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Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin is pleased to help you evaluate any factual scenario or potential case you may have. We handle cases on referral or co-counsel basis around the state and country. Please visit our web site for details or call us at 866.643.3318

Case Resolution

Firm Reaches Confidential Settlement in Complex Wrongful Death Scissor Lift Case

Clark Fountain was retained by the Personal Representative of the Estate and survivors of the decedent who was killed using a scissor lift that fell to the ground while it was extended to its maximum height. Ben J. Whitman and Mark W. Clark filed a lawsuit against the manufacturer of the aerial lift alleging the product was defective in its design which caused it to fall over.

After several years of litigation and numerous depositions Whitman and Clark were able to reach a confidential settlement based on the information uncovered during discovery. Over the years the Firm has successfully handled multiple scissor/aerial lift products liability cases and has the expertise and resources to take on the manufacturers of these products.

Firm client obtains \$610,000.00 settlement for neck surgery

The Firm client was stopping her vehicle for traffic ahead of her when she was suddenly and violently rear ended by a driver operating a company vehicle. The client sustained a herniated disc in her cervical spine at the C3-4 level which ultimately required a discectomy and fusion surgery.

Although the client has had a wonderful recovery she will require periodic medical treatment in the future as she gets older. Fortunately, firm partner, David C. Prather, was able to secure a significant recovery of \$610,000.00 on behalf of the client prior to trial. This substantial settlement will help the client offset the costs of her future medical care and will compensate her for her pain and suffering caused by her injuries.

Legal Insights

Referrals →

Visit our website today!

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.



Website →

Attorney David C. Prather Inducted to International Academy of Trial Lawyers

Firm Partner David Prather was recently inducted as a Fellow to the [International Academy of Trial Lawyers \(IATL\)](#). For more than 60 years, this organization has recognized the most respected, experienced, and successful trial attorneys across the nation, as well as around the world. In fact, the Academy's membership includes Fellows from more than 30 countries. However, selection to this organization is strictly limited. There are only 500 Fellows allowed, which makes nomination and acceptance very rare. Our firm is proud of the accomplishments and hard work of Attorney Prather, and congratulate him on this prestigious achievement.



5 Important Questions to Ask When You Hire a Personal Injury Lawyer

Following serious injuries caused by another person's negligence, one of the most important things you can do to protect your rights is to consult with an experienced personal injury attorney. During these difficult times, you'll also



want to make sure you choose the right one. That's because working with a lawyer who knows how to protect your rights and guide you through the personal injury claims process can make all the difference in your case, and may very well be one of the most important decisions you make in your life.

As with any selection process involving professionals who provide a unique service, choosing the right attorney is not always an easy decision. Aside from taking experience, case results, professional accolades, and other similar factors into account, you should not hesitate to speak personally with prospective lawyers. When you do, you should [ask the right questions](#). In our firm's blog, we discuss a few important lines of questioning that you should be asking when hiring a personal injury lawyer

RECALLS

Ford Recalls Over 1 Million Cars Due to Loose Steering Wheels Columns



Ford Motor Company has issued a major recall affecting nearly 1.4 million midsize vehicles in North America over risks posed by [steering wheels that can become loose or detach from the steering column](#).

In a public statement released in March, Ford reported that the safety recall affects all versions of the 2014 to 2018 model-year Lincoln MKZ and Ford Fusion sedans.

The recall comes after federal regulators discovered that affected vehicles may have potentially loose steering wheel bolts, which could cause the wheel to become loose and separate entirely from the steering column, substantially increasing risks of accidents when a vehicle is in motion. Several accidents and injuries that may have been caused by the faulty steering wheels have been reported.

Polaris RZR XP 1000 Recreational Off-Road Vehicles Recalled Over Fire Hazard

Polaris has recalled model year 2014-2018 Polaris RZR XP 1000 ROVs due to potential fire hazards caused by exhaust silencer fatigue, heat shield failure, and melting or burning of nearby components. Recalled ROVs were sold at Polaris dealers nationwide since December 2013.



[Consumers should immediately stop using the recalled ROVs and contact a licensed dealer for free repairs.](#) Polaris has received over 30 reports of cracked exhaust silencers in Polaris RZR XP 1000 ROVs, as well as 3 reports of fires. The recall comes after a high profile \$27 million civil penalty settlement between Polaris and the U.S. Consumer Product Safety Commission over Polaris' failure to timely report potential hazards associated with RZR's and Rangers. Fires, injuries, and at least one death have been linked to potentially defective Polaris ROVs.

Ford F-150 Pickups and Expedition SUVs Due to Transmission Issue



Ford has announced a recall of nearly 300,000 2018 F-150 pickup trucks, 2018 Expedition SUVs, and some 2018 commercial trucks due to transmission issues. According to the automaker, the problem stems from the gearshift cable, which has a clip that can become dislodged, causing the transmission to shift into a different gear.

This could result in unintended vehicle movement and poses an

This could result in unintended vehicle movement, and poses an increased risk for crashes and injuries. [Ford has received reports involving crashes and injuries related to the gearshift problem.](#) Vehicle owners can take recalled trucks and SUVs into a licensed dealer to inspect and verify that the shift cable locking clip was installed properly, and perform free fixes if necessary.

Tesla Recalls 123,000 Model S Cars Due to Faulty Steering Component

Tesla has announced a [voluntary recall of over 120,000 Model S vehicles](#) due to issues with power steering components caused by excess corrosion of power steering bolts. According to the automaker, the issue can cause difficulties in steering, particularly at lower speeds, and increase the risks of a crash occurring.



It is also said to be a problem in colder climates. Affected vehicles include Model S cars manufactured before April 2016. Tesla plans to replace all steering bolts in early Model S vehicles throughout the U.S., and will contact consumers about free repairs and retrofitting.

18,000 Briggs & Stratton Riding Mowers Recalled Over Injury Risks



Briggs & Stratton is recalling roughly 18,000 Snapper, Simplicity and Massey Ferguson brand riding lawn mowers, which were sold at Briggs & Stratton dealers nationwide between August 2016 and January 2018.

As reported in the recall, the [reverse-mow option switch can malfunction and allow the riding lawn mowers to unintentionally mow when being driven in a reverse direction](#), posing a risk of injury to bystanders. Consumers should immediately stop using the recalled mowers and contact a Briggs & Stratton dealer to schedule a free repair.

Banquet Salisbury Steak Dinners Recalled Over Foreign Matter

Conagra Brands is recalling over 135,000 pounds of Banquet family-size Salisbury steak and brown gravy dinners that may be contaminated with fragments of bone and other materials. According to the U.S. Department of Agriculture, the food company has [received several consumer complaints and reports of oral injuries](#) associated with its 27-ounce package of 'Banquet Family Size 6 Salisbury Steaks & Brown Gravy Made With Chicken, Pork And Beef. Conagra has stated that the dinners may contain bone fragments and other



stated that the dinners may contain bone fragments and other foreign materials.

Recalled steak dinners were sold nationwide and have a lot code of '5006 8069 10 05' and the USDA mark of inspection 'P-115' is printed on the package. Consumers who have purchased recalled dinners are advised to dispose of them and return packages to the store where they were purchased.

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