

# KANE QUARTERLY

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## PARTNER SPOTLIGHT: DAVID KANE, RPH., ESQ.



Attorney Kane's practice focuses on Wrongful Death, Personal Injury, Medical Malpractice, Mass Tort/Class Action law and real estate development. As both a Licensed Pharmacist and Attorney, Mr. Kane's dual background gives him a great advantage in

representing clients on complex matters. He is also a professor of Pharmacy Law & Medical Ethics at Rutgers University.

Through his personal injury practice, Mr. Kane has recovered over 40 million dollars on behalf of his clients. In addition to representing those seriously injured through accidents, medical negligence, lead paint poisoning or pharmaceuticals, Mr. Kane is attorney of record on several National and MDL (Multi District Litigation) class actions.

Mr. Kane's call to serve goes well beyond the practice of law. He has

worked as a community pharmacist for many years prior to becoming an attorney, founded the Rutgers University Christian Legal Society and was active in several ministries including campus ministry, a hospital ministry, and a prison ministry. He also served as trustee for various churches.

In addition to NJ and PA, Mr. Kane has been admitted to practice Law before various Federal District Courts throughout the country.

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Personal Injury  
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Pharmacy Negligence  
Wrongful Death  
Dangerous Drugs  
Asbestos/Mesothelioma  
Healthcare Law

## **DANGEROUS ORAL CONTRACEPTIVES INVESTIGATED: YAZ, YASMIN & OCELLA**

Lawsuits against Bayer Health Care Pharmaceuticals continue to mount on behalf of women who claim to have suffered serious injuries as a result of Yaz or Yasmin (generic. OCella) birth control pills. As one of the top selling oral contraceptives, Yaz has been a popular choice for women across the U.S. Despite its popularity, the birth control pill has been linked to serious, potentially fatal side effects,

including heart attacks, stroke, pulmonary embolism and blood clots.

Yasmin, Ocella (the generic of Yasmin) and Yaz are oral contraceptives both with very similar compositions. They are manufactured by Bayer.

Yasmin was approved by the Food and Drug Administration (FDA) on May 11th, 2001 for the prevention of pregnancy, moderate acne if oral

contraception is desired for birth control and pre menstrual dysphoric disorder (PMDD). The FDA issued warning letters to Bayer, citing the company for misleading television and website advertisements. The FDA said the ads misleadingly broadened the drug indications, overstated the products efficacy, and minimized the risk of heart attack, stroke, and gallbladder disease.

If you have suffered a serious injury, or if your loved one died as a result of a health complication related to Yaz, Yasmin, or Ocella, you may qualify to seek compensation for your injuries and losses. Surviving family members of women who have died while taking these medications may also qualify for compensation. Please contact our office to explore your legal rights.

## BRAIN AND SPINAL INJURIES

Each year in the United States some 1.5 million people suffer traumatic brain injury -- or one person every 21 seconds.

Brain injury symptoms include headaches, confusion, dizziness, blurred vision, slurred speech, nausea or vomiting, weakness or numbness in the extremities, loss of coordination, restlessness or agitation, emotional or behavioral problems, and seizures. In the most severe cases, victims are left in a coma or vegetative state, with sufferers requiring expensive hospitalization and institutionalization. Many cases end in death.

According to a study by the Centers for Disease Control and Prevention, 22 percent of people with traumatic brain injuries die as a result. It is also estimated that more than five million Americans, roughly 2 percent of the U.S. population, suffer from disabilities resulting from brain injuries. The risk of traumatic brain injury is highest among men, adolescents and people older than 75. Most elderly people suffer brain injury in falls.

Injuries range from mild concussions to severe brain damage resulting in seizures, disability, coma and death. Brain injuries claim an estimated 50,000 lives annually.

Severe or traumatic brain injury, (known as TBI), is commonly caused by a sudden and violent blow to the head, such as injuries suffered in car accidents, the leading cause of brain injury.

In some cases, brain injuries result from negligence -- auto accidents, defective products or poorly maintained workplaces or other premises. Medical malpractice, an error caused by a doctor or other health care personnel, can also cause a patient to suffer brain damage. In such cases, a brain injury lawsuit may be warranted.

More than 11,000 people suffer from spinal cord injuries each year in the United States, with many experiencing severe chronic pain, paralysis and death.

The cause is generally trauma, a sudden blow or impact to the spine that fractures or dislocates vertebrae. The largest number of spinal cord injuries occur in auto accidents, which account for roughly 47 percent of all traumatic brain injury. Falls (23 percent), violence (14 percent) and sports (9 percent) also account for a large number of spinal cord injuries, according to one study.

Injury to the spinal cord, which consists of a bundle of nerves that runs from the base of the brain and down the back, can result in loss of sensation and movement, including paralysis of all four limbs, (or

quadriplegia), and paralysis of the lower half of the body, (paraplegia). Victims tend to have shorter life spans.

Other health problems include bladder and bowel complications, inability to regulate blood pressure, reduced control of body temperature, chronic pain and increased susceptibility to respiratory disease.

Most spinal cord injury victims are men, nearly 80 percent, and generally are younger, with an average age of about 37. However, studies show more women have experienced spinal cord injuries than men.

In many cases, the injury is the fault of another, whether the driver of a car or truck, a defective product or a neglected or hazardous property. When such a problem exists, the victim of a spinal cord injury may have a legal claim.

KANE LEGAL attorneys (several of whom are also highly regarded doctors or pharmacists), have broad expertise and experience in pursuing such claims.

If you or your loved one have suffered brain or spinal injury, please contact our office to explore your legal rights.

## DEATH FROM HOSPITAL INFECTIONS

Each year, thousands of patients acquire infections in hospitals, a problem detailed for the report prepared by the Pennsylvania Health Care Cost Containment Council. This committee is the first in the nation that allows citizens to scrutinize infection rates hospital by hospital.

In 2006, the study examined 1.6 million hospitalizations of patients in

PA. Of those, 19,154 patients acquired an infection during their hospital stay. This resulted in an additional 400,000 days spent in the hospital.

Even worse the agency reported 2,478 patients died after contracting infections during their hospitalized care. The death rate for patients with infections was 12.9 percent, compared with 2.3 percent for other patients.

## DID YOU KNOW?- PREMISES LIABILITY

Unfortunately, patrons of business establishments and residents in apartment complexes are often the victims of violent crimes. Crimes range from assault and rape to murder. Arguments that a business owner is not responsible for such violence on his or her property is often without merit. If you have been assaulted, robbed while on a commercial property you may have a cause of action.