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WHAT'S IN THIS MONTH'S ISSUE:

Infant Device Recall
Waymo Safety
Settlements & Verdicts

AIRLIFE & VYAIRE INFANT BREATHING SYSTEMS RECALLED OVER RISK OF DEADLY DISCONNECTION

AirLife and medical device manufacturer Vyaire are recalling specific infant breathing support systems due to a potentially dangerous defect that could lead to serious injury or death. The recall, classified by the FDA as a Class I recall, the most serious type, affects AirLife Infant Heated Wire Circuits used in neonatal and infant ventilation. These circuits are designed to warm and deliver breathing gases from a ventilator to a patient. However, accessory adapters included in some of the affected products can unintentionally disconnect during setup or once the device reaches operating temperature.

The recall involves dual-limb, dual-heat, high-flow circuits sold under both the AirLife and Vyaire brands, including model number AH165. Some affected products were also distributed in kit form, containing both the circuit and additional components such as the AH290 chamber. Each product includes a unique device identifier (UDI), which can be found on its packaging.

Messa & Associates represents individuals and families who have been harmed by these defective devices. We work to establish the connection between the exposure and the resulting health conditions, pursuing legal action against manufacturers and responsible parties to obtain compensation for medical costs, lost income, and other damages.

Waymo: Legal Implications of Autonomous Vehicles

By: Colby T. Ciarrocca, Esq.

🚙 Waymo's Philadelphia Debut

This summer, Waymo, the autonomous driving technology company, launched its first "road-trip" testing phase in Philadelphia. Waymo's ride-hailing service is currently available in Los Angeles, Phoenix, San Francisco, Atlanta, and Austin. While no robo-taxis are available for public rides in Philadelphia yet, Waymo's fleet of testing vehicles are navigating traffic hotspots across North Central Philly, University City, Eastwick, and along I-76, I-95, and Penrose Avenue. Waymo's presence in Philadelphia is expected to grow over the coming months, beginning with mapping, testing, and eventually full-service rides with no driver at the wheel. That means you'll soon be sharing the road with driverless vehicles. While this technological leap offers promising innovation in mobility, it also raises new and serious concerns about safety and accountability—especially when something goes wrong.

⚠️ The Risks of Sharing the Road with Autonomous Vehicles

While Waymo boasts its commitment to safety, crashes involving self-driving cars have already occurred across the U.S. Some involve the car's inability to respond to unpredictable behavior—think of a pedestrian suddenly stepping into the street, a cyclist swerving, or erratic driving by a human-operated vehicle.

Key dangers include:

- Sensor limitations: Lidar technology and cameras can be affected by weather, lighting, or debris.
- Blind spots: AI may struggle with complex, nuanced human interactions.
- Responsibility confusion: If no one is behind the wheel, who is at fault when a crash occurs?

Waymo vehicles still rely on software created by humans, and when that software fails, the consequences can be devastating.

⚖️ Legal Considerations — What to Do If You Are Injured by a Waymo or Other Autonomous Vehicle

1. **Call 911 immediately.** Always seek medical attention and report the accident to the police, even if injuries seem minor. Delayed symptoms (e.g., concussion, whiplash) are common and may affect claims.
2. **Document everything**. Take photos of the scene, vehicle(s), injuries, and any road conditions. Gather contact info from witnesses.
3. **Don't talk to insurance companies alone.** Let your attorney handle communications with insurers and Waymo's legal team.
4. **Contact a personal injury attorney.** These cases often involve novel legal questions around product liability, software failure, and regulatory compliance. A lawyer can investigate Waymo's data logs, maintenance records, and regulatory filings to establish fault.
5. **Act quickly.** Evidence such as sensor data and video from the Waymo vehicle must be preserved.

At Messa & Associates, P.C., we are staying ahead of the legal implications of autonomous vehicles to protect our clients. As Philadelphia adapts to this new technology, our commitment remains the same: ensuring injured victims get the justice they deserve.

About the Author:
Colby Ciarrocca focuses her practice on catastrophic injury and complex medical malpractice cases. Ms. Ciarrocca graduated Juris Doctor from Rutgers Law School, Camden, NJ, brings a robust legal education and a dynamic set of experiences to Messa & Associates. Ms. Ciarrocca is licensed to practice law in Pennsylvania and New Jersey.

Settlements and Verdicts

- $1 Million recovery for the family of an elderly woman who died as a result of anesthetic complications during routine cataract surgery.
- $1.4 Million Recovery for a man who was permanently injured due to a defective electric wheelchair.

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