



# THE LEGAL EDGE



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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

**David Prather and Christa McCann recently obtained a \$361,000 verdict on behalf of a client who suffered head, neck and shoulder injuries in a low-speed, rear-end collision.**

Prior to trial, the client underwent a series of injections, but no surgery. The defendant driver and underinsured motorist carrier denied liability and argued that the plaintiff caused the accident by making a sudden, unexpected stop, and that her injuries were not caused by the impact, but instead were the result of degenerative conditions. More than a year before trial, our firm served proposals for settlement on both defendants, which were rejected. After a two-week trial ending on a marathon 18-hour day, the jury returned a verdict at 2:15 a.m., finding no comparative negligence by the plaintiff, and awarding more than three times the pre-trial proposals and almost ten times the prior formal proposals filed by defendants.

## Hampton Keen Obtains Successful Resolution on California Case

When a California law firm needed help on a case involving a defective tire and vehicle rollover resulting in catastrophic injuries to occupants in the vehicle, they reached out to Hampton Keen to co-counsel the case. Having previously handled multiple cases against the manufacturers of the tire and vehicle, Keen achieved a successful resolution of the case prior to trial. The confidential settlement provided the clients with much needed economic peace of mind following the tragic accident.

## Legal Insights

### TopVerdict Includes Clark Fountain \$4.1M Case Result in Top 50 of 2016

TopVerdict™ has selected a \$4,122,316 million [jury verdict obtained by Partner David C. Prather](#) and our legal team as one of its Top 50 verdicts in the state of Florida in 2016. The verdict was secured on behalf of a client who suffered serious injuries after being rear-ended by a drunk driver. The case was notable for the fact that

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Attorney Prather effectively illustrated the full scope of our clients' damages, including physical and emotional injuries that will persist for the rest of her life. The case result was the 38th largest plaintiffs' verdict in the entire state of Florida last year.

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### Why Brain Injuries Should Always be Taken Seriously

Traumatic brain injuries (TBI) result from a [sudden force or impact to the head](#), which commonly occur during car accidents, falls, and other similar incidents. Because brain injuries have such an overwhelming potential to create significant short- and long-term consequences for victims, may be deceptive in their symptoms, and can potentially lead to life-threatening complications, any head and brain injury should always be taken seriously and victims should always seek timely medical attention.



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### What Should I Discuss with My Doctor After a Car Accident?

Following any type of car accident, medical attention should be the top priority. [Our legal team strongly encourages](#) injured victims to seek timely medical attention after a wreck, not only because it ensures they receive proper evaluations and the medical treatment they need, but also because it provides documentation of their injuries that can be vital to any personal injury lawsuit they may choose to file. When seeking a medical evaluation, there are a number of things you can discuss with your doctor to gain a better understanding of your injuries, recovery, and how they can be expected to impact your life.



## RECALLS

### Target Recalls Water Absorbing Easter Toys Over Serious Ingestion Hazards



Target has recalled over 560,000 water absorbing Easter toys that, [if ingested, can expand inside of a child's stomach](#) and cause a number of severe and potentially life threatening complications, including intestinal obstruction, vomiting, and dehydration. Surgical intervention is required to remove the toy if ingested, and parents and doctors are being advised that the product may not show up on x-rays. Recalled toys include Hatch & Grow Easter Eggs, Easter Grow Toys, and Hatch Your Own Dino

products sold from February through March 2017. Recalled toys should be removed immediately from children's access and taken to a Target for a full refund.

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### **More Than 33,000 Subaru Impreza Vehicles Recalled Over Engine Stalling Defect**

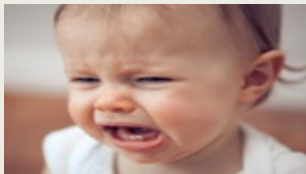
Subaru is recalling more than 33,000 Impreza cars from the 2017 model year due to a fuel line issue that can cause vehicle [engines to stall without warning](#).



Following an investigation into consumer reports of stalling that began in January, Subaru has reported that a winter blend of fuel can turn to vapor in the vehicle's fuel line, causing the engine to run rough and stall unannounced. Drivers may also not be able to immediately restart the vehicle, increasing crash risks. Subaru has not yet announced when owners will be notified, but has reported that dealers will update engine control software to address the issue. Vehicle owners can contact Subaru for more information.

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### **Hyland's Baby Teething Tablets Recalled Due to Toxic Risks**



The Standard Homeopathic Company has issued a [nationwide recall](#) of all lots of its Hyland's Baby Teething Tablets and Hyland's Baby Nighttime Teething

Tablets after it was discovered that amounts of belladonna alkaloids in the medicine may differ from what's listed on the products' labeling. According to the FDA, inconsistent levels of belladonna alkaloids can pose serious health risks to children due to its unpredictable effects. The tablets were sold in numerous retail stores and parents are advised to consult a physician if their child experiences any complications.

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### **Polaris Ranger 900 Recreational Vehicles Recalled Due to Fire and Burn Hazards**

Polaris has recalled all Polaris Ranger recreational off-highway vehicles (ROVs) from model year 2015 [due to a defective heat shield](#) that can fall off the vehicle and pose fire and burn hazards to



occupants. The recall was issued after Polaris received a number of incident reports, including several reported fires, and affects the 2015 Polaris Ranger XP 900, XP 900 EPC, and Crew 900 ROVs. Consumers are advised to immediately cease operation of the recalled ROVs and to contact Polaris to schedule a free repair.

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### **Customatic Adjustable Beds Recalled Over Electric Shock Hazard**

## Customatic Adjustable Beds Recalled Over Electric Shock Hazard



Customatic Beds has recalled approximately 50,000 units of its adjustable beds over a manufacturing defect that [poses risks of electric shock to consumers](#). The recall involves the bases of the Customatic adjustable beds, which can have incorrectly wired AC outlets. The adjustable beds come in all sizes and were sold from June 2012 through January 2017 at mattress stores nationwide. Consumers are advised to stop use the side-mounted AC outlet and to contact Customatic Beds for a free inspection and repair.

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