

Messa & Associates

TRIAL ATTORNEYS WITH A REPUTATION FOR RESULTS

JOSEPH L. MESSA JR. AND ASHLEY B. DILIBERTO OBTAIN \$50 MILLION VERDICT FOR ARMY VETERAN AGAINST 3M FOR DEFECTIVE EARPLUGS

WHAT'S IN THIS MONTH'S ISSUE:

- \$50 Million Verdict against 3M for Army Veteran
- Messa & Associates Welcomes New Attorney
- Child Abuse Prevention Month
- Sexual Assault Awareness Month
- Messa & Associates Newest Employees
- MDL Updates

Breaking news came in with a \$50 million compensatory verdict awarded to Luke Vilsmeier, Army veteran and Special Forces Green Beret, against 3M for its defective Combat Arms 3M earplugs. This is believed to be the largest compensatory verdict for a single plaintiff against 3M in history.

Messa & Associates Attorneys, Joseph L. Messa Jr. and Ashley B. DiLiberto tried the case in Pensacola Florida for over two weeks. Vilsmeier suffers severe noise-induced tinnitus and hearing loss due to the defective Combat Arms 3M Earplugs that had guaranteed to protect our service men and women's hearing.

The jury was not deceived by defense counsel's assertion that the Combat Arms earplugs were not defective or were not a cause of Mr. Vilsmeier's hearing injuries during this trial and understood the facts brought by Messa & Associates and their co-counsel, Aylstock, Witkin, Kreis & Overholtz.

Vilsmeier served in the United States Army for over 20 years, fought five combat tours, and was a Special Forces Green Beret. Vilsmeier put his life on the line to protect his country and deserved to have the best safety equipment available to him while doing so. 3M placed profits over our service members safety and now hundreds of thousands of soldiers are facing irreversible injury because of it.



"The only thing that overcomes hard luck is hard work."

Harry Golden

Messa & Associates Welcomes New Attorney, Laura E. Laughlin

Philadelphia catastrophic injury law firm Messa & Associates, P.C. is pleased to announce that Laura E. Laughlin, Esq. has joined our team so we can continue to help more clients who have been catastrophically injured. Laura will concentrate her practice on catastrophic injury cases, including product liability, worksite injuries, and a special focus on medical malpractice and crime victim cases.

Before joining Messa & Associates, Laura has been a trial attorney for two well-known catastrophic personal injury law firms in Philadelphia. Laura has a passion for working with and helping children. In her career, she has stood up for many children and adults that have

been victims of sexual assault or who were injured due to negligence. She has found a passion in representing people who need a fighter on their side.

One of Laura's goals is to help her clients transition from feeling like a victim to becoming a survivor. Her undergraduate psychology degree helps her communicate with her clients that are going through trauma. Laura encompasses compassion and an edge that pushes her to achieve justice.

In Laura's career, she has achieved multiple seven and six-figure settlements and verdicts. She fits right into the Messa & Associates team as she is prepared to take every case to trial. As a trial attorney, she has taken advantage of being able to use the courtroom as a place to tell the story of her clients who may not be able to do it themselves and bring justice and awareness to the legal system.

Laura is an advocate for victims of sexual assault, abuse, and other legal issues in and out of the courtroom. She serves on the National Crime Victim Bar Association as the Vice-Chair of the Amicus Committee.



Settlements and Verdicts

\$50 Million Verdict against 3M for defective earplugs causing hearing loss in Army Veteran.

\$6.4 Million Recovery after children and adults were injured in an apartment fire.

\$4 Million Dram Shop Settlement when restaurant continued serving a visibly intoxicated man.

\$3 Million Settlement after a child is struck by a vehicle while crossing a street.

April is National Child Abuse Prevention and Sexual Assault Awareness Month

Hear from our newest attorney, Laura E. Laughlin, on how to educate and keep your child safe!

"April is Child Abuse Prevention Month. Did you know statistics show that 1 in 4 girls and 1 in 6 boys will be sexually abused before they turn 18? That's a pretty shocking statistic and we all should want to help prevent child abuse so here's a few ways to do so. First, you need to recognize that preventing child abuse is an adult's responsibility, not a child's. Although you may be familiar with the phrase "stranger danger," most children are abused by someone they know and trust. With this in mind, it's important to talk to your kids about body safety. Here are a few things to teach your children:

- Teach them the proper names for private parts (private parts are areas that a bathing suit covers). This is so if someone does something inappropriate, they'll have the language to be able to communicate that to someone to get help.
- Teach kids that no one should ever touch or ask to see their private parts or be shown or asked to touch another person's private parts.
- If they do, they should tell a parent or trusted adult right away and they'll never get in trouble for doing so. "



If you or someone you know has been a victim of sexual assault, we are here to help. The team at Messa & Associates is skilled in helping victims tell their story and get the justice they deserve. You do not have to stay silent, our attorneys will stand by you step by step to support you through these hard times.

Meet Messa & Associates' Newest Team Members!

We are excited to be growing and welcoming more people onto our team.



Kelsey Andreson



Gyannie Gonzalez



Lisa Mullen



Taylor Taranto



Scott Williams

MDL Updates



CPAP: Less than one year after recalling 15 million CPAP and BiPAP devices because they were causing users to inhale toxic carcinogens while they slept, Philips is now recalling hundreds of hospital ventilators because a defective adhesive in the machines may cause them to suddenly stop working. The FDA issued a notice order to appropriately notify the recall to CPAP users under the supervision of the FDA. There are now a total of 262 pending CPAP lawsuits (as of March 16) in the Philips Recalled CPAP class action MDL. The MDL judge, Judge Conti recently issued an order setting a schedule for monthly status conferences moving forward. She also finalized appointments to the Plaintiffs' Steering Committee and established a common benefit fund with set protocols for time and expense submission by plaintiffs' counsel. The parties are beginning to engage in discovery and engage expert witnesses



Zantac: The Judge granted a motion for requested additional time to complete the depositions of five expert witnesses for the plaintiffs that can provide a connection between Zantac and the types of cancer it causes. An earlier order in the case permitted the filing of short form complaints to be recorded in a registry of cases to streamline the litigation process and make information available for the selection of bellwether cases and later settlement purposes. The Judge's latest Order sets a final end date of June 30, 2022 for the registration of the short form cases for the purposes of setting up a final class of litigants. This order will then permit the analysis of diversity in the class and may set up a certain class of litigants and defendants that will be removed from the main class in order to preserve diversity in the class. The order also requires a review of the litigants for commonality of injuries. There is a class of cancers that are more likely to be caused by NDMA, but there are also cancers listed by the plaintiffs that are not among that class. The order requires review of these injuries and a classification of these injuries as additional proofs might be required regarding causality and relation to the litigated medication. The first cases are expected to go to trial by the end of 2022.



3M: On March 25, 2022, Messa & Associates Attorneys, Joseph L. Messa Jr. and Ashley B. DiLiberto, received a \$50 Million Verdict for Army Veteran against Defendant 3M. Mr. Messa and Ms. DiLiberto tried the case in Pensacola Florida for two weeks, and the jury found for Plaintiff, Mr. Vilsmeier, who suffers severe noise-induced hearing loss and tinnitus due to the defective 3M Combat Arms version 2 earplugs that had falsely guaranteed to protect our service men and women's hearing. On March 25, 2022, a Tallahassee jury awarded Plaintiff, Mr. Wilkerson an \$8 million verdict. The most recent trial concluded on the 8th of April, resulting in a Defense Verdict. Out of the fourteen rounds of bellwether trials, eight of them ended in a plaintiff verdict. Jonathan Vaughn's trial begins on Monday the 14th.



BOY SCOUTS
OF AMERICA

Boy Scouts of America: Recently, a trial began in the U.S. Bankruptcy Court in Delaware, to determine whether to confirm the Boy Scouts of America's proposed reorganization plan ("the plan"). The trial is expected to last several weeks and will address issues including insurance rights, liability releases, and the value of over 80,000 child sex abuse claims. The plan includes a \$2.7 billion for victims, which would be the largest aggregate sexual abuse settlement in U.S. history. The average recovery per claimant, however, would be significantly less than in other settlements of sex abuse scandals involving large numbers of victims.

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