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Case Resolution

Firm Reaches Confidential Settlement In Complex Liability - Catastrophic Injury Truck Negligence Case In Las Vegas, Nevada

Ben Whitman recently obtained a confidential settlement during a pre lawsuit mediation in Las Vegas, Nevada. As a result of the firm's past results and ongoing involvement in litigating complex injury and death claims in Nevada, Whitman was retained by an attorney in Las Vegas to present a claim against the insurance company for the driver and owner of a tractor trailer that failed to obey traffic signals and crashed into his sedan – causing significant fractures requiring surgical intervention and a traumatic brain injury (TBI).

Prior to Whitman's involvement, the insurance company had denied liability and closed their file claiming that the firm's client was 100% at fault in causing the incident.

Through the use of accident reconstruction experts evaluating traffic light sequencing and analyzing the placement of all of the vehicles at the four way intersection where the incident occurred – Whitman was able to convince the insurance company to attend a pre suit mediation conference where they agreed to a confidential settlement that fully compensated for the injuries sustained.

Confidential Settlement Obtained Against Trucking Company For Tractor Trailer Improperly Parked In Active Roadway in Marion County, Florida

Mark Clark and Ben Whitman resolved a claim against a nationwide trucking company and its employees for their negligence in parking a tractor trailer on the side of an active roadway in Marion County, Florida. Clark and Whitman established that the truck company's employee pulled to the side of the road late in the evening without placing warning / lighting devices on the roadway as required by Federal Trucking Regulations that would have alerted the firm's clients

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the truck posed a danger to those in the roadway.

Due to the defendant's negligence – the client's vehicle collided with the parked truck and exploded into flames – causing catastrophic injuries to the clients which resulted in medical bills exceeding \$1.5 million dollars.

The firm was also able to establish that the trucking company violated its own internal policies by failing to park the truck in the appropriate place on the roadway and provide other motorists with necessary warnings regarding the location of the truck. The truck company agreed to a significant confidential settlement at a pre suit mediation conference.

Legal Insights

Lawyers from Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin Featured in The Daily Business Review for \$15M Award for Family

We're pleased to announce that [four attorneys from Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin were recently featured in an article for the Daily Business Review](#). The feature highlights the lawyers success in a recent case they took on that

resulted in their client being awarded \$15.5 Million. As the article notes, the case involved an emotional trial in which a Palm Beach County jury found the National Truck Center 95% at fault for an accident that caused the death of Werner K. Letterman, a 41-year-old plumber. Read more on our blog.



Two Clark Fountain Attorneys Earn Achievements with Florida Justice Association



Our legal team at Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin is happy to report on two significant achievements earned by members of our legal team which both involve the Florida Justice Association. [Partner Don Fountain Received the FIA Award of Appreciation, and Associate Ben Whitman was elected to the FIA Board of Directors](#). We wish to congratulate both Don and Ben on their recent accomplishments, which speaks volumes about the success and recognition they have earned.

Distracted Driving & Cell Phone Laws in Florida

Recent spikes in the numbers of fatal accidents throughout the nation have prompted states like Florida to take more drastic efforts in fighting distracted driving and cell phone use behind the wheel.



That includes tougher [laws that target drivers who choose to text or operate their cell phones](#) to compose

or send text-based messages while driving. On our blog, we discuss statistics showing just how dangerous driver distraction is, as well as Florida laws prohibiting motorists from texting while driving.

Boating Accidents in Florida: Protect Yourself with These Important Safety Tips



Summer is here, and for many local residents and tourists across Florida, that means more opportunity for enjoying the open waters and Florida's thousands of miles of coastline and numerous lakes.

Although recreational boating is immensely popular here, [Florida is home to the highest rates of boating accidents](#) – which makes it vital that anyone with plans for boating this summer makes safety a priority. On our blog, we discuss Florida boating accidents and provide a few helpful reminders about safety.

RECALLS

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FDA Recalls Several High Blood Pressure and Heart Failure Products Over Cancer-Causing Substance



The U.S. Food and Drug Administration (FDA) has issued a [voluntary recall of several drug products containing the active ingredient valsartan](#), used to treat high blood pressure and heart failure.

The recall is due to an impurity, N-nitrosodimethylamine (NDMA), which was found in the recalled products. According to the FDA, NDMA is classified as a probable human carcinogen, and the presence of NDMA is thought to be related to changes in the way the active substance was manufactured.

The FDA has further noted that not all products containing valsartan are being recalled. Patients should visit the FDA's website to determine if the medications they are taking contain valsartan, and discuss options for replacement. Because these medications are

taken for serious medical conditions, the FDA is advising that patients should still continue taking their medicine until talking with their physician.

Mazda Recalls 270,000 Vehicles Due to Defective Takata Airbags

Mazda is recalling nearly 270,000 vehicles with defective Takata [airbags that can explode](#), spewing shrapnel and potentially killing or injuring occupants. The recall is yet another expansion of recalls involving the infamous Takata airbags, which have been linked to at least 23 deaths and over 300 injuries, according to the National Highway Traffic Safety Administration. The latest recall involves the 2003 to 2008 Mazda6, the 2006 to 2007 Mazdaspeed6 and the 2004 MPV nationwide, as well as 2005-2006 MPV models in several states, including Florida.



Audi Recalls Nearly 140,000 Sedans Over Potentially Faulty Airbag Sensor



Audi is recalling 139,249 sedans to fix a faulty sensor that may [prevent a vehicle's front passenger airbag from deploying](#) in a crash. The affected vehicles include the 2012 to 2018 A7 and A6, 2013 to 2018 S6 and S7, and 2014 to 2018 RS7. The issue is caused by wear to a passenger occupant detection system, which determines whether someone is sitting in the front passenger seat. If the sensor has become worn, it might not deploy as expected in a crash, according to the National Highway Traffic Safety Administration. Only vehicles with standard seats are included in the recall; cars with upgraded seats are not affected, NHTSA says. The vehicle's airbag warning light will illuminate if a malfunction occurs. In addition, the passenger airbag indicator light will show that the airbag is turned off even if someone is sitting in the front passenger seat.

BMW Motorcycles Recalled Over Frame / Sidestand Defects

BMW is recalling [several thousand units of its 2017-2018](#) BMW G 310 R and 2018 BMW G 310 GS motorcycles due to sidestand / frame issues. According to BMW's defect report, the section of the frame which encases the side stand bushing could eventually break. If the section of the frame which encases the side stand bushing broke while the motorcycle was stationary, it could fall over, and increase the risk of injury. BMW will notify owners, and dealers will inspect the frame. installing a reinforcement plate and



new side stand, or the frame will be replaced if necessary, free of charge. The recall is expected to begin Aug. 7, 2018.

Mercedes-Benz Recalls 2018 S Class Vehicles Due to Risks of Impaired Engine Operation, Seat Belt Function and Instrument Cluster



Mercedes-Benz USA (MBUSA) is recalling model year 2018 Mercedes-Maybach S560s & S560 4Matics & Mercedes S450s 4Matic, S450, S560, S560 4Matics, and S560 Coupe 4Matics over issues involving [electrical power bars inside the pre-fuse box in the trunk that may not have been secured properly](#). According to the automaker, failure to properly secure the power bars can cause higher electrical resistance increasing the risk of a fire. Additionally, an intermittent contact between the power bars could lead to a loss of vehicle functions. The engine operation, the seat belt functions and the instrument cluster could be impaired, increasing the risk of a crash and injuries. Inspections and replacement will be offered by dealers free of charge.

IKEA Recalls Pet Water Dispenser Over Suffocation Risks

IKEA has announced a recall of its LURVIG pet water dispenser over possible [suffocation risks posed to animals](#). The recall was announced worldwide after several reports of suffocation and two reports of pets dying as a result of using the product. LURVIG water bowls for dogs and cats were sold by IKEA between October 2017 and June 2018. Pet owners should immediately stop using the product and contact IKEA for a refund.



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