of the road or highway, the maintenance of traffic controls, and many other viable influences. Motor vehicle accident cases are often much more layered than they at first appear, and Messa & Associates has the experience and conviction to uncover the true causes of an accident.

Understanding the Full Impact of an Injury: The Importance of Non-Economic Damages in Personal Injury Lawsuits

By: Megan M. Kwak, Esq.

Life can change without warning. One moment you are going about your daily routine, and the next, a car crash, defective product, or medical error turns everything upside down. In the aftermath of a serious injury, even basic tasks like walking, driving, or preparing a meal can be difficult or impossible. People often find themselves unable to return to work, care for their families, or participate in activities that once filled their lives with meaning and joy.

Beyond the physical injuries, the emotional toll can be just as devastating. A serious injury often leads to the loss of independence, identity, and connection. These psychological injuries may be harder to see, but they are no less real. Depression, anxiety, post-traumatic stress, and isolation are common struggles among injury victims. Though these injuries might not show up on a scan or in a physical therapy record, they can affect nearly every aspect of daily life: your relationships, your ability to function, and your overall peace of mind. In many cases, these emotional injuries persist long after the physical wounds begin to heal.

That is why non-economic damages are a crucial part of any personal injury claim. While economic damages cover medical expenses, lost income, and rehabilitation costs, non-economic damages are intended to address the deeply personal consequences of an injury like pain and suffering, emotional distress, loss of companionship, and the inability to enjoy life as you once did. When an injury prevents you from playing with your children, enjoying your hobbies, or simply getting a restful night’s sleep without pain or anxiety, the law recognizes these as real and compensable harms. Juries, however, are not provided with any mathematical formula to calculate these damages; nor is anyone permitted to suggest a specific dollar amount.

Instead, a judge will instruct a jury to use their own common sense, human experience, and collective judgment to determine what constitutes fair and reasonable compensation for these deeply personal losses.

The impact of a serious injury doesn't end with the injured person; it often extends to their closest loved ones. Spouses may become full-time caregivers, managing not only physical responsibilities but also the emotional burden of watching someone they love suffer. Children may struggle to adjust to a parent who is no longer physically or emotionally available in the same way. Indeed, some of the most compelling testimony in a personal injury case often comes from family members who describe how a once-vibrant person has become withdrawn, dependent, or consumed by pain.

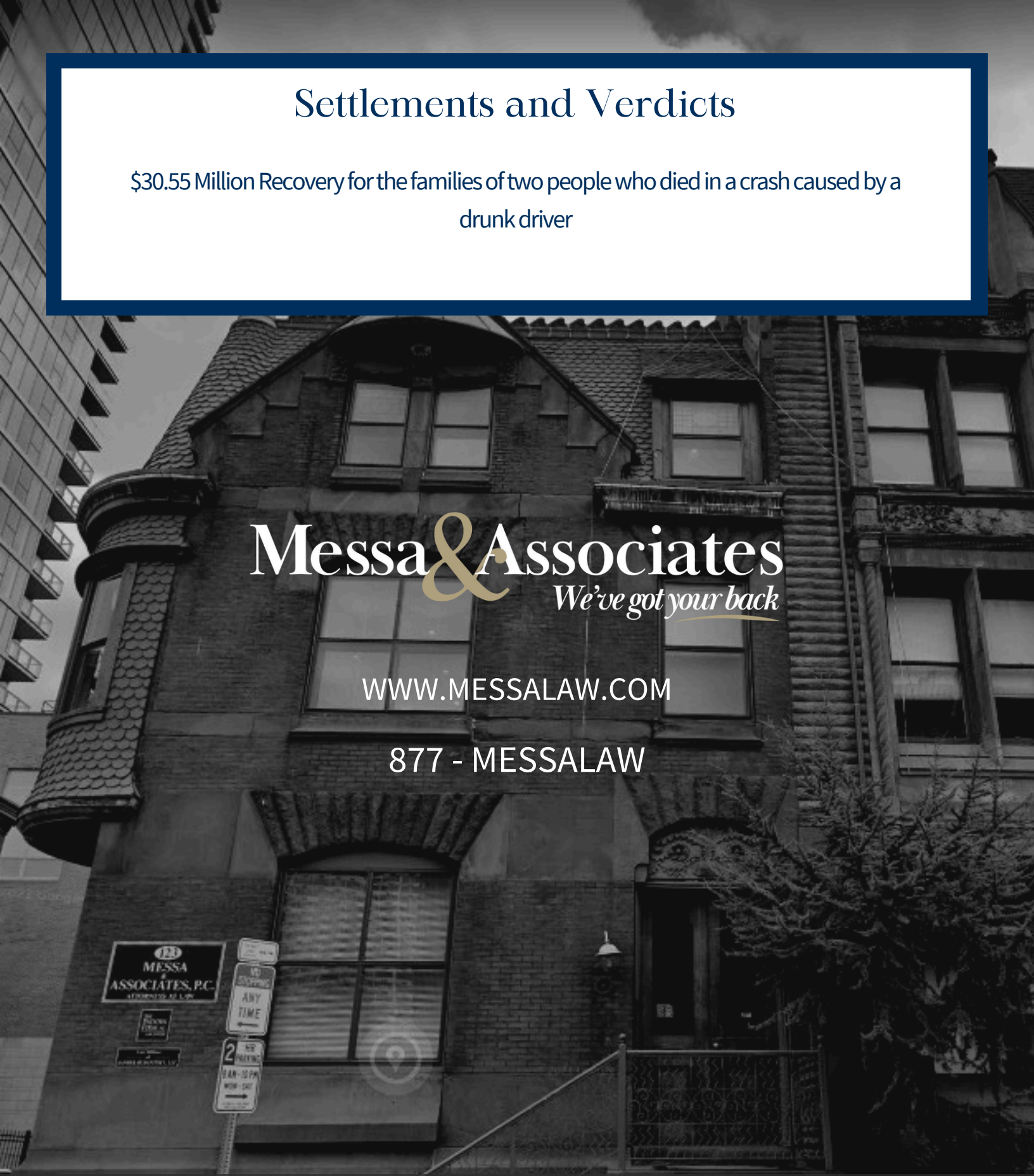
In some situations, family members may also have claims of their own. A spouse, for example, may be able to recover loss of consortium, which provides compensation for the loss of affection, companionship, and support. In cases where a family member suffers severe emotional distress after witnessing a traumatic injury to a loved one, a claim for negligent infliction of emotional distress may be appropriate.

If you or someone you love has suffered a serious injury due to someone else's negligence, you don't have to navigate the consequences alone. At Messa & Associates, we take a comprehensive and compassionate approach to every case, recognizing that an injury disrupts entire lives, families, and futures. We take the time to listen to your full story – how your life has changed, what you and your family have lost, and what support you will need to move forward. By working closely with medical experts, life care planners, and those closest to you, we ensure that both visible and invisible injuries are clearly explained and fully valued. Our team is committed to helping you pursue the justice, accountability, and support you deserve.

About the Author:
Megan M. Kwak, Esq. concentrates her legal practice on complex catastrophic injury litigation with emphasis on medical malpractice including birth injuries, brain injuries, missed diagnoses, products liability, transportation crash cases, and other complex personal injury matters. Ms. Kwak is admitted to the bars in both Pennsylvania and New Jersey, and in Federal Court for the Eastern and Middle Districts of Pennsylvania.

Settlements and Verdicts

$30.55 Million Recovery for the families of two people who died in a crash caused by a drunk driver



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