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MAY
2016

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Case Results

CLARK FOUNTAIN AND CO-COUNSEL CONVINCE 11TH CIRCUIT TO AFFIRM CLASS CERTIFICATION AGAINST GM

The 11th Circuit Court of Appeals agreed with Clark Fountain and its co-counsel that their case which are based on GM's misrepresentation of safety-rating stickers on its 2014 Cadillac CTS sedans were appropriately certified as a class action by the district court.

General Motors had challenged a district court order granting a motion for class certification brought in an action pursuant to the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). The district court's order certified a class comprising all those in Florida who purchased or leased 2014 Cadillac CTS sedans. The 11th Circuit on May 17, 2016 refused to decertify the class of Cadillac drivers, ruling the plaintiffs only had to show whether a sticker that inaccurately states a vehicle had received perfect safety ratings would mislead an objectively reasonable observer.

"These purchasers were misled by inaccurate information on these stickers, and relied on the five-star safety ratings in deciding to purchase these vehicles," attorney Don Fountain said. "GM must be held accountable for what appears to be a misrepresentation that enticed innocent consumers to purchase these vehicles based on their safety ratings."

The attorneys at [Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin](#) and their co-counsel look forward to litigating this case as a class action, because it involves purchasers of these 2014 Cadillac CTS vehicles all over the country.

More about this ruling and the case [here](#).

QUICK RESULTS FOR CLIENTS AFTER YEARS LONG BATTLE

Hampton Keen and Ben Whitman recently represented a driver who was t-boned by a careless driver and suffered multiple herniated discs. After the adverse driver's insurance company failed to make a reasonable offer to settle the case, the firm filed a lawsuit against the driver. Within four days, the carrier realized that the claim had been severely undervalued the case and tendered their policy limits. With Mr. Keen and Mr. Whitman's help, the client was able to obtain the maximum recovery without the time and burden of trial.

Learn about our more than 220 years of combined experience exclusively focused on the practice of personal injury law, what distinguishes Clark Fountain from others, and our case results that have translated to hundreds of millions of dollars for past clients.



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Legal Insights

LAW FIRM HIRES ROSS THE ROBOT



According to [Washington Post](#), BakerHostetler, one of the nation's largest law firms, has become the first to publicly announce that it has "hired" a robot lawyer to assist with bankruptcy cases. Ross will serve as a legal researcher for the firm and will be responsible for sifting through thousands of legal documents to bolster the firm's cases.

LAW FIRM REVENUES ROSE NEARLY 6 PERCENT, ACCORDING TO SURVEY

Law firm revenue grew 5.8 percent in the year's first quarter, the strongest growth since the first quarter of 2008, according to a survey of 176 law firms by Citi Private Bank. The 2016 findings represent "positive signs heading into the second quarter," but the [ABA Journal](#) article cautions against too much optimism.



EMOTIONAL FITNESS TRAINING NOW OFFERED AT LAW FIRM OFFICES



One of the country's biggest corporate law firm, Kirkland & Ellis, recently launched an "emotional fitness" training program including workshops on reducing stress and improving emotional coping skills, followed by seminars on yoga and meditation sessions in an office conference room. According to [The Wall Street Journal](#), the program is called Life XT, or Life Cross Training.

RECALLS

SUBARU RECALLS OVER 48,000 VEHICLES



Subaru is recalling more than 48,000 - 2015 to 2017 Outback and 2016 to 2017 Legacy models due to possible steering failure, according to [The New York Times](#). Subaru said that the steering column in affected vehicles may have been improperly built and that turning the steering wheel may have no effect on the direction of the wheels.

108,000 NISSAN SUVS RECALLED

[CNBC](#) recently reported that Nissan is recalling more than 108,000 Rogue SUVs from 2014 to 2016 model years. According to Nissan, the rear hatch door could fall on people without warning. Salt water can get into the rear lift gate supports and cause rust, leading the supports to lose gas pressure and break.



TOYOTA RECALLS MORE THAN 58,000 AVALON AND CAMRY SEDANS



According to [AutoBlog](#), Toyota is recalling 58,510 - 2016 Avalon and Camry sedans. Affected vehicles may have an incorrectly calibrated Occupant Classification System in the passenger's side front seat, which could stop the airbag from going off in the event of an accident.

BABY CARRIERS RECALLED DUE TO FALL HAZARD

Twin Go is recalling about 4,000 baby carriers, according to the [U.S. Consumer Product Safety Commission](#). The waist buckle on the Twin Go Original Carrier can break, which poses a fall hazard for children in the carrier.



OVER 23,000 UTILITY VEHICLES RECALLED



Kubota Tractor Corporation is recalling 23,400 Kubota RTV400 and RTV500 series gas-powered utility vehicles in model years 2013, 2014 and 2015. According to the [U.S. Consumer Product Safety Commission](#), the steering shaft can break and cause the operator to lose control of the vehicle, posing an injury hazard due to the risk of a collision.



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