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In This Issue:

Case Results
Legal Insights
Product Recalls

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CASE RESULTS

DISPUTED LIABILITY CASE RESULTS IN SIGNIFICANT RECOVERY FOR AMPUTEE

Mark W. Clark and Christa L. McCann recently made a substantial recovery on behalf of a motorcyclist who suffered a below-the-knee leg amputation in a highly contested motorcycle versus automobile intersection collision. Initially, the at fault drivers liability insurance carrier and the client's underinsured motorist carriers' adamantly disputed and denied any liability. The denial was based on accounts by the vehicle driver and an independent eye-witness that the tortfeasor had a green light at the time of the accident, and that the firms client had run a red light on his motorcycle before entering the intersection where the crash occurred.

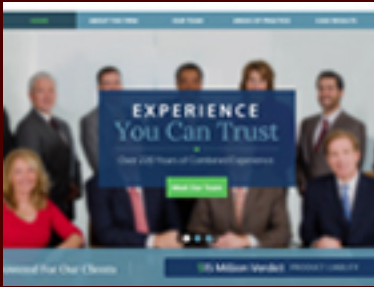
However, after conducting an extensive accident reconstruction and traffic light sequencing at the subject intersection, as well as establishing conflicts in the testimony by the eye witness and tortfeasor, Clark and McCann established that the tortfeasor had violated the client's right of way, and had further failed to take any action to avoid a collision with the client after he observed the client's motorcycle in the intersection. As a result, Clark and McCann were able to obtain confidential settlements for the tortfeasor's bodily injury liability policy limits, the client's underinsured motorist policy limits, and with the client's excess underinsured motorist carrier.

MILLION-DOLLAR SETTLEMENT REACHED IN AUTO COLLISION

Two days before the jury trial was scheduled to begin, attorney David Prather recently reached a \$1 million settlement for his client following a vehicle collision. While riding in the passenger seat of his mother's car, 43-year-old Douglas Glick was struck by another vehicle in an intersection controlled by four-way stop signs. The defendant drove through the stop sign, violated our client's right of way and struck the passenger side of the vehicle, where Glick was sitting.

Glick, who had a preexisting herniated disc in his low back at the L5-S1 level, ultimately required two surgeries to his lumbar spine at the L4-5 and L5-S1 levels. Mr. Glick originally hired another attorney who attempted to obtain a settlement on his behalf, but the insurance carrier's best settlement offer was only \$75,000. Frustrated with the low offer Mr. Glick's attorney referred the case to attorney David Prather who filed the case in court and obtained a special set jury trial date. The defendant ultimately offered a \$1 million dollar settlement just before jury selection was set to begin, which Glick accepted.

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 →

LEGAL INSIGHTS

PRESIDENT OBAMA SELECTS MERRICK GARLAND AS SUPREME COURT NOMINEE



President Obama recently announced his nomination of Judge Merrick Garland to fill the U.S. Supreme Court vacancy following the death of Justice Antonin Scalia. Judge Garland, a prominent appeals court judge for nearly 20 years, has earned praise from across the political spectrum, according to

The [New York Times](#): “Throughout [his career], Judge Garland’s opinions were models of judicial craftsmanship—unflashy, methodically reasoned, attentive to precedent and tightly rooted in the language of the governing statutes and regulations.”

EXPERT SYSTEMS IN THE LEGAL INDUSTRY

[ABA Journal](#) recently commented about the rise of expert systems and how they may impact the legal industry. Expert systems are web-based software that automates tasks an expert might perform (i.e. TurboTax, WebMD’s Symptom Checker). According to the article, while some initially expressed concern how this could negatively impact billable hours for attorneys, expert systems can be a value-added tool for law firms to generate clients, streamline work and bridge the justice gap for people of moderate means. Such work likely would come from low and middle portions on a bell curve of legal decision making.



LEGAL LOOPHOLE MAY RISK CHILDREN’S HEALTH

According to the [Washington Post](#), a legal loophole might be exposing children to lead in schools around the nation. The article states that “under federal law, the vast majority of schools don’t have to test the water flowing out of their taps and drinking fountains...Even when districts do test their water, they don’t always tell parents about the problems they find.” Lead exposure is known to cause brain damage and developmental problems.



RECALLS

NISSAN RECALLS OVER 46,000 ELECTRIC CARS



According to [USA Today](#), Nissan is recalling 46,859 Leaf electric cars from model years 2013 through 2015 due to potential brake issues in extremely cold weather. The computer in the electronic brake booster needs to be reprogrammed. Nissan says it previously advised owners of the problem as part of a service campaign, but now it is upgrading the issue to a full

recall.

28,000 MASERATI VEHICLES RECALLED

Maserati is recalling more than 28,000 2014 to 2016 Quattroporte and Ghibli sedans due to unintended acceleration. According to [Consumerist](#), an investigation found the unintended acceleration was due to the driver-side floor mat, which was not properly attached and caused it to slide forward toward the accelerator pedal. The mat can then become trapped between the accelerator and the vehicle's carpet, resulting in very high speeds.



HYUNDAI RECALLS 18,000 GENESIS AND EQUUS VEHICLES



According to the [Washington Post](#), Hyundai is recalling more than 18,000 Genesis and Equus vehicles to replace faulty windshield wiper motor covers. The problem isn't likely to cause any major issues, but could cause the wipers to stop working. The seal on the wiper motor cover can degrade over time, exposing the motor's circuit board to moisture, which leads to corrosion.

SRAM RECALLS ZIPP BICYCLE WHEEL HUBS, QUICK RELEASES

According to the [U.S. Consumer Product Safety Commission](#), SRAM is recalling 54,000 Zipp bicycle wheel hubs and 6,400 Zipp bicycle quick releases due to crash and injury hazards. The wheel hubs, which include models ZIPP 88v6, 88v7 and 88v8, can fail, leading to wheel collapse. The quick releases can fail to engage in the closed position, posing a crash risk to the rider.



CALIFORNIA PISTACHIOS RECALLED



California nut company, Wonderful Pistachios, issued a recall following a Salmonella outbreak that affected at least 11 people, according to [Newsweek](#). Recalled products include Roasted No Salt In-shell Pistachios, Roasted Salt and Pepper In-shell Pistachios, Roasted Sweet Chilli Pistachios and shelled pistachios. The products are sold in the U.S.—including in Trader Joe's stores—and are also sold under the brand names Wonderful and Paramount Farms. A full list of recalled nuts are listed [here](#).

BUMBLE BEE RECALLS OVER 30,000 CASES OF CANNED TUNA

[NBC News](#) recently reported that Bumble Bee Foods has issued a nationwide voluntary recall of three UPCS on its five-ounce canned Chunk Light Tuna due to process deviations that occurred at its co-packing facility. Approximately 31,579 cases could be affected with spoilage organisms or pathogens that could lead to serious illness. The recall covers cases of tuna produced in February 2016.



NESTLE ISSUES RECALL ON 3 MILLION FROZEN FOOD PRODUCTS



Nestle USA issued a voluntary recall on 3 million frozen food products including varieties of Stouffer's, Lean Cuisine and DiGiorno Pizza. According to an article on [News Leader](#), the products may contain glass pieces. For a complete list of products included, visit www.nestleUSA.com.

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