



MN MARASCO & NESSELBUSH LLP

LAW OFFICES

New England's Trusted Personal Injury & Social Security Disability Law Firm

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

SEVEN 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

LAWRENCE, MA: (978) 988-8800
439 South Union Street, Suite #B-11A

QUINCY, MA: (617) 773-8700
20 Whitney Road

NEW LONDON, CT: (860) 443-7734
21 Montauk Avenue, Suite #G04

Free Parking, Easy Access

ATTORNEYS

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Jane R. Duket
Kyle E. Posey
Anthony S. Buglio
Philip M. Weinstein, *Of Counsel*

This newsletter is intended for current and former clients of Marasco & Nesselbush. We thank you for your many kind referrals, and for placing your trust and confidence in our firm.

WELCOME
JUDGE GARRIAN...

FAREWELL
ATTORNEYS WILSON & DORSEY

Tanya Garrian was an Associate Attorney for Marasco & Nesselbush from 2001 to 2010 before she was selected to become a Social Security disability judge, commonly known as an Administrative Law Judge for the Office of Disability, Adjudication and Review. Judge Garrian served an initial judicial stint in Savannah Georgia, followed by a stint in Lawrence, MA as the Hearing Office Chief Administrative Law Judge before being transferred back home to Providence, Rhode Island. Welcome back, Judge Garrian!

We are also proud to announce that not one, but two of our Associate Attorneys, Joseph P. Wilson and Paul E. Dorsey were recently selected to be Attorney Advisors for the Social Security Administration's Office of Disability Adjudication and Review. These promotions take attorneys Wilson and Dorsey one step closer to their ultimate goal of becoming disability judges. We are proud that our Marasco & Nesselbush Associate Attorneys are of the caliber to be selected for these prestigious positions

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PERSONAL INJURY Confidential Settlement

Medication Error Leads to Birth Defects

After protracted litigation Marasco and Nesselbush senior trial counsel Mark H. Grimm recently reached a confidential settlement in a medical malpractice case involving injuries sustained by an infant due to medication that was improperly given to his mother while she was pregnant.

This medication had clear warnings that it was not to be given to pregnant women, as it could cause miscarriage and birth defects. Although the defendant's health provider had properly tested the patient to determine if she was pregnant, the defendant gave the medication before obtaining those test results.

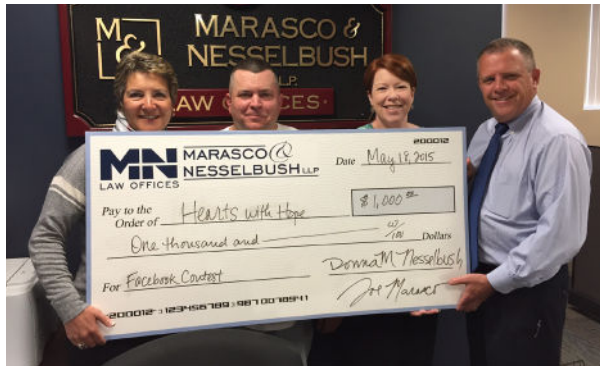
As it turned out, the patient was, in fact, pregnant. The patient went through her pregnancy with constant fear that the pregnancy could end or that her baby would be born with severe birth defects. Fortunately, the patient delivered a healthy baby; however, the child was born with some minor cosmetic birth defects and a complete hearing loss in one ear.

The primary difficulty with the case was proving that the birth defects were due to the medication. There was evidence that

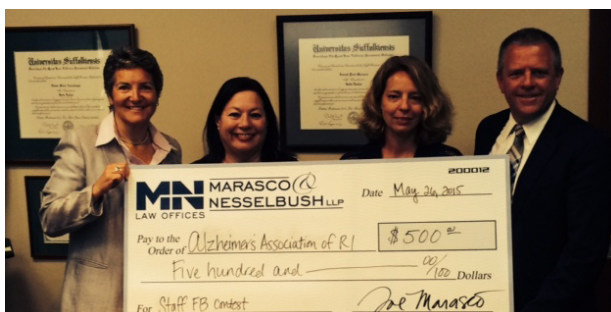
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MN MARASCO & NESSELBUSH LLP
CHARITABLE FOUNDATION
CONTEST



The Marasco and Nesselbush Charitable Foundation was founded in 2012 by the partners, attorneys and staff of M&N as part of our firm's commitment to serving our community. During its first two years, the foundation has donated more than \$35,000 to various organizations including: The Brain Injury Association of Rhode Island, Welcome House of South County, McAuley House, The Coalition for the Homeless, and the Samaritans of Rhode Island. This year, we asked our staff to nominate charities and/or social service agencies that have a personal connection to them or one of their clients. We then held a Facebook contest asking our fans to vote for their favorite charity from the list of nominations. The winners, Upward Bound, Hearts With Hope, and The Alzheimer's Association of RI, were each presented with a check from the Marasco & Nesselbush Charitable Foundation.



SOCIAL SECURITY
Establishes Anti-Fraud Unit

The Social Security Administration has recently increased the number of anti-fraud units throughout the country. In March of 2015, Rhode Island Attorney General Peter F. Kilmartin announced the opening of Rhode Island's first anti-fraud Cooperative Disability Investigations Unit which will include two full-time investigators paid for by the U.S. Social Security Administration. These investigators will collaborate with agents from Attorney General Kilmartin's office and will actively investigate fraud claims throughout Rhode Island. Claims can be referred to them by the local Social Security District Office, Disability Determination Services or by disability judges known as ALJ's.

On the national level, Carolyn Colvin, the Acting Commissioner of Social Security has stated "we are committed to preserving the public's trust in our programs. We have no tolerance for fraud. To those who would defraud Social Security: we will find you; we will prosecute you; we will seek the maximum punishment allowable under the law; and we will fight to restore the money you have stolen from the American people."

We know that the vast majority of claims and the vast majority of our clients are legitimately seeking benefits they desperately need. However, Marasco & Nesselbush would like to remind our clients of their obligation to truthfully and accurately inform the Social Security Administration of their medical status, functional limitations and work status. Be aware that your activity may be monitored. It is especially important to notify your local Social Security office if you return to any type of employment, whether you are receiving monthly Social Security benefits or not.

Social Security claimants should not be surprised if they are subject to surveillance or receive a visit from an anti-fraud representative. If an anti-fraud representative approaches you, please inform them that you are represented by counsel and politely request that they contact us. Be certain you are accurate when discussing your limitations. In one case, a claimant alleged he could not drive. However, the anti-fraud agent videotaped the claimant getting into his car and driving. This is why it is important to notify Social Security of any changes in your health or functional ability, especially a return to work, throughout the application process.

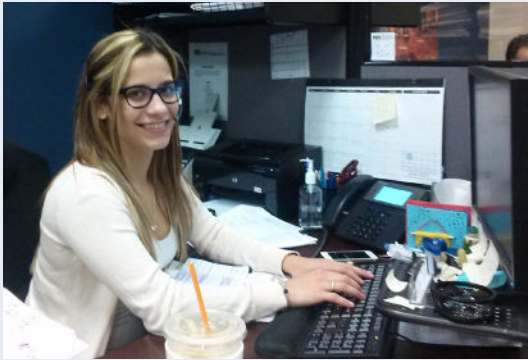
***** By Popular Demand *****

MARASCO & NESSELBUSH
 • NOW HANDLING •
WORKERS' COMPENSATION CASES

Dedicated to serving Rhode Island's injured and disabled, Marasco & Nesselbush is now accepting Workers' Compensation cases. With our characteristic commitment to extraordinary results and exceptional client service, please feel free to call us if you, a family member or friend needs assistance with a Workers' Compensation case!

SARA DASILVA

Honored as Employee of the Quarter



In an effort to recognize, reward and encourage truly extraordinary client service, Marasco & Nesselbush created the “Client Service Initiative” in the fall of 2011. The goal of CSI is to continually ensure that every client is treated with the highest respect, dignity and care with the ultimate goal of obtaining extraordinary results for each client.

The CSI program allows partners, attorneys and managers to recognize team members for their outstanding client care, innovative ideas to improve client service, and participation in community events.

Sara DaSilva began working with Marasco & Nesselbush in our Social Security Disability Department, not long ago, in June 2014. She has consistently demonstrated the traits that exemplify the mission of Marasco & Nesselbush that the partners established more than 15 years ago. Sara was recently promoted to our Personal Injury Department where she will continue to demonstrate her talent, work ethic, and infectious optimism that is consistent with our goal of achieving world class service. We are proud to name Sara DaSilva “Employee of the Quarter”.

**“With integrity, you have nothing to fear,
since you have nothing to hide.
With integrity, you will do the right thing,
so you will have no guilt.”**

Zig Ziglar

Welcome/Farewell - continued from page 1

within the Social Security Administration's Office of Disability, Adjudication and Review. We thank Attorneys Wilson and Dorsey for their many years of dedicated service to Marasco & Nesselbush and to our clients. With mixed emotions, sad for us but happy for them, we bid them both farewell. Marasco & Nesselbush's team of skilled and experienced Social Security disability attorneys continues to zealously represent our disabled clients.

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these birth defects could occur as a result of any number of factors not related to the medication; moreover, there was very limited medical evidence to prove these particular defects were caused by the mother's exposure to one single dose of the medication.

After extensive effort and research, we were able to locate and obtain testimony from a highly qualified expert to provide the necessary proof. An intense and lengthy litigation process followed. At the end, Attorney Grimm achieved a settlement which provided substantial funds now and in the future for the benefit of the child. The funds will provide for the child's education and economic security, and compensate the parents for the emotional distress they suffered as a result of the defendant's negligence.

RECENT AWARDS

MEDICAL MALPRACTICE:

Confidential wrongful death settlement on behalf of a family of a woman who met her demise as a result of a failure to timely diagnose breast cancer.

\$2,050,000 wrongful death award obtained on behalf of the family of a man who died because his doctors negligently administered anesthesia during a “routine procedure”.

Confidential Settlement achieved on behalf of a child who sustained birth injuries and permanent hearing loss due to the negligent administration of a dangerous medication to her mother during pregnancy.

PREMISES LIABILITY:

\$342,500 settlement on behalf of a man who sustained back and neck injuries in a slip and fall on an unreasonably dangerous tenement stairway.

\$250,000 award on behalf of a woman who sustained leg injuries in a slip and fall due to a supermarket's failure to maintain their store in a reasonably safe condition.

\$1,000,000 award achieved on behalf of an adolescent who sustained a traumatic brain injury falling from a window in a negligently maintained housing complex.

ACCIDENTS:

Truck Accident: \$1,050,000 wrongful death recovery secured for bereaved family of a man killed in a commercial trucking accident on Route 95.

Car Accident: \$225,000 settlement for a woman who sustained neck and back injuries in a rear end collision.

Car Accidents: More than \$4,000,000 dollars have been obtained on behalf of our clients as the result of vehicle accidents in the last year.



Please be sure to visit **Marasco And Nesselbush!**

FREE PAWSOX TICKETS
to Our Loyal Clients



M&N continues to be a proud sponsor of the Pawtucket Redsox. To say "Thanks" to our many loyal clients, on **FRIDAY, AUGUST 21** we have **FREE PAWSOX TICKETS** including a **BARBEQUE** at McCoy Stadium. The pre-game **BBQ** begins at 5:00 pm the **GAME** start time is 7:05pm. There are a limited number of tickets so please call the office to reserve yours today.

Our
 Legal
 Team



We are very proud of our legal assistants and paralegals. We have chosen them because of their intelligence, skills and abilities, attention to detail, and ability to help win cases. If you are changing addresses, health insurers, doctors or phone numbers, or if you are going back to work, please contact your legal assistant. All of them can be reached at (401) 274-7400, or by email.

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