



## AREAS OF PRACTICE

### Personal Injury Law

- Auto Accidents
- Medical Malpractice
- Motorcycle Accidents
- Wrongful Death
- Uninsured Motorist
- Premises Liability
- Alcohol Related Accidents

### Social Security Disability Law

- Social Security Disability Insurance (SSDI)
- Supplemental Security Income (SSI)

### Workers' Compensation Law

## FOUR CONVENIENT LOCATIONS

PROVIDENCE, RI: (401) 274-7400  
685 Westminster Street

WAKEFIELD, RI: (401) 783-0000  
231 Old Tower Hill Road, Suite 206

WARWICK, RI: (401) 738-7700  
51 Jefferson Boulevard, 3rd floor

WOONSOCKET, RI: (401) 762-9800  
603 Park Avenue, 2nd floor

## ATTORNEYS

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*This newsletter is intended for friends and clients of Marasco & Nesselbush.*

*The Rhode Island Supreme Court licenses all lawyers in the general practice of law. The court does not license or certify any lawyer as an expert or specialist in any field of practice.*

## Delay of a Client's Cancer Diagnosis Results in Substantial Confidential Settlement

The Marasco & Nesselbush Personal Injury team obtained a confidential settlement in a medical negligence case that involved a Rhode Island woman whose breast cancer diagnosis was delayed almost two years.

Our client felt a lump in the upper quadrant of her right breast. Her doctor believed the mammograms showed normal breast tissue and recommended a follow-up in six months. As instructed, she followed-up six months later with another radiologist, and again was told her mammogram and ultrasound showed that nothing changed. The lump she felt was probably benign. Again, our client was asked to follow-up and was advised that no immediate surgical action was needed.

Our client's OB-GYN was given copies of these reports and neglected to review the films. The OB-GYN examined our client, noted the lump's size and directed our client to follow-up again in six months. The result from this follow-up appointment was devastating.

The mammogram, ultrasound and additional tests conducted at this appointment demonstrated a 1.8 cm mass, revealing breast cancer in the form of invasive ductal carcinoma. To treat her cancer, our client went through a prolonged traumatic experience resulting in a segmental mastectomy and many postsurgical complications. Additionally, she underwent a second surgery to remove ischemic skin that was causing a lack of blood supply. She was then treated with six months of adjuvant chemotherapy and two months of radiation.

While undergoing treatments, our client questioned if there was a delay in her diagnosis, and if so, what could be done. Another attorney heard her story and referred her to Marasco & Nesselbush. After accepting the case, Attorney Mark Grimm, Legal Assistant Sara Squillace, and the Marasco & Nesselbush Personal Injury team took action.

This was a complex medical negligence case that took years to resolve. Over this time, the team gathered hundreds of medical records and medical opinions including ultrasound films and pathology reports. With the assistance of radiologist and oncology experts, Attorney Mark Grimm and the team determined that our client should have had a biopsy performed when the lump was first detected. After filing suit, we demonstrated that our client's quality of life was diminished due to her delayed diagnosis. If her cancer was treated at an earlier stage, the long-standing damages would have been avoided.

Our client ultimately was compensated with a significant confidential settlement and we are pleased that it has been more than five years that she has gone without a recurrence. "Unfortunately, radiology reports and ultrasound films are improperly read or even ignored at times. When this happens, treatment is delayed, and results can be devastating," said firm partner Joseph Marasco. "Typically, we see patients enduring more invasive procedures like mastectomies and having an increased risk of recurrence."

The Marasco & Nesselbush team is proud to advocate for those suffering from medical negligence. We believe it is an honor to provide this legal care because it improves the quality of life of our clients, ensures that negligent care givers are held accountable, and leads to improved medical care. If you believe that you or a loved one may be a victim of medical negligence, please contact us for a free consultation.



Mark H. Grimm, Esq.

## M&N Helps a Cancer Survivor

The Marasco & Nesselbush team recently obtained a favorable decision after a hearing with the Social Security Administration (SSA) for a client who was suffering from cancer.

Our client was a hardworking restaurant employee who had a 20-year work history in the industry. She was diagnosed with breast cancer and everything changed. She consulted with her doctors to develop the best course of action to treat her cancer which included surgery, chemotherapy, and radiation.

Her treatments left her too fatigued to lift heavy objects and too nauseous to get back to a normal work schedule. She turned to the SSA for help and filed for Social Security Disability Benefits. After paying into the Social Security system for 20 years, her application was denied.

She was referred to Marasco & Nesselbush by a community organization and we began working on her case. Attorney Noah Zimmerman, Legal Assistant Sheena Meloni and our team requested a hearing and built an

extensive case file consisting of medical documents, work history details, and written statements from her doctors supporting her disability application.

"Cases like this one should be approved on the initial application. I believe, at times, the SSA has difficulty accurately evaluating pain and fatigue-based restrictions in functioning caused by chemotherapy and radiation", says Attorney Zimmerman. "Unfortunately, in the first two application stages, the fate of a case is based on treatment notes alone."

Attorney Zimmerman added, "We were successful at the hearing despite the earlier denials. This is because the hearing was our team's first opportunity to present a compelling case backed by medical evidence and testimony demonstrating just how debilitating the effects of cancer treatments can be."

The Marasco & Nesselbush team is proud and grateful to have achieved a favorable decision on behalf of such a deserving client.



Noah Zimmerman, Esq.



### Gloria Gemma's GloriDays Virtual Walk

The Gloria Gemma Breast Cancer Resource Foundation has continued its mission to provide programs and services to patients, survivors and families without interruption. In times of isolation, the effects of cancer and a cancer diagnosis only become more magnified.

Over the weekend of May 30th, 23 members of the Marasco & Nesselbush team and their families took part in Gloria Gemma's GloriDays Virtual Walk. We are proud to raise funds in support of this great organization in our community.

The M&N team walked, jogged, and biked over 80 miles!





**SPOTLIGHT**

This quarter we are proud to support outstanding non-profit organizations in our community with over \$5,000 from the M&N Charitable Foundation.



### Supporting Team BBS in the Pan-Mass Challenge

"We've all been touched by cancer and the Pan-Mass Challenge gives me the opportunity to play a small role in combating this terrible disease. Raising funds for life-saving cancer treatment and research at the Dana Farber Cancer Institute as part of Team BBS has been one of the most rewarding, fulfilling and enjoyable experiences of my life. I am so thankful for Marasco & Nesselbush's support of this most worthwhile cause!" - Mike at Team BBS 2020. For additional information visit: <http://profile.pmc.org/TB0341>

## IVAN ROQUE VASQUEZ

### *Employee of the Quarter*



**M**arasco & Nesselbush is proud to recognize Ivan Roque Vasquez as our Employee of the Quarter! Ivan works in our Medical Records Department and will be celebrating his fourth anniversary with the firm this year. When asked what he likes most about working at M&N, Ivan said "The fact that the team really cares about our clients is great. We know we are helping those who need it."

In his spare time, Ivan enjoys painting, watching horror movies and spending time with his young son. When the weather is nice, Ivan also enjoys walking and being outdoors.

In recognizing the humanity of our fellow beings, we pay ourselves the highest tribute.

*Thurgood Marshall*

## RECENT SETTLEMENTS

### *Millions Recovered. Thousands of Lives Changed.*

We pride ourselves on providing exceptional client service while obtaining extraordinary legal results for our clients. The following are recent results achieved by the Marasco & Nesselbush team.

**\$4,500,000**

Recovery for a brain injury victim after a car accident

**\$3,000,000**

Settlement for a victim of medical negligence

**\$2,000,000**

Recovery on behalf of the family of a patient who met his demise due to negligent administration and monitoring of anesthesia during a "routine procedure"

**\$1,500,000**

Recovery for wrongful death due to undiagnosed brain injury in the emergency room

**\$1,425,000**

Recovery for wrongful death award secured for family of adolescent automobile accident victim

**\$1,400,000**

Recovery on behalf of a medical negligence victim

**\$1,325,000**

Policy limit recovery for a pedestrian hit by a vehicle resulting in a traumatic brain injury

**\$1,250,000**

Recovery on behalf of an adolescent who sustained a traumatic brain injury and orthopedic injuries when hit by a drunk driver who had been negligently served alcohol in a local bar

**\$1,100,000**

Recovery for wrongful death for the family of a man killed in a commercial trucking accident

**\$1,000,000**

Recovery for a brain injury victim after a car accident

**\$1,000,000**

Recovery for negligent infliction of emotional distress victim after an auto accident

**\$1,000,000**

Settlement for a client who sustained a traumatic brain injury in a fall from a second-floor window

If you or a loved one has suffered from an injury and is in need of legal care, give us a call today.



"Like" us on Facebook!  
Marasco and Nesselbush

Want to join our e-mail list?  
E-mail [joeanddonna@M-N-Law.com](mailto:joeanddonna@M-N-Law.com)  
with your name and e-mail address.

## SUMMER IS HERE

### Free First Aid Kit and Face Mask

Summer is here and The National Safety Council has designated June as National Safety Awareness Month.

To celebrate, Marasco & Nesselbush is pleased to offer a free First Aid Package that includes a travel-sized first aid kit, a local-made hand sanitizer from Sons of Liberty, and a face mask from Anchor Threads Embroidery!

It's just another small way we can say thank you for your many years of support, kind referrals, and friendship!

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To receive your  
**First Aid Package**,  
please e-mail:  
[joeanddonna@m-n-law.com](mailto:joeanddonna@m-n-law.com)  
with your name,  
phone number,  
and address -  
and we'll send it to you.  
Quantities are limited.

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## Thank You

### For Your Kind Referrals and Friendship

We extend our heartfelt thanks to our many current and former clients, friends of the firm, fellow attorneys, doctors and other healthcare professionals who continue to refer their friends, family members, clients and patients to Marasco & Nesselbush for legal representation. We consider referrals to be the highest compliment.