

ROBERTS & ROBERTS

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

SAFETY & THE LAW

Spring 2002

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ROBERTS & ROBERTS

ATTORNEYS AT LAW

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

6440 Central Expwy., Ste. 311
Dallas, Tx 75206-4123
(By Appointment Only)

(903) 597-6000
1-800-248-6000

www.RobertsLawFirm.com



IS AUTISM LINKED TO VACCINES?

We all know that many childhood vaccines can cause side effects, including mild fever, swelling, cough, headaches, and runny nose. Most are not serious. Recently, however, the American Academy of Pediatrics (AAP) and the U.S. Public Health Service issued a joint statement alerting doctors and the public of concern about vaccines that contain Thimerosal.

What is Thimerosal?

Thimerosal is an organic compound containing mercury that has been used since the 1930's as a preservative in vaccines. Thimerosal is used to help prevent the vaccine from spoiling and for inactivity or killing bacteria used to form vaccines. It is also used in preventing bacterial contamination in the final product.

Health Concerns About Thimerosal

The concern is that Thimerosal contains mercury which is a toxic compound that can result in serious health problems. Toxicity of mercury has been linked to different diseases including autism, learning disabilities, alzheimers, multiple sclerosis,

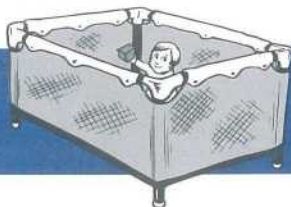


chronic fatigue syndrome, and bipolar disorder. Mercury can be particularly dangerous to small children. Fetuses, infants, and small children are particularly sensitive to mercury because their brains are still developing. When a vaccine contains Thimerosal, it contains mercury.

Autism symptoms are usually encountered in the first two years of life. In the past autism was considered a rare disorder with an incidence of approximately 1-3 per 10,000 births. More recently however, autism is being diagnosed much more frequently with an incidence of occupancy of 20-40 per 10,000 births and reports of 1 per 150 births have been reported in several states including New Jersey and California. If your child has autism which appeared after the administration of a vaccine, please contact us for help.

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

SIX STEPS TO MAKE YOUR CHILD'S PLAYPEN SAFER



Few safety experts have focused on the dangers of playpens. Today, however, the playpen is often used not only as a place to play, but a place where small children and infants sleep. If you use a playpen, you should take steps to protect your child.

1. Do not put soft bedding in a playpen. Soft bedding can be a risk factor for infant suffocation and sudden infant death syndrome (SIDS). 68 children have died in playpens where soft bedding was present and the cause of death was suffocation or SIDS.

2. Set up a playpen carefully before putting a child in it. Make sure the sides are locked in place. If you have questions, read the instructions or call the manufacturer to request instructions if they are not with the playpen. If side rails are not properly locked in place, they can collapse and children can be injured or even strangled in the v-shaped spaces between the rail sections. Infants can also suffocate if they roll under a pocket formed at the bottom of a mesh playpen when the side is down.

3. Use only the mattress or padding provided by the manufacturer. Do not add additional

mattresses in playpens. Children can suffocate in the spaces formed between mattresses, or from ill-fitting mattresses, and between additional mattresses or padding and the side of a playpen.

4. Check to make sure the playpen is in good shape. Using a modified or improperly repaired playpen can create additional hazards.

5. If using a mesh-sided playpen, make sure the mesh is no less than 1/4 inch in size. Make sure the mattress is securely attached to the top rail of the floor plate and the mesh does not have tears, holes or loose threads. Torn, loose or over-sized mesh threading can cause strangulation.

6. Do not use playpens with catch points such as protruding rivets. Remove any strings or cords on children's clothing that could catch on a playpen. This can also be a cause of strangulation.

Before using any playpen, make sure it has not been the subject of a recall. You can contact the **Consumers Products Safety Commission** at **1-800-638-2772** or visit them online at **www.cpsc.gov**. ■



Q. Can my auto insurance company refuse to renew my policy because of an accident that was not my fault?

A. No. The law in Texas forbids an insurance company from refusing to renew your policy because of claims or accidents that cannot reasonably be blamed on you. Such occurrences cannot be the sole basis for non-renewal unless you have more than one in a twelve month period.

An insurance company must explain its reasons in writing for not renewing your policy. If the company's notice of non-renewal does not state the reasons, ask for them in writing.



SEND US YOUR EMAIL ADDRESS

Every day defective products are recalled and unsafe working conditions are exposed. Chemicals, drugs, and medical devices once thought safe are found to be potentially dangerous to users. We live in a changing world and to stay safe, you need to be informed.

Send your email address to mail@robertslawfirm.com and we will keep you informed by email of important product recalls and current news on consumer, home, and workplace safety.

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 Law by the Texas Board of Legal Specialization.

OUR POLICY

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.

- Free consultation at a place and time convenient for you.
- Free transportation to our office for your consultation.
- Help with medical care before you settle your claim.
- Help with car repair and rental.
- Help collecting lost wages.
- Help 24 hours a day.
- Se habla español.

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

(903) 597-6000 • 1-800-248-6000



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.

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 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.

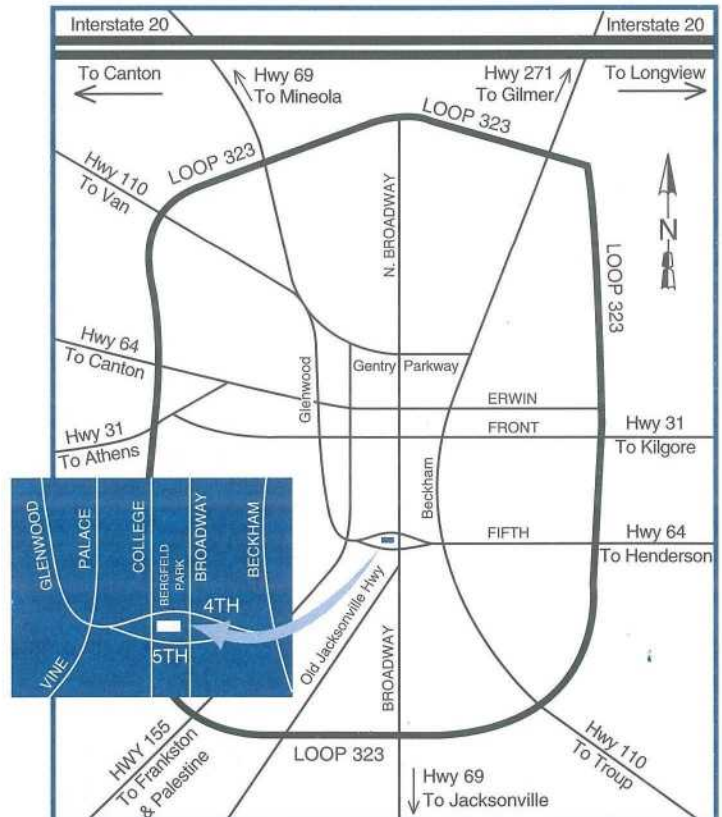
Bruce attended the University of Texas and the University of Texas School of Law, graduating in 1981. After working for a year in the Twelfth Court of Appeals for the State of Texas, he joined his brother forming a law firm now known as Roberts & Roberts. In addition to being Board Certified in Personal 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

■ GMC four-wheel-drive Chevrolet Trailblazers and GMC Envoy SUVs manufactured between January and August 2001 have been recalled. The vehicle can roll forward even when the transmission is in park. Dealers will update the transfer case control module to resolve this problem.

■ Mitsubishi is recalling its cars for defective brakes. The automaker will replace a brake part on Legnum and Gallant passenger cars manufactured between August 7, 1996 and August 1, 1998. The weakness in the braking active stability control system (ASC) can cause soft brake pedals affecting the vehicle's braking ability.

■ Mazda is recalling its B-Series light duty trucks manufactured between July 2000 and May 2001. It is possible that the driver's and/or front passenger's outboard seat-belt buckle may not fully latch and in the event of a crash, not adequately restrain the occupant. Dealers will inspect the outboard seat-belt buckles, and if necessary, replace them.

■ Fisher-Price is recalling thousands of Smart Response Swings for in-home inspection and repair. The seats of these swings may appear secure, but are not. If the seat of the swing is not properly attached, the seat and baby can flip forward. Fisher-Price received seven reports of seats of these swings flipping forward, including four reports of babies hitting their heads on the floor. Product numbers 79644, 79645 or 79647 are molded onto the back of the seat. Consumers should stop using the swings immediately and call Fisher-Price for help in inspecting the seat. Call Fisher-Price at (800) 942-5912 anytime, or visit the firm's web site at www.fisher-price.com.

■ Dorel Juvenile Group is recalling a 102,000 Cosco "Zip n Go," "Okie Dokie," and "Carters" playpens manufactured between May 1995 and December 1997. The playpen lock rails can loosen and break, allowing the rails to turn inward, collapsing and entrapping an infant. Consumers should stop

using these playpens immediately and call Dorel Juvenile Group for a refund or replacement part at 1-800-314-9327.

■ Wyco, Inc. is recalling the "Runt" brand mini-bicycles. The bicycles do not have the brakes required by government standards. Consumers should immediately stop using the "Runt" bicycles and call Wyco at 866-868-7868 for a free repair kit.

■ Disney Stores is recalling its Princess Ariel (The Little Mermaid) costumes. The fabric used in these costumes can easily ignite presenting a serious risk of burn to children. Consumers should immediately stop wearing these costumes and call Disney at 800-328-5902 for refunds or replacement information.

■ Applia Consumer Products, Inc. is recalling 2 million VersaToast wide-slot toasters. Applia sold these toasters under the Black & Decker brand. The heating element in the toasters can continue to operate after use, posing a fire hazard. Model numbers T1200, T1250 or T1400 or T1450 are written on the bottom of the toaster. These toasters were sold between June 1999 and January 2002. Consumers should unplug them and contact the store where it was purchased for a refund or additional information.

■ Lawn-Boy, Inc. is recalling the Lawn-Boy power mowers because stress cracks can develop in the mower's fuel tank, allowing gasoline to leak posing a risk of fire and burn injuries. There have been nearly 400 reports of fuel tanks leaking. These were sold between December 2000 and November 2001, they have a decal on the right rear of the mower's housing that has one of the following model numbers: 10247, 10252, 10323, 10324, 10424, 10550 or 10552. The decal also has a serial number starting with "21." Consumers should stop using the mowers and contact Lawn-Boy, Inc. at 1-800-444-8676 to locate a dealer to inspect and replace the fuel tank.

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.