



THE LEGAL EDGE



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Case Resolution

Full Insurance Policy Limits Settlement for Family of 27-Year-Old Tragically Killed by Out-of-State Motorist

A 27 year old woman was crossing a central Florida street in a marked crosswalk when a vehicle operated by an out-of-state motorist struck the young woman, resulting in her tragic death.

The woman's family initially contacted a local attorney who indicated that it was unlikely any recovery could be made under the circumstances because the woman had been at a bar for several hours prior to the incident and witnesses to the incident indicated the woman had been crossing against the "do not walk" signal.

The family's first attorney contacted Ben Whitman and Hampton Keen and referred the case to the firm to determine if there was any chance of a recovery for the woman's family. After conducting an extensive investigation which included interviewing multiple witnesses, inspecting the accident intersection, and hiring an expert in accident reconstruction who traveled to the northeast to inspect the vehicle involved in this incident, Mr. Whitman and Mr. Keen were able to resolve the claims for the full available policy limits provided by the out-of-state driver's insurance policy as well as a separate uninsured motorist policy.

Significant Recovery for 6-Year-Old Injured Due to Negligent Supervision at North Florida Summer Camp

A 6-year-old boy enrolled at a supervised summer camp was allowed to play on a set of monkey bars completely unattended when he fell and sustained bilateral wrist fractures which required casting above the elbow on both arms and extensive physical therapy.

A Miami, Florida attorney referred the case to the firm, which engaged in significant negotiations with the insurance carrier for the summer camp. Ultimately, the parties agreed to resolve the case without litigation and structure the settlement monies in an annuity which will provide a recovery over the course of the child's life.

Confidential Settlement for Parents of Child who Died as a

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New Website →

Result of Failure to Timely Diagnose Meningitis

The parents of a 5-year-old boy realized their son was not getting better after several days with a fever, so they took him to the hospital. The hospital examined the young child and performed lab work, but despite abnormal lab results and the inability to walk or talk properly, the boy was diagnosed with the flu and sent home.

Less than 24 hours later, the young boy's condition worsened and he suffered a seizure. His parents immediately called 911, but it was too late. The child died of undiagnosed meningitis.

The firm successfully demonstrated a lack of appropriate medical care and was able to obtain a confidential settlement for the family, who plans to use the funds in the child's name to help prevent future similar travesties from occurring.

Legal Insights

Nearly 1 Million Mercedes-Benz Vehicles Recalled Over Fire Risks

Fire Risk

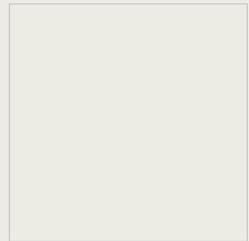
Daimler AG, [the German automaker that owns Mercedes-Benz](#), recently announced a recall of approximately 1 million models of Mercedes-Benz vehicles worldwide, including more than 308,000 vehicles in America, over

concerns that a defective fuse can lead to overheating and fires. Affected models include certain newer Mercedes-Benz vehicles released between 2015 and 2017, such as the C-Class, E-Class, and CLA sedans, and GLA and CLC crossover SUVs.

Products Paralegal Cheryl DiStefano Article Featured in Paralegal Voice

Clark Fountain's Cheryl DiStefano recently had a [n article published in the March 2016 Quarterly Journey of the Paralegal Voice](#). In the article, Cheryl draws from her 30-year legal career and experience as a Florida Registered Paralegal Investigator to share her

insight on the value paralegals can gain by beginning a new year of the right foot. Cheryl served as a legal assistance to Don Fountain for over 23 years before becoming a certified paralegal and has been invaluable to the firm's product liability department.



5 Reasons Your Airbag Might Not Deploy

Airbags have revolutionized auto safety, **Road Defects**

but [they are not free from the risks](#)

posed by defective manufacturing or design. When auto part manufacturers fail in their duty to provide safe airbags

to consumers, airbags can fail to deploy when they should, leading to significant harm to drivers and passengers involved in wrecks.

RECALLS

Whole Foods Expands Recall of Vulto Creamery Raw Cheese After Listeria-Related Deaths

Soft Cheeses

Following reports of two consumer deaths and six illnesses, Whole Foods is expanding its recall of Vulto Creamery raw cheeses. [The artisanal cheeses do not undergo pasteurization](#), and while

the DFA requires certain procedures for raw cheeses, there have been several confirmed reports of consumers contracting listeria, a serious infection that can be especially dangerous and even fatal when contracted by children, elderly individuals, pregnant mothers, and others with weakened immune symptoms. Consumers who have purchased any of the 5 recalled Vulto cheeses – Ouleout, Andes, Miranda, Hamden, and Walton Umber – with a sell-by date between December 27, 2016 and March 4, 2017 should dispose of them immediately.

Mercedes-Benz Issues Safety Recall Over Defective Fuse

Mercedes-Benz has issued a safety recall for over 308,000 vehicles in the U.S. over concerns that a [faulty current limiter in vehicles' motors](#) can cause the push-button start feature to fail. If you

Push To Start

own an affected vehicle, be careful of multiple failed attempts to start the engine, as the faulty fuse can overheat, melt, and start fires. Mercedes-Benz is currently informing vehicle owners about replacement parts and is suspending new sales of affected models until they are fixed.

Porsche Issues Three Recalls for Safety-Related Issues

Porche Trio Recall

Porsche has issued [a trio of recalls](#) affecting many of their vehicles. The first involves a recall for 21 vehicles in 9 different model lines over improperly bonded windshields that can detach and fall out in the event of a collision. The second recall involves 120 vehicles from multiple

collision. The second recall involves 120 vehicles from multiple model lines made in 2016 and 2017 that were equipped with faulty front passenger airbags. Due to a manufacturing defect, faulty airbag inflators may result in failed deployment during a crash. The third and largest recall issued by Porsche affects nearly 18,000 vehicles of Porsche's 2015-2016 Macan Turbo and Macan S crossovers, as well as the 2017 Macan GTS. Defective passenger detection sensors in these vehicles can fail and cause passenger airbags to fail during a wreck.

Nissan Recalls 54,000 Vehicles over Unexpected Airbag Deployment

Following an NHTSA investigation that began in fall of 2016, Nissan has announced the recall of [more than 54,000 vehicles](#) over a manufacturing defect that can cause side airbags to inadvertently deploy when doors are slammed shut. Unexpected airbag deployment can cause serious injuries to vehicle occupants entering a vehicle. If you own one of the affected 2012 Nissan Versa vehicles, you should use caution when closing vehicle doors and contact Nissan for free installation of new sensors and jumper harness.

Airbag Deployment

Ryobi Electric Blowers Sold at Home Depot Recalled Over Laceration Hazard

Ryobi Recall

Ryobi Electric Jet Fan Blowers manufactured by One World Technologies and sold at Home Depot have been [recalled due to laceration hazards](#) caused by the plastic fan inside the blower breaking and discharging from either end of the blower tube. Due to over 10,000 reported incidents, including reported injuries and lacerations, consumers are advised to immediately stop using recalled blowers and to contact One World Technologies for a free replacement.

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