

# ROBERTS & ROBERTS

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

## SAFETY & THE LAW

Summer 2003

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**ROBERTS & ROBERTS**

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**1-800-248-6000**



Karen R. Roberts      Bruce L. Roberts      Randall C. Roberts

To read about us in national publications, visit  
our website at [www.RobertsLawFirm.com](http://www.RobertsLawFirm.com)

## DANGER AT THE PUMPS



In these days of self-serve everything, most people know how to pump their own gas. But you might not know about a potential danger at the pumps.

It's called static.

### STATIC: A NEW FIRE CONCERN

According to the Petroleum Equipment Institute, there have been approximately 150 cases of static fire associated with pumping gas. Static occurs when people start filling their gas tanks and then re-enter their cars temporarily. When they return to the pumps, a static discharge can take place, possibly igniting a fire.

In these instances, people typically get back into their cars to make a phone call, retrieve a wallet, or talk with a passenger. A static charge can be generated when drivers move around in their cars. When the person touches the nozzle, a spark can ignite fuel vapors around the nozzle. Some retailers have placed signs on gasoline pumps notifying consumers of the danger.

To stop static, simply don't go back into your car while the tank is filling.

This message is especially critical for people with children in the back seat. If a fire results, an adult might not be able to get a child out of the car fast enough. If you absolutely have to go back into your car for some reason, touch a metal part of your car that is not near the fuel tank area. Touching a metal portion of your car will dissipate any static charge that you may have built up while in the car.

### MORE TIPS FOR REFUELING

The National Fire Protection Association, offers these additional tips for safety in service stations:

- ◆ Turn off the engine before refueling.
- ◆ Don't allow kids to pump gas. There have been an estimated 7,400 fires and explosions at public service gas stations between 1994 and 1998.
- ◆ Don't smoke, light matches, or use lighters while refueling.
- ◆ Don't overfill the vehicle's gas tank.
- ◆ After pumping gasoline, leave the nozzle in the tank opening for a few seconds to avoid drips when you remove it.

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

## NEW WARNINGS ABOUT LEAD PAINT



According to the paint industry's trade association and 50 of the nations' Attorneys General, lead paint presents a serious health hazard, especially to children. This was announced in June 2003, more than 25 years after lead paint was banned from the market in 1978. Beginning September 2003, warnings will appear in the form of a sticker on new cans of paint. Companies must be in compliance and implement the new regulation by permanent labels no later than December 2004.



New warning labels must disclose the following: **WARNING!** If you scrape, sand, or remove old paint, you may release lead dust. **LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE.** Wear a NIOSH-approved respirator to control lead exposure. Clean up carefully with a HEPA vacuum and a wet mop. Before you start, find out how to protect yourself and your family by contacting the National Lead Information Hotline at 1-800-424-LEAD or log on to [www.epa.gov/lead](http://www.epa.gov/lead).

Health officials estimate that up to 30% of lead poisoning cases can be attributed to repairs and renovations.

### National Lead Information Hotline:

1-800-424-LEAD  
[www.epa.gov/lead](http://www.epa.gov/lead)

## 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
- Oil Field Accidents
- Nursing Home Neglect
- Social Security Disability Claims
- Workers' Compensation Claims

### 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](http://www.RobertsLawFirm.com)



**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.



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, the U.S. Court of Federal Claims, 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.

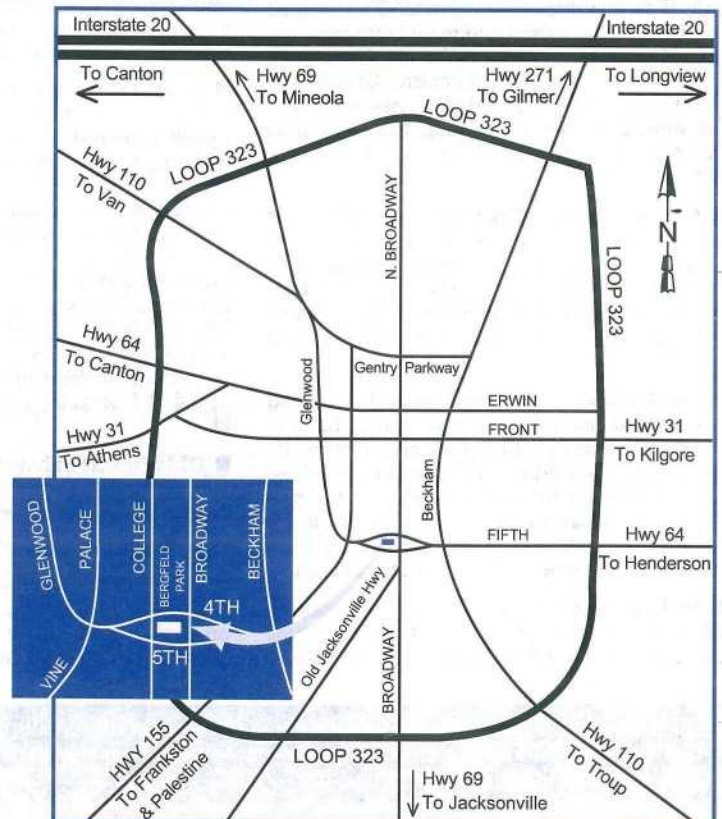
Bruce has been active, not only in the actual trial of personal injury lawsuits, but also in the academic area by authoring several articles in the area of personal injury law. He was a member of the Review of Litigation and the American Journal of Criminal Law at the University of Texas School of Law. 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

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## CONSUMER PRODUCT WARNINGS & RECALLS

■ **Eastman Kodak Company** is recalling 75,000 DC5000-model digital cameras. Due to a manufacturing defect, consumers using these cameras can suffer electrical shock while charging batteries, installing or removing the memory card or USB cable. These cameras are sold at department stores, electronic, computer and web retailers from June 2000 through August 2002. Consumers should contact Kodak at 888-793-2977 to receive a postage paid mailer to return your camera or for additional information.

■ **API Outdoors** of Tallulah, Louisiana, a division of Outland Sports Inc. is recalling 90,000 treestands used by hunters. The cable that secures the treestands can break, posing the risk of falls and serious injuries. The recalled treestand brand names and model numbers are: API Hi-Point Cable Cat Climbing Treestand, Model #CC501 and API Buckmaster Grand Slam Climbing Treestand, Model #GS3800BM. Consumers should stop using the treestands immediately and call API Outdoors toll-free at 866-215-2419.

■ **Chrysler PT Cruisers** manufactured between May 2000 and January 2001 are recalled for risk of fire. On certain cars, the fuel supply line can contact the air conditioning tube service port. This could cause rubbing of the line resulting in a fuel leakage which would pose a risk of fire in the automobile.

■ **Ford Motor Company** is recalling 80,000 2002 Ford Expeditions and 2002 Lincoln Navigators. The rear tire pressure is incorrectly listed on the certification label for 4 x 2 vehicles. Customers could inflate the rear tires based upon the incorrect tire pressure information on the label. Owners should contact their dealer for a supplementary label with correct information.

■ **Dollar Tree Stores Inc.** is recalling 310,000 stuffed polyester pool animals. Seams can separate exposing polyester stuffing and

foam beads which pose a choking hazard. The eight pool animals involved in the recall are crab, duck, frog, octopus, seahorse, shark, turtle, and whale. The animals have a sewn-in label that reads in part, "Dollar Tree Distribution, Inc.," "Made in China" and "RN#87254." Consumers should take these stuffed animals away from their children and return them to the store for a refund.

■ **Makita U.S.A. Inc.** is recalling 180,000 circular saws. The lower blade guard of the saw can become jammed resulting in the user coming in contact with the blade. The recall involves the 7 1/4-inch circular saws with model number 5740NB sold in stores between April 1998 and November 2002. Stop using these saws immediately and return them to the nearest Makita factory service center for a free repair or call Makita U.S.A. Inc. at 800-462-5482.

■ **Baby Trend Inc.** is recalling 15,000 infant swings. A screw on the swing's support arm can loosen or detach, causing the seat to separate and drop to one side. This presents a fall hazard to the infants. The recall involves the "Trend Swing" stationary infant swings, model numbers 8711 and 8722 found on a label on the bottom of the seat. "Baby Trend" is printed on the front of the seat's tray and "Trend Swing" is printed on the arm. The swings were sold nationwide between November 2001 through September 2002 at **Toys R Us** stores. Consumers should stop using the recalled swings and contact Baby Trend at 800-328-7363 to receive a free repair kit.

■ **Oldsmobile Silhouettes**, Pontiac Bonneville and Pontiac Montanas Model Year 2002-2003, are recalled due to defects in the air bag inflator on the driver's side. In certain cars the inflator could fracture during a deployment with pieces striking the car's occupants. Also, the air bag cushion might not fully inflate reducing its protection to the driver. Owners should contact their dealer and have the vehicle inspected.

## 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**

**Auto Accident**

**\$1,520,000**

**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.