

ROBERTS & ROBERTS

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

SAFETY & THE LAW

Fall 2006

IN THIS ISSUE:

STUDENT DORMATORY
FIRE HAZARDS

PAPER SHREDDER HAZARDS

ANSWERS TO LEGAL QUESTIONS

CONSUMER PRODUCT RECALLS

ROBERTS & ROBERTS

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From left to right:

BRUCE L. ROBERTS • R.E. (FELIX) COX

RANDELL (RANDY) C. ROBERTS

SEAN W. HESTER • KAREN R. ROBERTS

To read about us in the national media,
visit our website at www.RobertsLawFirm.com

IS YOUR STUDENT'S DORM ROOM A FIRE HAZARD?

Each year new students leave home and move into a college dormitory. Unfortunately, most parents and their kids do not realize that the dorm in question may be an electrical fire hazard. According to Campus Firewatch, during the last three years 52 students have died in fires in college residences. According to Electrical Safety Foundation International (ESFI), old dormitory buildings with old electrical wiring may contribute to fires of this type. Likewise, unsafe extension cords and dangerous halogen lamps can contribute to dorm fires.

ESFI has identified the following dormitory dangers:

1. Old electrical wiring in dormitory buildings may not be able to adequately handle the modern student's electricity needs. In many instances, the use of a multiple receptacle power strip or surge protector (such as the ones commonly used with personal computers) may not be safe to use - the old wiring in the dorm room may simply be too inadequate for this much electrical current. In this event, a fire could result. If this is so, it is the responsibility of the college to make clear to the student how much electricity he can use in his dorm.



2. Most extension cords come with little or no warnings or instructional material. Despite this fact, extension cords are much more dangerous than they appear. Extension cords, combined with old wiring, or merely extended use, may often contribute to dormitory fires.

3. Halogen lamps burn at a very high temperature. The lamps can cause a fire when too close to flammable objects such as the ceiling or curtains. Likewise, a halogen lamp that falls over can set the carpet of a dorm room on fire if it goes unnoticed.

4. Floor lamps are also a fire hazard as they too can fall over and cause a fire when left unattended. Also, these lamps may be too tall and could possibly set the ceiling on fire.

In case of fire, be sure your student is ready. According to the National Safety Council, students should check with their resident advisor to find out the college's escape route for that particular dorm. "They should find two exits from their room and memorize the number of doors to the nearest exit. Chances are good that when exiting their room in the event of a fire, they may have to crawl to safety and their vision may be impaired. Memorizing the number of doors may be the only way to get to fresh air." "The important thing to remember is when a fire alarm sounds, get out. If (exiting) is not safe, (they should) close and seal the door with wet towels and call 911." "Students should not risk trying to get out if it is unsafe."

Roberts & Roberts is listed in the Martindale-Hubbell® Bar Register of Preeminent Lawyers™.

PAPER SHREDDER HAZARDS

Document shredder machines, commonly referred to as paper shredders, have been used in offices for many years. More and more consumers are purchasing these products for home offices and to prevent identity theft. Approximately 22 million households have at least one paper shredder. An estimated 10 to 20 million paper shredders were sold for home and office use in 2002. These sales are expected to increase by approximately 20% per year.

Unfortunately, despite the popularity of paper shredders, many people are unaware of their dangers. The Consumer Product Safety Commission (CPSC) has reported many injuries associated with paper shredders. Finger amputations are among the most serious of these injuries. While adults and children are both vulnerable to finger amputations, roughly 2/3 of the incidents reported involved children under the age of 12.

Most of these injuries occur when a hand is accidentally allowed to come into contact with the paper shredder's opening where paper is inserted. Adults may do this inadvertently whereas children may purposely place their hand into the shredder or may just not realize that they should let go of paper as they feed it into the shredder.

The CPSC has tested paper shredders to determine what manufacturers can do to prevent these accidental injuries. They found that the width of the paper shredder opening, the stiffness of the opening, the distance to the shredder mechanism from the opening, and the shredder mechanism's pulling force were all factors that make a paper shredder less safe. Something as simple as designing a smaller shredder opening or placing the shredder blades further from that opening might save the fingers of someone accidentally contacting the shredder opening. In addition, because most paper shredders have auto-start features, a child can be at risk even when an adult is not present.

During their testing, the CPSC staff found that current voluntary safety standards may not adequately address the dangers associated with paper shredders. The CPSC is working with various organizations to improve the safety standards related to paper shredders. Until new standards are in force, adults and children may be at risk from unsafe paper shredders.



YOUR RIGHTS IF YOUR NEW CAR IS WRECKED

Question:

My car was wrecked by a careless driver. His insurance company paid for the repairs, but my car is just not the same. Do I have any other rights?

Answer:

Yes. The law recognizes that a car that has been wrecked, even after it has been adequately repaired, may not have the same value as it did before the wreck. Although the car is completely repaired, the wreck may, in some circumstances, decrease its resale value — sometimes by as much as 10%.

Simply repairing the car does not relieve the other driver's insurance company from its responsibility to fully compensate you for your loss. If you can show that your car also sustained some loss in its resale value, you are entitled to compensation for this loss as well.



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Our Attorneys Specialize in Representing Victims of:

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

THE INITIAL CONSULTATION IS FREE.

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THE ATTORNEYS OF ROBERTS & ROBERTS



RANDELL (RANDY) C. ROBERTS

Randy has been recognized in Time, Newsweek, Ladies Home Journal, and the Texas Lawyer as well as on CNN and 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. His ground breaking case against Firestone is featured in McGraw-Hill's college textbook on corporate crime

entitled Criminology and the Criminal Justice System. Randy has been named a "Texas Super Lawyer" by Texas Monthly because of his success in representing people injured by unsafe products. He is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization.



BRUCE L. ROBERTS

Bruce attended 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 the 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 a member of the State Bar College of the State of Texas.



KAREN R. ROBERTS

Karen received her J.D. in 1994. She devotes her practice to representing people injured by unsafe practices and products. She serves as a Trustee with ATLA's National College of Advocacy (NCA) and has attained the status of "Fellow" with the NCA. She is Chair-elect of the Texas Trial Lawyer's Board of Advocates. Karen is also

a member of the College of the State Bar of Texas, an honorary society chartered by the Supreme Court of Texas.



SEAN W. HESTER

Sean attended Baylor University Law School where he earned his Doctorate of Jurisprudence (J.D.) in 1992.

Sean practiced law as a solo practitioner representing injured people for many years before joining the law firm of Roberts and Roberts. In addition to trying lawsuits, Sean has handled several appeals. Sean was selected as a "Texas Super Lawyer-Rising Star" by Texas Monthly which is an honor given to only 2.5% of Texas Attorneys each year. Sean is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization.



R.E. (FELIX) COX

Felix received a Juris Doctor from the Dedman School of Law at Southern Methodist University in 2003. While at SMU, Felix competed in several national advocacy competitions receiving awards as a National Best Brief writer and National Finalist speaker. As a result,

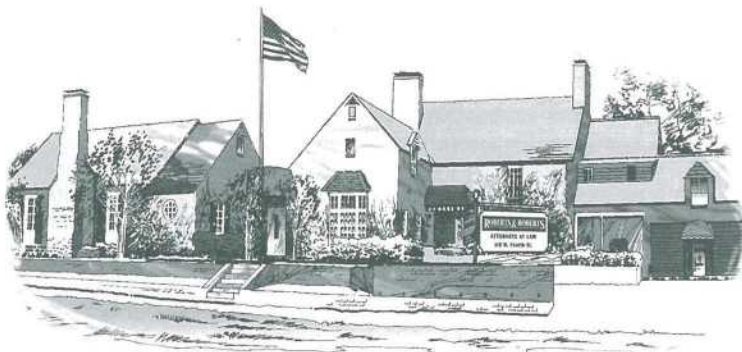
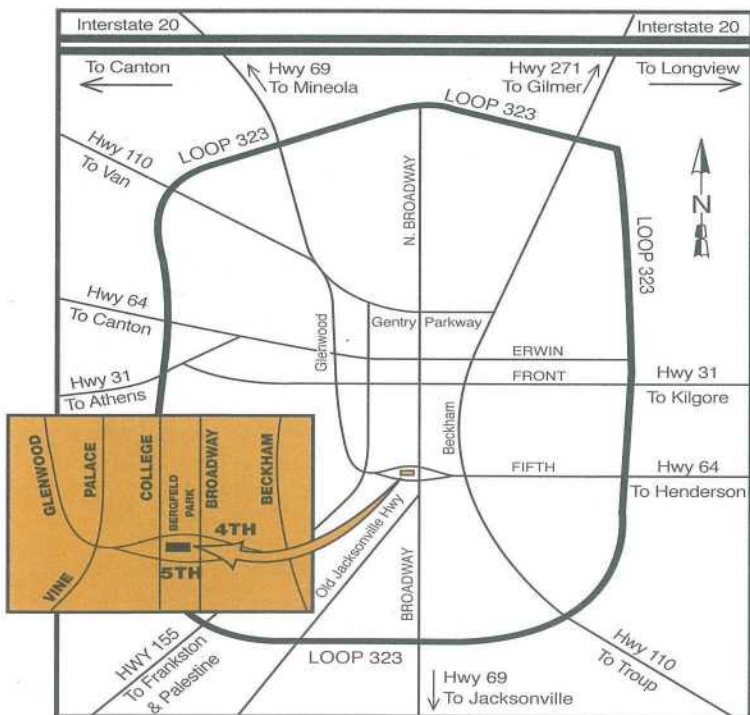
Felix was recognized for his advocacy skills by SMU's faculty and enrolled in the Order of the Barristers. He was also selected by SMU's Board of Advocates for SMU's 2002-2003 Outstanding Advocate of the Year Award.



STEVEN S. SCHULTE

Steven received a Doctorate of Jurisprudence (J.D.) and a Master of Laws (LL.M.) in Taxation from Southern Methodist University's Dedman School of Law in 2005 and in 2006 respectively. While in law school, Steven participated in SMU's civil legal clinic. As a student attorney, Steven represented clients in

different practice arenas including bankruptcy, contracts, negligence, landlord-tenant, DTPA, and residential foreclosure. Steven was later selected to serve as the clinic's chief counsel. In this role Steven assisted new student attorneys on case work and client representation. In addition to the civil clinic, Steven has served as a legal research assistant for a sole practitioner in Dallas, Texas.



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CONSUMER PRODUCT WARNINGS & RECALLS

■ **COFFEE MAKERS** - applica Consumer Products Inc. recalled 420,000 Black & Decker Brand Thermal Coffeemakers (model numbers TCM800 and TCM805). These coffee makers may not turn off as programmed, causing the unit to overheat and melt, posing a risk of fire. They were sold nationwide from March 2004 through April 2006. Contact applica at 1-800-239-7145.

■ **DIGITAL CAMERAS** - Hewlett-Packard recalled 224,000 HP Photosmart R707 Digital Cameras. The camera can cause certain non-rechargeable batteries to overheat when the camera is connected to an AC adapter or docking station posing a fire hazard. The cameras were sold nationwide from August 2004 through April 2006. Contact HP at 1-866-304-7117.

■ **DAIMLER CHRYSLER CARS** - Daimler Chrysler recalled over 44,300 2006 Chrysler 300 and Dodge Charger and Magnum passenger cars because of a break problem. Contact your local Daimler Chrysler dealer.

■ **SCUBA REGULATORS** - Scubapro recalled 670 Scubapro X650 Second Stage Regulators. A manufacturing error could cause air flow to be interrupted, posing a drowning hazard to users. Not all Scubapro X650 Second Stage Regulators are being recalled. Affected regulators have a visible bump located on the right side of the unit between the letter "C" and where the mouthpiece attaches to the regulator body. They were sold nationwide from June 2005 through May 2006. Contact Scubapro at 1-800-808-3948.

■ **TREE STANDS** - Summit Treestands recalled 106,000 safety harnesses sold with hunting tree stands. The harnesses could fail during use, resulting in the user falling from tree stands and suffering serious injury or death. The harnesses were sold as an accessory with the following tree stands or ladders: Viper X5, Goliath X5, Razor X5, Bushmaster X5, Broadhead Backpacker, Bullet Backpacker, Clearshot, Openshot, and MegaSampson. They were sold at sporting goods stores nationwide from June 2005 through May 2006. Contact Summit Treestands at 1-800-226-1157.

■ **PACIFIERS** - Kole Imports (KI) recalled 3,600 packages of "Baby 2 Pack Pacifiers." The pacifier's nipple can easily detach, posing a serious choking hazard to young children. Writing on the front of the packaging includes, "Baby 2 Pack Pacifiers," and "B1194." The back of the packaging has an American flag and the writing, "AN AMERICAN COMPANY." They were sold nationwide from August 2005 through March 2006. Contact KI at 1-800-874-7766.

■ **VOLVO CARS** - Volvo recalled approximately 16,175 S40 and V50 cars equipped with turbo engines because a problem in the fuel line could lead to a leak. Contact your local Volvo dealer.

■ **CHILD NECKLACES** - Dollar General Store recalled about 55,000 children's necklaces because they contain high levels of lead and pose a serious risk of lead poisoning and adverse health effects to young children. These necklaces were manufactured by Selected Trading Corp., Miami, Fla. The jewelry's packaging is white cardboard with "In Style" printed on the front and UPC number 041838140766 on the back. Consumers are advised to immediately return the recalled jewelry to the nearest Dollar General Store for a refund.

■ **LEAF BLOWERS** - RedMax recalled about 170,000 gas-powered backpack blowers because the muffler support bracket can break creating an opening in the muffler body which can allow hot exhaust gases to escape from the muffler, melting the fuel tank or igniting the grease, oil or debris around the fuel tank. Recalled units are model numbers EB6200, EB7000, EB7001, and EB7001RH. Contact your local RedMax dealer.

■ **ELECTRIC GUITARS** - Ibanez recalled approximately 700 Ibanez electric bass guitars because they can overheat and start a fire. The affected units are 2005 and 2006 Ibanez Soundgear, Roadgear, and Gary Willis series guitars with the following model numbers: GWB105NTF, SR1000EBGNTF, SR1000EFMNTF, SR1000EPBNTF, SR1000EWNNTF, SR1000EZWNTF, SR1005EBGNTF, SR1005EFMNTF, SR1005EPBNTF, SR1005EWNNTF, SR1005EZWNTF, RD900AHNHS, or RD900FMNT. Contact your local Ibanez dealer.

■ **GM PICKUPS** - General Motors recalled nearly 405,000 pickup trucks because their brake lights could fail. The affected models are 2004-2006 Chevrolet Colorados, 2004-2006 GMC Canyons, and the 2006 Isuzu i280 and i350. Contact your local General Motors dealer.

■ **CHILDREN'S BOOKS** - Simon & Schuster recalled 9,000 Curious Buddies children's books. The felt ears and limbs on the pop-up characters can detach or come apart when pulled posing a choking hazard to young children. This recall involves Curious Buddies cloth books titled "Hello, Curious Buddies!" Pictured on the cover of the books are the Curious Buddies characters. Inside the book are two plush pop-up toy characters. The books were sold nationwide from October 2005 through May 2006. Contact Simon & Schuster at 1-800-732-9531.

You may obtain more information about product recalls by visiting www.RobertsLawFirm.com or 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.

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

CNN - September 6, 2000
TIME - September 11, 2000
DATELINE NBC - September 13, 2000
NEWSWEEK - October 9, 2000
TEXAS LAWYER - December 18, 2000
TIME ANNUAL - January 1, 2001
TEXAS MONTHLY - October 15, 2005
TEXAS SUPER LAWYERS - October 22, 2005
TEXAS MONTHLY - February 17, 2006

*...and Getting Results!**

Defective Product	\$5,750,000
Auto Accident	\$5,000,000
Gas Explosion	\$4,100,000
Electrical Accident	\$4,000,000
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
Defective Product	\$1,400,000
Railroad Crossing Accident	\$1,200,000
Construction Accident	\$1,100,000
Trucking Accident	\$1,100,000
Trucking Accident	\$1,000,000
Trucking Accident	\$1,000,000
Drunk Driving Accident	\$1,000,000
Defective Product	\$1,000,000

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

The information in this newsletter is extracted from contemporary safety literature. The original sources are available upon request.