

NEWS YOU CAN USE

PERSONAL INJURY

Weight-Loss Drug BELVIQ® Increases Risk of Cancer.



As recently as February 13, 2020, Japanese pharmaceutical company Eisai Inc. announced that it will voluntarily withdraw from the market and discontinue sales of BELVIQ® (lorcaserin HCl) CIV and BELVIQ XR (lorcaserin HCl) CIV in the United States. This action is being taken after a request from the U.S. Food and Drug Administration (FDA), based on the Agency's recently completed analysis of data from a required clinical trial.

BELVIQ® is a prescription medicine approved by the FDA in 2012 for use

with a reduced-calorie diet and increased physical activity to help weight loss in adults who are obese or are overweight and have weight-related medical problems. The drug works by increasing feelings of fullness so that less food is eaten. It is available as a tablet (BELVIQ) and an extended-release tablet (BELVIQ XR).

When approving lorcaserin, the FDA mandated the drug's manufacturer, Eisai Inc., to conduct a randomized, double-blind, placebo-controlled clinical trial to evaluate the risk of heart-related problems. In this trial, which was conducted in approximately 12,000

Following its review of the data, the FDA concluded that the potential risks of lorcaserin outweigh its benefits. More specifically, they noted there was a numerical imbalance in the number of patients with malignancies.

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Letter From Jan

First of all, we want to wish everyone healthy and safe during the coronavirus pandemic. We are being smart

and cautious, but still here for you!

The first article is about an ongoing national epidemic – obesity. According to the most recent Behavioral Risk Factor Surveillance System (BRFSS) data, adult obesity rates now exceed 35% in nine states, 30% in 31 states and 25% in 48 states. Just as astounding, obesity claims the lives of an estimated 300,000 deaths per year.

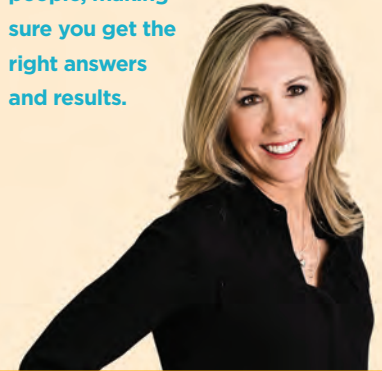
But when do the benefits of taking a medication to combat obesity outweigh the advantages? That is an issue between you and your healthcare provider. However, if you or a loved one has

taken BELVIQ® (lorcaserin HCl) CIV or BELVIQ XR (lorcaserin HCl) CIV and developed lung, colorectal or pancreatic cancer, that may be an issue between your family and the courts. My team of experienced and knowledgeable professionals are on your side.

Also, having a baby should be the happiest day of one's life. However, approximately 1 in every 9,714 people in the U.S. are born with a birth injury. Many of them preventable. If your infant was born with an injury mentioned in this newsletter or you suspect malpractice, do not hesitate to talk to the experts within our firm. Visit jandils.com or call 877.526.3457. We are here for you!

Sincerely,

Jan Dils brings her expertise to issues that affect you and millions of other Americans every day. While her knowledge spans the critical areas pertaining to Personal Injury, Veterans benefits, Social Security disability benefits and related appeals and claims, her practice remains focused on people, making sure you get the right answers and results.



EMPLOYEE SPOTLIGHT!

Darcey Hile

Receptionist Darcey Hile grew up in Southeast Ohio and graduated from Warren High School in 1992. The highlights of her angsty youth include traveling; writing and performing her music; earning a BA in English; living in Athens, Brooklyn (during 9/11), and Columbus for 14 great years. While she's enjoyed dozens of fabulous jobs, working as Program Coordinator at Ohio State University for eight years was the most formative.



In 2016, Darcey moved back to the Mid-Ohio Valley and eventually lucked into what she calls a "sweet spot" at Jan Dils, Attorneys at Law.

"I love the family atmosphere here. And our clients are just an extension of that family."

Outside of work, Darcey loves to travel whenever possible, alone or with company. Staying at hostels is her favorite way to save money, meet people, and get the local lowdown. Her biggest trips have been to New Zealand, Bulgaria, Istanbul, Michigan's Upper Peninsula, and the California coast.

OFFICE INBOX

Personal Injury Attorney **John Weber** and Case Manager **Elise McCay** both celebrated birthdays in February. **Kerry Lucashas** joined us in Social Security as a Case Manager. We also welcome **Melinda Collins** as our new accountant. In our VA POD, team Dils is pleased to have a new attorney, **Bobby Fredeking**. And **Chelsea Barber** will be a new VA Leads Specialist. So much to celebrate each and every issue!

Community Corner

For the first time ever, two teachers have been selected as the **Jan Dils Golden Apple** award winners for the month of February.

Husband and wife **Andy and Barbara Sleek** are teachers at Fort Frye High School and have nearly 60 years of teaching experience combined. When asked what winning this award means to them, Andy said, "We're both pretty competitive, so it means we can call it a tie." "Nobody wins and nobody loses," added Barbara.

Both Andy and Barbara teach math and coach extracurricular activities.

Having spent their entire careers teaching at Fort Frye, they say that having a passion for their students and subjects are keys to their success.

"My best advice is to find somewhere where you love the kids because it's really about the kids and



that's what's kept us here," says Barbara. "When you find something that you have a passion for and you can relate that passion to your students, then it becomes the best job in the world," adds Andy.

Congratulations to our two Golden Apples!



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Continued from cover story

participants over five years, more patients taking lorcaserin were diagnosed with cancer compared to patients taking placebo, which is an inactive treatment. The FDA's evaluation of this potential signal is ongoing, and at this time it is uncertain if lorcaserin increases the risk of cancer.

Following its review of the data, the FDA concluded that the potential risks of lorcaserin outweigh its benefits. More specifically, they noted there was a numerical imbalance in the number of patients with malignancies.

Did you or a loved one develop lung, colorectal or pancreatic cancer after taking BELVIQ® (lorcaserin HCl) CIV or BELVIQ XR (lorcaserin HCl) CIV?

Please contact Jan Dils, Attorneys at Law, at 877.526.3457 to determine if you have a case.

Did you or a loved one develop lung, colorectal or pancreatic cancer after taking BELVIQ® or BELVIQ XR? Please contact Jan Dils, Attorneys at Law





When Do Birth Injuries Lead to Legal Action?

It's very possible that the doctor did something – or failed to do something – during the birth process, and that conduct amounted to medical malpractice. But it's not as simple as that. The results alone (a baby with a birth-related injury) don't support a conclusion of malpractice.

In every medical malpractice case, it's first necessary to establish the appropriate level of care under the circumstances – the degree of care and skill of the average healthcare provider who practices the same specialty, taking into account the medical knowledge that is available to the physician in that particular situation. This is a legal concept known as the Medical Standard of Care.

After you've documented what a similarly skilled care provider would have done under the circumstances, you need to show how that standard was breached – in other words, what did the defendant actually do (or not do) that fell short of the benchmark?

In some traumatic childbirth scenarios, fast action is required on the part of the doctor and especially in cases where the health of the newborn or the mother is in danger. A birth injury may be considered a practical (or even necessary) risk if the circumstances of the situation call for drastic measures. But obviously, in cases where no complications exist and labor

is proceeding normally, a doctor may well be deemed negligent if the baby ends up with a serious physical injury.

Alternatively, if a quick response to a dangerous situation is necessary, and the doctor fails to act, that may also be considered medical negligence, and the medical professional would be on the legal hook for any resulting injuries. This is often the case when a baby is in danger – perhaps deprived of oxygen – in the womb, and the medical staff fails to execute a C-section in a reasonable amount of time. If oxygen deprivation – hypoxia (too little oxygen) or anoxia

In every medical malpractice case, it's first necessary to establish the appropriate level of care under the circumstances

(no oxygen) – leads to brain damage in the newborn, the medical staff could be liable.

Most Common Types of Birth Injuries

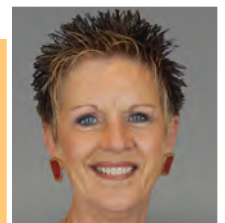
- *Brain injury, intracranial hemorrhages (bleeds), soft tissue injury*
- *Peripheral nerve birth injury*
- *Cranial nerve and spinal cord birth injury*
- *Bone birth injury*
- *Intra-abdominal birth injury*

In such an emotionally charged situation – not to mention legally and medically complex cases, it's best to discuss your situation with an experienced medical malpractice attorney. If you suspect negligence, contact us jandils.com for advice.

Sources: www.alllaw.com/articles/nolo/medical-malpractice/childbirth.html
www.cdc.gov/ncbddd/birthdefects/data.html

Mexican Fiesta Bake

Just in time for Cinco de Mayo, this delicioso recipe comes from Reception Team Lead, **Cheryl Wingrove**. Party hearty!



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| INGREDIENTS: | 1 box of Jiffy® cornbread mix |
| 1-2 lbs. ground beef/turkey | 1 4 oz. can of diced green chilies |
| 1-2 packages of your favorite taco seasoning | 1 small can of creamed corn |
| 1/4 cup water | 1 egg |
| 1 can of refried beans | 1-2 bags of shredded cheese |

DIRECTIONS: *Prep/total time: 30-40 min.*

Preheat oven to 350 degrees. Lightly grease 9 x 13 baking dish. Brown ground beef/turkey and drain. Stir in water and taco seasoning – set aside. Spread refried beans in the baking dish. Cover beans with meat mixture. Top with 2 cups shredded cheese. Mix Jiffy mix with green chilies, egg and creamed corn. Spread Jiffy mix over meat mixture and bake at 350 degrees (20-30 minutes) until cornbread is done. Top with shredded cheese.