



PROTECTING YOURSELF AND LOVED ONES FROM PNEUMONIA WHILE HOSPITALIZED

When you or a loved one is admitted to the hospital, the first thought might not be dental hygiene - but it should not be forgotten.

Studies show that pneumonia is one of the most common infections transmitted in hospitals or other healthcare facilities. It can also be one of the most deadly, especially for those already immunocompromised.

The good news is practicing proper dental hygiene can help protect the body from falling ill to pneumonia and other infections. Brushing teeth helps remove bacteria from the mouth, if it builds up too long, the bacteria will grow and give infections like pneumonia a place to move into the body.

Something important to remember when you enter a healthcare facility such as a hospital or nursing home is to be your own advocate. If a loved one cannot be that for themselves, speak up for them. As much as half of all hospital-acquired infections are preventable.

Here are a few things to note when you or a loved one enter a healthcare facility:

- Request a toothbrush and toothpaste as soon as you are able to, or if you remember, bring one from home. (Floss counts as bonus points!)
 - If your loved ones cannot speak up for themselves, request the supplies for them.
- Remember to brush your teeth twice daily. Don't be afraid to ask for help.
 - Remind the medical staff to brush your loved one's teeth if they are unable to do so.
- Speak up! Do not be afraid to ask for help for yourself or the people you love who are in a medical facility. Something as simple as requesting help brushing teeth could save a life.



Messa & Associates' Settlements and Verdicts Acquired from Negligence and Infections

- \$12.26 Million settlement on behalf of a truck driver whose spine was severely damaged by infection.
- Confidential seven-figure settlement in a New Jersey wrongful death action on behalf of the Estate of a 72-year-old man who suffered a painful and preventable death after his doctor failed to test for, diagnose, and treat pneumonia.
- Confidential six-figure settlement for the family of an 89-year-old man who died from sepsis that resulted from an infection in a pressure ulcer (bedsore) he acquired while rehabilitating at a nursing home.

WHAT'S IN THIS MONTH'S ISSUE:

- Preventing Pneumonia in Healthcare Facilities
- What to Do if You Fall
- Settlements and Verdicts
- Firm Outing at Citizens Bank Park
- MDL Updates

“No voice is too soft when that voice speaks for others.”

Janna Cachola

Fallen and you can't get up!

Written by Nikita Desai

Most of us have been there – maybe you trip on uneven pavement, maybe you slip on a yet-to-be-cleaned spill at the grocery store, or maybe you miss a step while walking up or down the stairs. No matter the scenario, it's something that can happen to anyone easily, with the physical consequences ranging from non-existent — to major. So the question is, what should you do?

First and foremost, assess your injuries. Are you able to get up on your own? If not, seek medical attention. Are you able to get up on your own, but you're limping or experiencing severe pain in your back or any joints/ligaments? If so, seek medical attention. Did you hit your head during the fall? If so, seek medical attention (you may think you're fine, but you should always make sure you don't have a concussion or worse).



Next, assess the location of the fall. If the property owner was negligent towards the maintenance/upkeep of that property (e.g. if a grocery store failed to clean up the spill on which you slipped), that owner will be liable for any injuries that you've suffered. However, in certain situations, the liability may be unclear (e.g. did you fall down the stairs because you weren't paying attention, or was it because the stairs were unstable?). Whether you're unclear as to who caused the negligent condition, or whether the liability is clearly established, contact a personal injury attorney, to best assess which steps, if any, should be taken.

At the end of the day, seeking prompt medical attention and contacting an attorney will best guide you on what you should do next.



Meet the Author!

Nikita Desai focuses her law practice on representing victims of catastrophic personal injuries, including injuries caused by medical malpractice, defective products, motor vehicle collisions, and construction accidents

Settlements and Verdicts

- \$6.5 Million Settlement for motor vehicle collision that caused brain and spine injury to our client.
- \$179K Verdict on a \$100,000 State Farm policy after a week of trial in Chester County on a case with the highest original offer of \$7,500 during trial. The plaintiff intends to pursue a bad faith claim against State Farm.

Messa & Associates head to the Phillies Game!

The entire firm was invited to attend a recent game against the Braves! We had a great time getting out of the office and sharing our love of Philly Sports!



MDL Updates



CPAP: At the beginning of the month, Philips announced new testing, suggesting that CPAP users were not exposed to unsafe levels of toxic VOC levels. It is important to note that this testing has only been done on new devices - not the machines that are at the forefront of the lawsuits. A recent Case Management Order is allowing plaintiff and defendant lawyers to begin their pretrial discovery. The lawsuits are moving forward and many new updates will start coming.



Zantac: Plaintiffs are asking the judge to impose sanctions against Sanofi as they have failed to preserve emails involving thousands of lawsuits against Zantac. Sanofi has been given two weeks to propose redactions. The first trial has been set for February 2023 pending taking place in Alameda County, California.

This month, there was also an order stating that no cases have been dismissed regarding "cancer-specific claims". It was clarified by the judge that specific cancers not linked to Zantac usage have not been determined yet.



3M announced that its subsidiary, Aearo Technologies, has filed a Chapter 11 Bankruptcy and will seek to establish a settlement trust fund to resolve future claims. Aearo's panicked attempt at Bankruptcy comes after facing pressure from the prospect of thousands of earplug trials across the country next year.

Plaintiffs firmly disagree with 3M's empty claims that somehow a Bankruptcy will enable efficient and equitable settlements. To the contrary, if 3M is allowed to proceed with the bankruptcy strategy, the ongoing multidistrict litigation could be stayed (or paused) which will delay the process from moving forward efficiently in "Waves" as Ordered by Judge Rodgers.

Thus, Plaintiffs are prepared to continue preparing Wave cases for trial, and object to any potential "stay" in the litigation as a whole, particularly against the solvent, non-debtor Defendant, 3M.

As part of the bankruptcy filing, 3M has earmarked an initial \$1.2 billion to fund the proposed settlement trust. This is entirely inadequate amount, which is nowhere near sufficient to justly compensate the service men and women who were injured by 3M and Aearo's unreasonably dangerous earplugs.

We are currently fighting zealously pursuing the claims against 3M for their negligence and for carelessly injuring our nation's military members. It is important to Messa & Associates to protect our clients and we are working to keep you updated on your case.



BOY SCOUTS
OF AMERICA

Boy Scouts of America: The lawsuit against the Boy Scouts of America is in a bit of a hiatus as the \$2.7 billion settlement is still on the table. There are still many questions on when the next big announcement will come and we are expecting that the bankruptcy of the organization could play a factor in the final outcome.

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