



THE LEGAL EDGE



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

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Case Resolution

CASE RESOLUTION

On the eve of a specially scheduled month long trial firm Attorney's Donald Fountain and Jason Cornell negotiated a confidential settlement on behalf of a family, whose matriarch was severely injured as the result of an accident which was caused by a large commercial truck's tire separation and blowout. The tire manufacturer steadfastly maintained, until the very end, that the tire was not defective and litigated the case very aggressively. The case involved more than 60 depositions, a dozen experts and two appeals before the case was finally concluded just before jury selection began.

GOING BARE

In the state of Florida, doctors are not required to carry malpractice insurance to compensate victims for medical mistakes. When they elect not to carry insurance it is called "going bare". Wrongly, many doctors believe that by "going bare", they are immune from a lawsuit. CFLPKL attorneys believe doctors should be held accountable if they are negligent and cause harm to patients. Our attorneys have successfully pursued claims against 'bare' doctors in the past. Most recently, a doctor was held accountable for a horrific abdominal surgery where the patient almost died. The claim ultimately settled during litigation.

If you or a loved one believe they are a victim of medical negligence, do not hesitate to call us. It costs you nothing to have [our legal team](#) evaluate your potential claim.

Legal Insights

Clark Fountain Partner David C. Prather Appears as Featured Speaker at Florida Bar Seminar

Visit the brand-new 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.



New Website →



Firm Partner David C. Prather recently served as a [guest lecturer for a legal education seminar organized by The Florida Bar](#). The seminar – Effectively Litigating Employment Law Cases From Inception Through Trial – was held from August 17 – 18 at The Breaker’s Hotel in Palm Beach, Florida.

As a Board Certified Civil Trial Lawyer by the Florida Bar since 2005, David has honed his litigation skills over a career that spans more than 25 years. During his lecture, he shared this insight during his lecture on Jury Selection Techniques, an important aspect of any civil or criminal trial.

Because voir Dire, the process of examining and questioning potential jury members, can make or break a case, the specialized knowledge that David shared during his lecture helps to provide attorneys in Florida with the tools needed to succeed for their clients – just as those tools have enabled David and our legal team to secure numerous victories and substantial verdicts in cases involving negligence and serious injuries for our own clients.

Distracted Driving Responsible for Increase in Roadway Deaths, Experts Say

For as long as there have been motor vehicles, there have been distracted drivers. However, in a time where technology is constantly available, [driver distraction has skyrocketed](#), and the risks it poses to public safety have also increased substantially.



As recent reports from the National Safety Council have shown, 2016 marked the deadliest year on American roadways. According to experts, distracted driving is a considerable factor in the uptick in roadway deaths – and especially distractions caused by text messaging and cell phone usage while behind the wheel. Our blog focuses on stemming the tide of distraction-affected crashes, the devastating toll it can have on victims and their families, and how victims can work with proven successful lawyers to protect their rights.

5 Things to Know About Your Rights as a Pedestrian Accident Victim



[Pedestrians have nothing to protect them against passenger vehicles and trucks being driven by negligent motorists](#). As such, they face the greatest risks of suffering serious injuries and death when involved in accidents involving motor

vehicles. Given the elevated needs of injured pedestrians, understanding one's rights and how to maximize their compensation becomes a matter of critical importance.

As a firm that focuses on fighting for the seriously injured, we know the devastating losses caused by pedestrian accidents to victims and their families first hand. That's why we want everyone to understand their legal rights following a pedestrian accident, how negligence works in these claims, and what victims can do to put themselves in a position to make a positive recovery.

RECALLS

FDA Warning Letter Accuses Manufacturer of Serious Violations



A warning letter recently issued by the U.S. Food and Drug Administration (FDA) has [accused the manufacturer of the EpiPen](#) – Meridian Medical Technologies (which makes the EpiPen for Mylan) – of failing to properly investigate and address reports of potential defects within its product. These reports include instances of patients suffering serious illness or death as a result of the EpiPen's failure to fire and administer a dose of epinephrine during severe allergic reactions.

The FDA's warning letter is a critical follow up to Mylan's recent recall of 13 lots of the EpiPen and EpiPen Jr manufactured between 2014 and 2017. Serious potential defects in the pen can cause the auto-injector device to fail when patients attempt to use it during anaphylaxis, the term used to describe a serious and life-threatening reaction to allergens. In addition to noting the serious violations of safe manufacturing practices, the warning letter also comments on the fact that the recall was issued days after an FDA investigation in which company employees stated that they did not disassemble and investigate a majority of faulty EpiPens sent back by consumers.

Target Recalls Dressers Due to Risks of Tip Overs and Collapse

Target is recalling close to 180,000 [four-drawer dressers after receiving a number of reports that the furniture can fall over or collapse](#). The dresser, which retails for \$118, poses significant risks for injuries,

especially to toddlers and young children. Target spokespeople have stated that two 3-year-old children were struck by a falling dresser, and have initiated the voluntary recall to avoid more serious injuries or deaths similar to those caused by other faulty dressers and furniture from other manufacturers.

Owners of a recalled dresser are urged to cease use immediately.



Owners of a recalled dresser are urged to cease use immediately and return the item to any Target store for a free refund. The Essentials dressers were sold at brick and mortar Target stores and Target's online shop between January 2013 and April 2016. The four-drawer dresser came in three colors: maple, espresso, and black.

Ameriwood Home Recalls Over 1.6 Million Chests of Drawers Due to Tip Over Hazards



Another manufacturer has also issued a recall of [four-drawer chests made of composite wood that can tip over and entrap younger children](#). According to the CPSC, over 1.6 million units of the Ameriwood home four-drawer chests of drawers are being recalled nationwide. The drawers were sold at Walmart, Walmart.com and other major retailers between April 2009 and May 2016 for around \$60. The CPSC has received reports of tip-overs and one reported injuries to a toddler after being struck by a chest that tipped over.

Ameriwood Home advises owners to remove the chests of drawers from locations where children can access them, and to contact the manufacturer for a free repair kit that includes a wall anchoring device.

Ford Motor Co Issues Four Recalls Covering Over 140,000 Vehicles

Ford has issued four recalls for [roughly 143,00 vehicles in North America](#). The first and largest recall affects 141,000 of the following:



2015 to 2017 F-150 Crew Cab Pickups

2017 F-250 and F-350 Super Duty Crew Cab Pickups

According to Ford, the recalled vehicles may contain a defective inflatable seat belt assembly, which poses risks of separation of the left rear seat belt buckle from the mounting bracket during a crash. In addition to the seat belt recall, Ford is also recalling 935 2017 F-150s and Mustangs due to faulty Takata airbag inflators that may rupture with too much force and send shrapnel flying towards the vehicle's occupants during a crash. Defective Takata airbags have already been linked to a number of injuries and deaths on U.S. roads. 835 2017 Ford Focus sedans are also being recalled due to faulty seatback frames that increase the likelihood of injury during crash, and 263 2017 Ford Explorer, Taurus, and Police Interceptor SUVs and sedans are being recalled due to faulty power steering.

Kawasaki Recalls Brute Force 300 ATV over Fire Hazards



[Kawasaki is recalling 20,000 units of the Kawasaki Brute Force 300 all-terrain vehicles \(ATVs\)](#) due to hundreds of reports of fuel leaking from the carburetor or fuel tap, causing serious fire hazards. The recall includes all 2012 to 2017 models of the Kawasaki Brute Force 300 ATV sold at Kawasaki dealers between November 2011 and June 2017. Owners should contact Kawasaki for a free repair kit.

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