



# THE LEGAL EDGE



CLARK · FOUNTAIN · LA VISTA  
PRATHER · KEEN & LITTKY-RUBIN

YOUR SOURCE FOR LEGAL NEWS AND UPDATES, CONSUMER ALERTS, FIRM NEWS AND MORE

JUNE  
2016

**In This Issue:**  
Case Results  
Legal Insights  
Product Recalls

Get A FREE Case Evaluation  
from Clark Fountain

[Free Evaluation →](#)

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

[Referrals →](#)

Visit the brand-new  
website today!

## Case Results

### Tips for Preventing Medical Negligence

The medical malpractice team continues to fight for its clients. Here are 5 tips for you to prevent medical negligence. Each tip represents the type of error the healthcare provider made causing injuries and Clark Fountain has filed suit on behalf of their clients to successful resolution.

**Tip 1:** Ask to SEE the results of your tests. Reports showing masses in, for example, an X-ray or mammogram can easily be miscommunicated or not communicated at all resulting in a delay of a critical finding such as cancer. We have successfully pursued many delay in diagnosis and treatment claims.

**Tip 2:** Ask to SEE your chart. There is nothing wrong with you reviewing your chart and making sure it is accurate. We have successfully pursued claims where patients were diagnosed with a disease process only to learn that they were treated for something they never had.

**Tip 3:** If you or a loved one is admitted to the hospital take a friend, spouse, or someone else to listen to what is being told and QUESTION it.

**Tip 4:** Ask for a second opinion. Medicine is often said to be an art, not a science, and some healthcare providers choose to remain behind the times in terms of current treatment options.

**Tip 5:** When there is a critical lab value or exam result ask what options you have NOW, not wait and see, but NOW. In many instances for a healthy outcome, time is of the essence. If you do not like the answer, see Tip 4!

## Legal Insights

### California, Florida Among States Voting on Marijuana Legalization

According to a [report on CNN](#), when voters get to their ballots on November 8, 2016, California and Florida will be among the eight states allowing them to vote whether or not to legalize marijuana for both medical and recreational use. If passed, marijuana would have

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.



New Website →



a 15% sales tax on retail sales, as well as additional taxes effecting growers.

---

### Medical Malpractice Suit Alleging Inappropriate Touching of Minors Dismissed

An [article on the State Bar of Wisconsin website](#) details a lawsuit in which two minor siblings and their parents allege a doctor inappropriately and sexually touched them. In 5-2 decision in the Wisconsin Supreme Court, the case was ruled unmaintainable. The court stated that the statute of limitations had passed, making it so the plaintiffs were unable to hold the defendant accountable.



---

### Lawsuit Against AR-15 Rifle Maker Progressing Further Than Expected

Multiple families have spent two years trying to build a case against the makers and sellers of the AR-15 assault rifle. Despite facing huge odds, recent developments reported by [the New York Times](#) have helped progress the lawsuit further than most thought it would reach. This is also in part to a similar rifle being used once again in the Orlando, Florida nightclub shooting.



## RECALLS

### Polaris Rangers Recalled for Fire Hazard



The Consumer Product Safety Commission is [reporting a recall of Polaris Ranger 570 ROVs](#) due to possible overheating. The UTV can overheat during heavy engine loading or slow-speed intermittent use, or when the temperature outdoors is high. This can cause a potential fire.

---

### Kia Recalls 219,800 Vehicles

Earlier this month, [Kia Motors Corporations recalled 219,800 Kia Sedona](#) models from years 2006 – 2014 due to a defective secondary hood latch. According to the recall, the latch may bind and remain in the unlatched position, resulting in the risk of the hood opening while the vehicle was in motion.



---

### Toyota Recalls Various Models for Defective Seat Heating Wiring



Toyota [issued a recall earlier this month](#) of multiple models and years due to defective seat heating electrical wiring. The recall includes vehicles from 1988 all the way through 2012 because of damaged wiring which could result in a risk of fire.

---

### **IKEA Recalls 29 Million Dressers and Chests**

On June 28, 2016, we [released a blog detailing the IKEA recall](#) including 29 million dressers and chests after reports of the furniture tipping over and entrapping children. Six children have died as a result of the defect and at least 17 others have been injured. The 29 million dressers and chests included MALM brands and other models.



---

### **Children's Nightgowns Recalled by Saro Trading Company**



Saro Trading Company is [recalling 7,800 children's nightgowns](#) because they fail to meet the federal standards regarding flammability for sleepwear. This poses a potential fire risk to the children wearing the garment.



CLARK · FOUNTAIN · LA VISTA  
PRATHER · KEEN & LITTKY-RUBIN

866.643.3318 | CLARKFOUNTAIN.COM

Clark Fountain | 1919 N. Flagler Drive | West Palm Beach, FL 33407 | United States  
[Unsubscribe](#) from future marketing messages from Clark Fountain