



THE LEGAL EDGE



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Legal Insights

NBC Investigation Reports on Dangerous Boat Industry Practices & Pending Boat Design Defect Case Handled by Clark Fountain



A wrongful death lawsuit filed on behalf of a Lake Worth, Florida family by Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin, co-counsel with The Cooper Firm, has [sparked an NBC investigation into dangerous boat industry practices](#),

including potentially defective boat designs, inadequate testing by boating manufacturers, and a lack of regulation and oversight by the government.

In the lawsuit, which involves the tragic death of 7-year-old Ryan Batchelder, our legal team has alleged that this tragedy could and should have been prevented had the boat involved been designed and tested appropriately. As our team continues to fight for justice on behalf of Ryan's family in the pending case, we are appreciative of NBC's investigation and extensive coverage, as it will help raise awareness in the fight for public safety.

Partner David C. Prather Appointed to Federal Judicial Nominating Commission

[Firm Partner David C. Prather has been appointed to serve for his third term on the Federal Judicial Nominating Commission \(JNC\)](#)

by Florida State Senators Marco Rubio and Bill Nelson. David will be appointed to the JNC Southern District Conference, where he will

contribute his time and insight to selecting the most qualified candidates to serve as federal judges in the state of Florida.



David's continued appointment to the JNC is a testament to the respect and esteem he has cultivated throughout the communities of Florida. His public service role is an important one, as U.S. District Court judges must possess the temperament and experience to weigh in on some of the most important legal issues in our civil and

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criminal justice system, and levy what can be precedent setting judgments with far-reaching implications.

Partners Nancy La Vista and Julie Littky-Rubin Recognized Among Top 50 Women Florida Super Lawyers



[Partners Nancy La Vista and Julie Littky-Rubin have been recognized in the Top 50: 2017 Women Florida Super Lawyers list.](#)

This additional selection follows their recognition in the prestigious Florida *SuperLawyers* Magazine, one of the nation's most trusted attorney rating services. In addition to being selected among the top 5 percent of all practicing lawyers in the state, Nancy and Julie have solidified spots as two of the most accomplished and respected female lawyers in Florida.

Nancy and Julie were selected from over 33,000 female attorneys in Florida due to their records of success representing seriously injured victims and families. Nancy, a former critical care nurse who has secured some of the largest verdicts in the nation, has established herself as an authority and accomplished advocate in matters involving medical malpractice and other serious injury cases. Julie, who continually shares her expertise and insight through lectures, articles, and co-counsel positions in complex cases across the state, was recognized for her work in appeals and civil litigation.

In addition to fighting for our clients, both Nancy and Julie have held a number of important leadership roles, including those committed to advancing women in the legal profession.

When is it Not a Medical Malpractice Case?

When it comes to pursuing legal action following serious injuries sustained in medical settings, many victims and families are unsure as to [what constitutes medical malpractice](#) and



whether or not they have a valid claim for compensation. A large part of this confusion is due to the fact that while medical science has advanced over the years, there are still inherent risks to being treated by doctors and undergoing treatment and procedures. Still, negligence and unreasonable errors should never be tolerated.

If you or a loved one have been seriously injured as a result of medical negligence, you may have a right to pursue a medical malpractice claim. Our attorneys at Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin can help you better understand how medical malpractice claims work, whether you have a case, and what our firm can do to help.

Drones & Personal Injury: What You Need to Know

New concepts and products force our laws to evolve, which is precisely the case when it comes to drones, or unmanned aerial vehicles (UAVs) that have become increasingly popular among consumers and commercial enterprises in recent years. Today, [drones present risks of injuries](#) not only to those who operate them, but also to others nearby. While our laws are working to adapt to the unique issues they create, victims who suffer injuries involving drones can still work with proven lawyers when taking legal action.



RECALLS

Amazon Recalls Glasses Days Before Total Solar Eclipse



Days before the first total solar eclipse in 26 years is set to happen in the United States, internet retailer Amazon has issued a recall of [some eclipse glasses sold on its website](#). In an e-mail sent to customers, Amazon warned consumers to avoid using glasses that the retailer could not verify were made by a recommended manufacturer. As viewing the sun or an eclipse can cause eye injuries, vision impairment, or even permanent blindness, safety officials have urged consumers to purchase glasses made by reputable vendors with an international safety standard number "ISO 12312-2."

Customers with recalled glasses should receive an e-mail from Amazon regarding refunds. Customers with verified glasses will not be receiving an e-mail, but can contact Amazon customer service for further clarification.

800,000 GM Trucks Recalled Due to Faulty Power Steering

General Motors has recalled [800,000 trucks that can suddenly lose power steering](#) while the vehicle is in operation. The National Highway Traffic Safety Administration (NHTSA) reports that recalled trucks using a lot of electrical power, especially during low speed turns, can suddenly disable power steering. Sudden steering jolts can cause drivers to lose control of their vehicle.



The recall affects 690,000 trucks in the U.S., including certain 2014 Chevrolet Silverado and GMC Sierra pickups. Vehicle owners can take their trucks to a licensed dealer for a software update that will fix the

their trucks to a licensed dealer for a software update that will fix the issue.

Mazda Recalls Nearly 80,000 Vehicles to Replace Faulty Airbags



Mazda is recalling close to [80,000 cars and SUVs to replace faulty Takata airbag inflators](#), which can malfunction and explode upon deployment. The faulty airbags have been associated with as many as 19 deaths and nearly 200 injuries. In some cases, the airbags may deploy with too much force, or send shrapnel throughout the vehicle cabin, posing risks to drivers and passengers.

The recall is an update to a January recall that temporarily replaced older Takata inflators with the same parts. Now, licensed dealers will install safer replacement inflators that do not use ammonium nitrate, the chemical that can degrade over time and increase risks of airbag malfunction. Recalled vehicles include certain 2007 – 2009, and 2012 CX-7, CX-9, and Mazda 6 vehicles.

BRIO Recalls Baby Rattles Over Choking Hazard

BRIO, through its distributor Ravensburger, is recalling [BRIO soft hammer baby rattle toys](#) due to choking hazards. The Swedish company has received several reports of the wooden



ring on the rattle cracking, which can pose choking risks to small children. Consumers are advised to stop using the recalled rattles immediately and to contact BRIO for information regarding refunds or replacement products. The baby rattles were sold nationwide online at Amazon.com, and by other toy and retail stores, including Home Goods, Nordstrom, and Kidding Around.

Fire Hazard Leads to Recall of 15,000 Kawasaki ATVs



Kawasaki is recalling roughly [15,000 all-terrain vehicles \(ATVs\)](#) equipped with faulty fuel taps that can leak and pose risks of fires. Recalled ATVs were sold at licensed Kawasaki dealers nationwide between October 2011 and May 2017 and include model numbers KFX50 and KFX90 (model numbers are located on right and left fenders). Consumers are advised to immediately stop using recalled ATVs and to contact Kawasaki for a free repair.

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