

Electronic Newsletter

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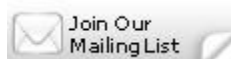


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\$3.5M Settlement for Fall at Industrial Plant

The Law Firm of Stephen M. Reck recently settled a lawsuit brought by a Montville man and his wife against a local industrial plant for \$3.5 million, following four days of jury selection and mediation with a Superior Court judge. The man suffered severe, life-threatening injuries when he stepped into an unguarded floor opening and fell into a 20-foot-deep drainage pit. The terms of the settlement are confidential.



Suit Challenges Constitutionality of Indiana Damages Cap

Stage Collapse at State Fair Killed Seven
The [Wall Street Journal Law Blog](#) reported that a wrongful-death class action arising out of a stage collapse at the Indiana State Fair challenges the state's five million dollar damage cap. According to the AP, plaintiffs claim the cap is unconstitutional because it violates victims' rights to equal protection and due process. Plaintiffs' attorney Kenneth Allen told the AP, "If the people who caused the harm are held to account for it, then I guarantee you they will take the safety measures next time to prevent it." The state attorney general's office says it will defend the cap. The August incident killed seven people.

Attorney Camassar to Speak at Symposium on Cyberbullying



The Albany Law Journal of Science and Technology will host a cyberbullying symposium on October 20th at Albany Law School. Read the press release [here](#).

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MA Lawyer Says Malpractice Reforms Must Focus on Patient Safety

In a [Boston Herald](#) op-ed, Andrew Abraham, President of the Massachusetts Academy of Trial Attorneys responded to a Herald [editorial](#) critiquing Gov. Deval Patrick's medical malpractice proposal. Abraham said "The governor's proposal of a six-month "cooling off" period before filing a medical malpractice case might be valuable but only if the law that allows hospitals to keep patients in the dark is changed." Abraham said the "editorial misses the point that medical negligence actions play an important role in patient safety by ensuring doctors who choose to violate patient safety rules are held accountable." He concluded that "patient safety must be the impetus for any reform action - not the profit line of health care institutions or insurance companies."

Hospital Privacy Curtains Often Contaminated

[Reuters](#) reported that, according to a study presented at the 51st Interscience Conference on Antimicrobial Agents and Chemotherapy, hospital privacy curtains may often be contaminated with possibly hazardous bacteria. Researchers found that, of the 43 curtains tested, 41 were found to be contaminated. The investigators found that the curtains tested positive for things like MRSA and different types of Enterococci.

Concerns Increase About "Overtesting" Older Patients

[Kaiser Health News](#) reported that "increasingly, questions are being raised about the overttesting of older patients, part of a growing skepticism about the widespread practice of routine screening for cancer and other ailments of people in their 70s, 80s and even 90s. Critics say there is little evidence of benefit - - and considerable risk -- from common tests for colon, breast and prostate cancer, particularly for those with

Recall Central

To read about recent recalls and product safety news from the U.S. Consumer

serious problems such as heart disease or dementia that are more likely to kill them." Some physicians and researchers argue that the tests "trigger a cascade of expensive, anxiety-producing diagnostic procedures and invasive treatments for slow-growing diseases that may never cause problems, leaving patients worse off than if they had never been tested."

Study Examines Why Some Plaintiffs Drop Medical Malpractice Cases

Medscape reported a study published in July's Health Affairs that said nearly 60 percent of Massachusetts medical malpractice claims are dropped. Study researcher and Professor Dwight Golann didn't find a large amount of the dropped claims to be frivolous, but determined claims are largely dropped because of "the additional knowledge that plaintiffs acquire in the course of the legal process -- extra information that leads them to conclude that their claim is less strong than they had initially thought." Golann recommends hospital and insurers develop processes by which plaintiffs and defendants can "exchange information more efficiently, [and] discuss the merits of malpractice cases more candidly."

Five Die After Lap-Band Surgery

Surgeries Affiliated with Ad Campaign

The [LA Times](#) reported that in Orange County, CA, a "woman has died after weight-loss surgery at a West Hills outpatient clinic, the fifth person to die shortly after Lap-Band procedures at clinics affiliated with the 1-800-GET-THIN advertising campaign since 2009, according to lawsuits, coroner's records and interviews." The woman passed away on Sept. 8 after having been rushed "from Valley Surgical Center to a nearby hospital," according to Los Angeles County Assistant Chief Coroner Ed Winter. The woman "was the second Lap-Band patient to die after surgeries at the West Hills facility on Woodlake Avenue, which has used multiple names, most recently Valley Surgical Center. Three patients have died after procedures at another clinic on Wilshire Boulevard in Beverly Hills, which also has used numerous names, including Beverly Hills Surgery Center."

Have a Happy & Safe Halloween!!



About Our Firm

At [The Law Firm of Stephen M. Reck](#), justice is our mission. Our firm is well known and well respected for its ability to handle personal injury, wrongful death, and professional malpractice cases in Connecticut and Rhode Island. Call today or visit us on the web at www.stephenreck.com.

The Law Firm of Stephen M. Reck, LLC

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The Dept. of Agriculture's Food Safety and Inspection Service regulate meat, poultry products and processed eggs. Check their recalls [here](#).

Click [here](#) for Food and Drug Administration recalls, market withdrawals and safety alerts.

For updates on the peanut products recall click [here](#).

NTSB Supports Trucker Cellphone Ban



Reuters reported that "The government should ban truckers from using cellphones while driving except in emergencies, transportation safety investigators said" last month. Read [more](#).

Don't Drive Distracted!

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The trial attorneys at The Law Firm of Stephen M. Reck, LLC represent individuals in all types of personal injury cases throughout the state of Connecticut and the state of Rhode Island, including, in Connecticut: New London County, New Haven County, Middlesex County, Hartford County, Tolland County, and Windham County; and in Rhode Island: Bristol County, Kent County, Newport County, Providence County, and Washington County.

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