



# THE LEGAL EDGE



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PRATHER & LITTKY-RUBIN

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## Case Resolution

### **Confidential Settlement Reached in Electrocution Case Resulting in Paraplegia**

Our client, a private landscaper, was pruning three sabal palm trees at a Sarasota County residence while standing on a metal ladder approximately 20 feet above ground. He was operating a metal chain saw pruner.

Above the ladder was a single phase (wire) and uninsulated high voltage conductor operating at 7,620 volts. While pruning, our client pushed some palm fronds into the conductor, which created a completed electric circuit (from the conductor to the palm fronds to the metal ladder) and caused a mild electric shock that resulted in a temporary loss of mobility.

As a result, our client fell approximately 20 feet to the ground, suffering multiple traumas and cardiac arrest, including several rib fractures and a thoracic spine fracture, rendering him a complete paraplegic.

### **Confidential Settlement Reached with Healthcare Provider for Alleged Overdose and Improper Monitoring Resulting in Death**

Our client was transported to the hospital by ambulance with a chief complaint of nausea and vomiting and severe pain in the back near the kidneys. She was discharged the same day, but returned to the same hospital later that afternoon with the same symptoms and was admitted. Two days later our client was found unresponsive by her husband and later pronounced brain dead.

The case was brought against the healthcare provider alleging the patient was overdosed on medications and improperly

clients.

Website →

monitored. Nancy La Vista successfully resolved the case in favor of the surviving spouse for a confidential amount.

**\$1,000,000 Settlement Reached for Trip and Fall Resulting in Severe and Permanent Knee Injuries Due to Poor Lighting**

Our client tripped and fell while exiting a building in a shopping plaza after completing her night shift. The two lights in the parking lot were broken and not operating. As a result of the poorly functioning lights, our client stepped in a pothole and fell, sustaining a displaced tibia fracture with several ruptured ligaments and a vascular injury that required a stent be placed. As a result of her injuries she is now permanently disabled from working as a customer service professional. David. C. Prather was able to successfully resolve the case for \$1,000,000, which will help compensate our client for future medical needs and loss of her working ability.

**Legal Insights**

**"It's New to Me!" Making the Case for Why Strict Liability Applies to "Repurposed" or "Remanufactured" Products**

Partners Julie H. Littky-Rubin and Don R. Fountain, Jr. were published in the [Fall 2018 AAJ Products Liability Section Newsletter](#), making the case for allowing strict liability to be applied to "re-purposed" or "re-manufactured" products that have been given a new or different life.



**Florida Drivers Again Named Among Worst in Nation**



Florida was ranked as the [8th state with the worst drivers in 2018](#). Although it is an improvement over the previous two years, when Florida held the top spot for having the worst motorists, it still serves to highlight just how many problems Florida roadways have when it comes to auto accidents, serious injuries, and deaths.

**Partner David Prather Speaks to "Latinos in Action" as Part of Speaker Mentor Series**

Latinos in Action is a year-long elective course that empowers Latino youth to lead and strengthen their communities through college and career readiness. Partner David Prather spoke to members at Forest Hill High School in West Palm Beach as part of the Latinos in Action Speaker Mentor Series organized by the F. Malcolm Cunningham Bar Association and the Palm Beach County Hispanic Bar Association.



## Recalls

### Ford, Toyota and Lexus Recall More than Two Million Vehicles Due to Potentially Explosive Air Bag Inflators



airbags.

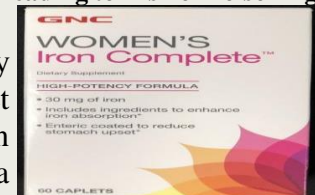
Early this month Ford recalled 953,000 vehicles worldwide due to faulty Takata air bag inflators. Just a few days later, Toyota and Lexus did the same, recalling 1.3 million vehicles in the U.S. fitted with potentially defective Takata

Takata uses the chemical ammonium nitrate to create an explosion to inflate air bags. But it can deteriorate over time due to heat and humidity and explode with too much force, blowing apart a metal canister designed to contain the explosion.

The recalls are part of the largest series of recalls in U.S. history. At least 23 people have been killed worldwide by the inflators and, according to the National Highway Traffic Safety Administration, there are 50 million defective Takata airbags in 37 million U.S. vehicles.

### GNC Recalls Women's Iron Complete™ Supplements Due to Failure to Meet Child Resistant Closure Requirement, Leading to Risk of Poisoning

Women's Iron Complete™ Dietary Supplement, sold by GNC, fails to meet child resistant packing laws. If the iron supplements were to be ingested by a child the vitamins could lead to serious injury or death. The vitamins were sold at GNC retail stores



nationwide and online from September 2,000 through August 2018.

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