

ROBERTS & ROBERTS

"An East Texas law firm with a history of helping injured people."

SAFETY & THE LAW

Fall 2002

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SAFETY IN YOUR HOME

PROFILES OF
THE ATTORNEYS

CONSUMER PRODUCT
WARNINGS AND RECALLS

ROBERTS & ROBERTS

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Bruce L. Roberts

Karen R. Roberts

Randell C. Roberts

To read about us
in national
publications, visit
our website
www.RobertsLawFirm.com

8 SAFETY ITEMS EVERY HOME SHOULD HAVE

Your home should be your castle, but simply taking up the drawbridge does not mean you are safe. There are many dangers inside your home. The best defense, however, is knowledge of the dangers and what you can do to minimize them.

1. SMOKE DETECTORS

According to the National Safety Council, fire kills nearly 3,000 people and injures 16,000 people each year. Because most fires occur at night, smoke detectors can alert a family and give them an opportunity to escape. Every home should have smoke detectors installed on every floor and outside every bedroom. However, having smoke detectors is only the first step. You should also check your smoke detectors. They should be tested every month and batteries changed when you adjust your clocks in the spring and fall.

2. CARBON MONOXIDE DETECTORS

Carbon Monoxide — an odorless, colorless, and tasteless gas — killed 300 people last year and sent thousands more to the hospital. At a cost between \$40 and \$170, a CO detector will alert your family to this silent killer. You should have a CO detector outside each bedroom.



3. RADON-DETECTOR KIT

According to the Environmental Protection Agency radon might be responsible for as many as 30,000 lung cancer deaths each year. Hardware stores carry do-it-yourself radon-detector kits for less than \$40.

4. GRAB BARS

The bathtub can be a dangerous place for the elderly as well as the young and middle-aged. Grab bars can go a long way in making a bathtub safe. You can purchase grab bars at most hardware stores. When attaching them to your bathroom wall, make certain to fasten them with long screws securely into the wall studding, not merely into the plaster, tile or wallboard. A grab bar that won't hold you when you begin to fall is not any good to anyone.

5. HANDRAILS

Every set of stairs, whether inside or outside your home, should have sturdy handrails securely mounted on both sides. Stairs and steps account for nearly half of all fatal falls in the home.

Roberts & Roberts — Specializing in Bodily Injury, Wrongful Death, and Insurance Claims



8 SAFETY ITEMS EVERY HOME SHOULD HAVE

6. GROUND FAULT CIRCUIT INTERRUPTERS

GFCIs stop the "juice" before electricity can leak out and hurt you. Almost all new homes come with GFCIs but older homes may not have them. You can replace outlets for \$9 to \$13 each or you can purchase plug-in or portable GFCIs for \$12 to \$30 each. Use them throughout your home, especially in the kitchen, bathroom and laundry room (around water).

7. FIRE EXTINGUISHERS

While people are used to seeing fire extinguishers in buildings, boats, planes, taxis and trains, they often forget that they should be in the home also. Fire extinguishers have categories for different types of fires. For the home, experts recommend a "ABC" or an "AABC" extinguisher. Never purchase or use an "A" extinguisher in your home. These water based extinguishers can cause flames to splatter or cause shock in an electrical fire.

This list does not include every safety item you could have in your home, but it is a good start. Know your home.

8. FIRE SAFE WINDOW GUARDS/SAFETY GLAZING

Falls from windows cause death and serious injury to many children each year. Don't rely on screens to prevent falls, they are only designed to keep bugs out, not children in. Never place furniture or beds next to windows where children can climb. Keep windows locked when not in use. If you use window guards or bars, they must have a release mechanism so they can open in an emergency. Consult your fire department for proper placement. Children should also practice opening the windows in their bedrooms so that they will know how to escape out of the window in case of a fire. You may also need to purchase an emergency escape ladder if you have a second floor.

Safety glazing prevents windows from shattering into shards of glass. Instead, if broken, the glass forms safe pellets. Look for a permanent mark in the lower corner showing the manufacturer's name, type of safety glass, and the thickness. ■

ROBERTS & ROBERTS

Roberts & Roberts is an East Texas law firm with a history of helping people injured by unsafe practices and products as well as unfair insurance practices. Randell C. Roberts and Bruce L. Roberts are board certified in Personal Injury Trial Law by the Texas Board of Legal Specialization.

Our Attorneys Specialize in Representing Victims of:

- Bodily Injury and Wrongful Death
- Truck, Auto, and Motorcycle Accidents
- Unsafe Premises
- Watercraft and Swimming Accidents
- Toxic Chemical Exposures
- Unsafe Equipment, Products and Toys
- Insurance Claims
- On-The-Job Injuries
- Farm and Ranch Accidents
- Falls, Fires, and Electrical Accidents
- Industrial and Construction Accidents
- Sports, Guns, and Recreational Accidents
- Unfair Business Practices
- Professional Malpractice Including Legal Malpractice
- Workers' Compensation Claims
- Oil Field Accidents
- Nursing Home Neglect

THE INITIAL CONSULTATION IS FREE.

The attorney's fee is a percentage of your recovery. You are not obligated to pay any attorney's fee, court costs, or other legal expenses unless you are compensated.

**If you know of someone who is injured, call Roberts & Roberts...
We can help.**

903-597-6000 • 1-800-248-6000

www.RobertsLawFirm.com



Q. Can the other driver's insurance company delay paying for my car repairs to pressure me into signing a release on my injury claim?

A. No. The Texas Insurance Code prohibits this unfair settlement practice. You have the right to settle the claim for the damage to your car before you settle your injury claim.

Normally, you should wait to settle your injury claim until you are released by your doctor. Insurance companies which engage in this unfair tactic may be liable for any damages which this practice causes you as well as for your attorney fees.



This newsletter is printed on recycled paper.

THE ATTORNEYS

RANDELL (RANDY) C. ROBERTS



Randy received his Bachelors in Business Administration (B.B.A.) from the University of Texas at Austin with Highest Honors in 1976. While at the University he was named one of its "Outstanding Students" and selected to be one of its candidates for the Rhodes Scholarship. He received his Doctorate of Jurisprudence (J.D.) from the University of Texas School of Law at Austin in 1979, where he also served on the Texas Law Review and in its Order of the Barristers.

Randy began his legal career in 1979 in Houston with the national law firm of Fulbright & Jaworski. In 1982, he returned to his home town of Tyler to eventually form with his brother and sister the law firm now known as Roberts & Roberts, specializing in representing people injured by unsafe practices and products. Randy is a member of the Million Dollar Advocate's Forum and he has been recognized in Time, Newsweek, Ladies Home Journal, and the Texas Lawyer as well as on NBC's Dateline for his role in uncovering the documents that led to the recall of the Firestone Radial ATX and Wilderness lines of tires.

Randy is a frequent lecturer at advanced personal injury seminars. He has spoken at the annual convention of the Association of Trial Lawyers of America as well as at their annual "Weekend With the Stars" program where the nation's most distinguished trial attorneys are showcased. He has written numerous papers and speaks on such topics as products liability and investigating major personal injury claims.

Randy is on the Board of Directors and a Fellowship Member of the Texas Trial Lawyers Association as well as a Sustaining Member of the Association of Trial Lawyers of America. He is also a member of the American Bar Association, the State Bar of Texas, the Smith County Bar Association, and the East Texas Trial Lawyers Association in which he has served as an officer.

Randy is married and has three sons.

CERTIFICATIONS & LICENSES

Randy holds the highest rating ("A/V") from the Martindale-Hubble Attorney Rating Service. He is also:

- Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization
- Certified as a Diplomate in Legal Professional Liability by the American Board of Professional Liability Attorneys
- Certified as a Civil Trial Advocate by the National Board of Trial Advocacy
- Certified as a Fellow by the National College of Advocacy
- Certified as a Fellow by the College of the State Bar of Texas

In addition to being licensed to practice in all Texas courts, Randy is also licensed to practice before his U.S. District Court, the U.S. Fifth Circuit Court of Appeals, and the U.S. Supreme Court.

KAREN R. ROBERTS



Karen received her Bachelor of Arts (B.A.) degree with Honors from the University of Colorado in 1985. She then worked as a broadcast journalist for NBC television affiliates in Colorado and Nevada. After working several years as a journalist, Karen went on to receive her Doctorate of Jurisprudence (J.D.) from the University of Utah School of Law in Salt Lake City, Utah in 1994. While in law school, she was selected, due to her academic achievement, to serve on the Utah Law Review. Karen was awarded the American

Jurisprudence Award for Legal Writing and Research as well as Constitutional Law.

Karen began her legal career in 1994 when she joined her brothers (Randy and Bruce) in the law firm of Roberts & Roberts. Since joining the law firm, she has devoted her practice to representing people injured by unsafe practices and products. She has earned the status of "Advocate" from the Association of Trial Lawyers of America National College of Advocacy. Karen is heavily involved in the litigation practice of Roberts & Roberts and spends the majority of her time preparing cases for trial. She has attained the status of "Advocate" through the National College of Advocacy. She is also a member of the College of the State Bar of Texas, which is an honorary society chartered by the Supreme Court of Texas.

In addition, Karen has been invited to lecture at personal injury and other legal seminars. She has assisted in the research and writing of seminar papers involving topics such as products liability and investigation of major personal injury claims.

Karen is a member of the Smith County Bar Association, American Bar Association, East Texas Trial Lawyers Association, Texas Trial Lawyers Association, and the Association of Trial Lawyers of America. She is licensed to practice in all Texas courts as well as before her U.S. District Court.

Karen was born September 16, 1962 and graduated from Robert E. Lee High School in Tyler, Texas. She is married and has a son to whom she devotes her free time. Karen enjoys traveling with her family.



BRUCE L. ROBERTS

Bruce L. Roberts is an attorney Board Certified in Personal Injury Trial Law. According to the State Bar of Texas, only three percent (3%) of Texas Attorneys are Board Certified in Personal Injury Trial Law. Bruce is licensed to practice law in all State Courts as well as the Eastern, Western, and Northern Districts of the United States District Courts. He is also licensed to practice within the U.S. Fifth Circuit Court of Appeals and The U.S. Supreme Court.

Bruce attended the University of Texas and the University of Texas School of Law, graduating in 1981. After working for a year in the Twelfth Court of Appeals for the State of Texas, he joined his brother forming a law firm now known as Roberts & Roberts. In addition to being Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, he has also been recognized as a Civil Trial Advocate by the National Board of Civil Trial Advocacy. He is also a member of the State Bar College of the state of Texas.

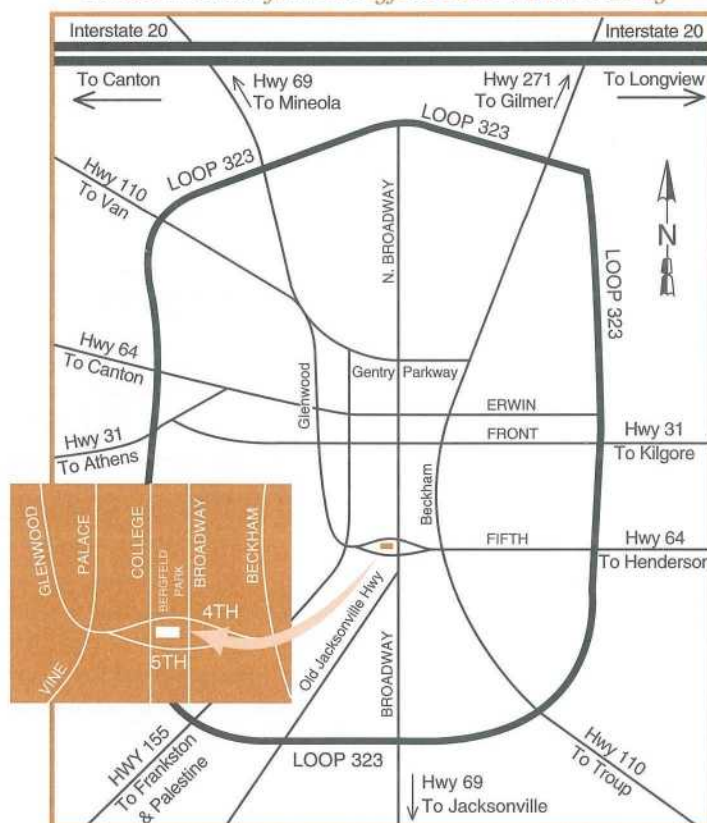
Bruce has been active, not only in the actual trial of personal injury lawsuits, but also in the academic area by authoring several articles in the area of personal injury law. He was a member of the Review of Litigation and the American Journal of Criminal Law at the University of Texas School of Law. While in private practice he has co-authored articles for seminars sponsored by the University of Houston School of Law, the Texas Trial Lawyer's Association, and the Association of Trial Lawyers of America. In addition to trying numerous lawsuits, Bruce has handled appeals before the Texas Supreme Court, the Texas Court of Criminal Appeals, and the U.S. Fifth Circuit Court of Appeals.

Bruce Roberts understands, however, there is more to life than the practice of law. He was born November 30, 1956, and graduated from Robert E. Lee High School in Tyler, Texas. He is married and the father of three children. He is member of the First Christian Church and has been an assistant soccer coach, little league baseball coach, and den leader of pack 335 for four years. He has also been on the Board of the American Heart Association, Head Injury Association of Tyler, United Cerebral Palsy Telethon, and Past Noble Grand of the Independent Order of Odd Fellows, William Tell Lodge No. 27 (one of the oldest fraternal organizations in the United States).



MAP TO OUR OFFICE

Located across from Bergfeld Park on Broadway



ROBERTS & ROBERTS

ATTORNEYS AT LAW

118 W. Fourth St. • Tyler, Tx 75701-4000

Return Service Requested

CONSUMER PRODUCT WARNINGS & RECALLS

■ American Honda Motor Company is recalling 1 million vehicles to replace a faulty ignition switch. Worn contacts can cause the engine to stall without warning. Models involved are the Honda Civic 1998 -2000; Honda Prelude 1997 -1999; Honda Accord 1997 -1999; Honda Odyssey 1997 -1999; Honda CR-V 1997 -1999; Acura CL 1997 -1999; Acura TL-1999.

■ Arctic Cat, Inc. is recalling 45,000 2002 ATVs. Ball joints on the front suspension can fail, resulting in loss of control. Models are either red or green and have a brand name of "Arctic Cat." Recall includes model names 250, 300, 300 Massey Ferguson, 375, 400, 400i, 500, TBX 500, and 500i. Models sold nationwide June 2001 through June 12, 2002.

■ Roto Zip Tool Corporation is recalling 1.9 million handheld saws. Handles on these saws can separate from the body, causing the operator to be cut. Recalls include Revolution[®], Rebel[™] and Solaris[™] model Spiral Saw[™] power tools. The brand name and "ROTOZIP SPIRAL SAW" are written on the side of the tools and include the following serial numbers: Revolution[®] Serial Nos. range from 01 through 1,145,000; Rebel[™] Serial Nos. range from 01 through 415,000; and Solaris[™] Serial Nos. range from 01 through 270,000.

■ 76,000 GM minivans and SUVs are recalled because the seat latch anchor wire could inhibit the installation of child restraint seats. Models include the 2001 Chevrolet Venture, Pontiac Aztec, Pontiac Montana, and Oldsmobile Silhouette minivans and SUVs with second row 50/50 split bench seats or captain's chairs.

■ 75,000 children's pedal cars manufactured by Alpha International Inc. (a/k/a Gearbox Pedal Car Co.) are recalled because their paint contains

high lead levels. Models include "Fire Truck", "John Deere", and "Texaco"; police cars, including "NYPD", "Chicago Police", "Highway Patrol", and "EMERGENCY 911."

Also sedans including pink "Champion", blue "Champion", "Texaco", "John Deere", "Citgo", "Raley's Coca-Cola", "Raley's Keebler", and "Red Lion."

■ Hunter Fan Co. is recalling approximately 100,000 humidifiers. Motors in these humidifiers can overheat, posing a fire hazard. Recalled models include the 32500 CareFree, 33300 CareFree Plus, 33330 CareFree Plus, and the 33350 CareFree Plus.

■ Lakewood Engineering & Manufacturing Co. is recalling approximately 107,000 electric heaters. Electrical connections inside the heater can become loose, causing the heater's metal frame to become energized creating a serious electrical shock hazard. Recalled electrical heaters have Model Nos. 797 or 797 DFT which is stamped on the back of the unit. The word "Lakewood" is printed on the control panel.

■ 124,000 soap-making kits manufactured by Rose Art Industries, Inc. are recalled. Soap may get too hot when heated in a microwave and leak from the plastic container, causing burn injuries to children. Kits sold in a cardboard box with model number 4054 or plastic case with model number 4121 on the packaging.

■ Approximately 7,000 Harry Potter key chains are recalled. They can leak petroleum distillates—an ingestion hazard to children. Manufactured by Hallmark Cards Inc, the key chain is made of styrene and has a "potion bottle" filled with purple-colored mineral oil and red-colored water.

ROBERTS & ROBERTS

*Nationally Recognized as
Fighting For Injured People...*

TIME — September 11, 2000

DATELINE NBC — September 13, 2000

NEWSWEEK — October 9, 2000

TEXAS LAWYER — December 18, 2000

*...and Getting Results!**

Defective Product

\$5,750,000

Auto Accident

\$5,000,000

Oil Field Accident

\$2,300,000

Loading Dock Accident

\$1,665,000

Lumber Company Accident

\$1,500,000

Auto Accident

\$1,500,000

Railroad Crossing Accident

\$1,200,000

Construction Accident

\$1,100,000

Highway Accident

\$1,100,000

Trucking Accident

\$1,000,000

Drunk Driving Accident

\$1,000,000

**Results obtained depend on facts
of each case.*

You may obtain more information about product recalls by calling the Consumer Product Safety Commission at 1-800-638-2772, the U.S. Department of Transportation Auto Safety Hotline at 1-800-424-9393, or the Food and Drug Administration at 1-800-332-1088.