

# APLA Exchange – can you help?

## Obesity treatment

We represent a client who underwent surgery which included the insertion of an **Adjustable Silicone Gastric Lap Band** for the treatment of obesity. The lap band was inserted laproscopically and had attached to it a reservoir of liquid affixed to tissue above the hip.

The reservoir became loose and subsequently cracked resulting in the need for further surgery to replace the reservoir. Further, the lap band did not result in the expected weight loss. Pre-surgery advice regarding the risks of surgery and the likelihood of success was minimal. The manufacturer of the reservoir is believed to be a Belgian company. We seek an exchange of information with anyone who has conducted a similar claim.

If any member can help please contact Justin Burke of Capell Burke DX 35038 Ballarat. Ph: (03) 5331 1122, fax (03) 5331 1880.

## Tropical Disease

We presently act in a Lord Campbell's action brought by the wife of a deceased worker who contracted a rare disease known as

**Melioidosis** apparently obtained from a cut on his hand whilst working. This cut began to swell rapidly and was subsequently ascertained after the husband's death that he had contracted Melioidosis.

We understand that there is case law on this disease particularly in the Northern Territory relating to the foreseeability of a worker becoming interested in the disease. We understand that there have been some Northern Territory Workers' Compensation Claims of persons who have contracted this disease. It appears that the disease is more prevalent in Northern Australia and in tropical and sub-tropical climates.

We would be grateful if you could provide us with any material and/or cases of Workers' Compensation claims for Melioidosis in Australia. Alternatively, we would be grateful if you could provide us with any case law on the foreseeability of risk of injury or of unfamiliar or rare diseases causing injury or loss of life.

Please contact Bill Cooper, Bill Cooper & Associates, PO Box 472 Mackay Qld 4740, ph (079) 51 3422 or fax (079) 51 3022.

## Contaminated Tampon

We represent a client who suffered an onset of severe gynaecological symptoms in June 1995. In June 1995 she purchased **Libra Fleur Tampons** which fell within Batch numbers 4090 to 5128. These batch numbers were subsequently recalled by Sancellia due to metal pieces being found under the outer cover of the tampon. We are seeking to establish the nexus between our client's injuries and the defective product. If any members have been involved in similar cases we would be grateful to hear from them.

Please contact Alex Watson, Watson Cudlipp & Hughes, solicitors on phone (03) 5222 6433, fax (03) 5222 6144 or watson@ne.com.au

*Do you need help finding information on cases or products for your litigation?*

*Contribute to the **APLA Exchange** section of the next **Plaintiff!** APLA's 700+ members and international readership may be of assistance.*

*Contact the **APLA Member Services Officer** at [tsimpson@apla.com](mailto:tsimpson@apla.com) or phone (02) 9415 4233 for your chance to use this valuable service.*

## APLA appoints policy officer



*APLA is pleased to announce the appointment of Simon McGregor to the position of Policy Officer.*

Simon has practiced as a solicitor in Victoria and has been admitted to the Victorian Bar. He was Researcher to President Winneke in the Court of Appeal and became Assistant Registrar of that Court. He has also had experience with the Com-

monwealth Department of Public Prosecutions.

Simon's role will be to plan and develop policies and implement appropriate campaigns to protect the rights of the injured according to APLA's objectives.

Simon McGregor can be contacted at phone (03) 9629 9778 or fax (03) 9629 8257.