

ROBERTS & ROBERTS

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

SAFETY & THE LAW

Summer 2006

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ROBERTS & ROBERTS

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1-800-248-6000**



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

UNSAFE AMUSEMENT PARK RIDES?

Summertime is a great time for families to have fun at amusement parks or carnivals, and spend quality time together. While these places offer great fun for all ages, they can also be very dangerous. Injuries on amusement park rides can range from a stubbed toe to dismemberment and death if the proper safety precautions are not followed.

Because amusement park rides are not subject to federal safety regulations regarding child restraints, parents must ensure their children ride safely and stay inside the ride until it comes to a full stop. In general, parents are the first line of defense when it comes to amusement parks.

Here are some suggestions from the National Safety Council to ensure a safe amusement park ride experience:

1. Conduct your own inspection. Look around. Is the ride clean and well maintained? Do the ride operators seem professional and competent?
2. Check your restraints. Buckle any seatbelt, make sure your lap bar or horse collar locks down and visually inspect pins and door latches. If you notice any problems, notify the operator before the ride begins.
3. Listen to and follow warnings and instructions. Stay seated and keep away from tracks and machinery.
4. "You must be this tall" restrictions should be followed. These restrictions are based on the size and position of the ride's restraint system. Better your child suffer temporary disappointment than a serious injury that could last a lifetime.
5. Respect all posted restrictions. Don't assume the park is exaggerating the danger.
6. Stay seated! Don't stand up on roller coasters or other rides. Standing on a sit-down roller coaster puts your center of gravity too high. The same forces that ordinarily conspire to keep you in your seat now work to throw you from the ride!
7. Don't rock the boat. Creating extra excitement by adding extra motion to the ride can only spell trouble. Let the natural motion of the ride provide your fun.
8. Don't drink and ride. Never ride while under the influence of alcohol or drugs.
9. Know when to quit. Stop riding before you or your child become excessively tired.
10. Don't stay silent. Report all problems to the amusement park.



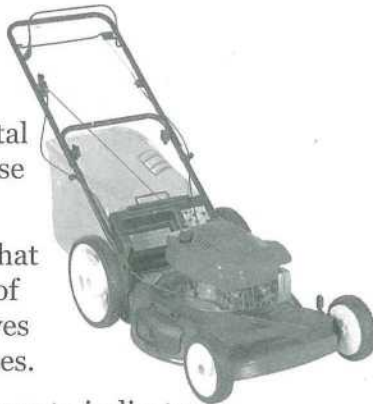
Roberts & Roberts is listed in the Martindale-Hubbell® Bar Register of Preeminent Lawyers™.

IS YOUR PUSH-MOWER TOO DANGEROUS?

Each year approximately 75,000 people are injured by lawnmowers and require medical treatment. Injuries may range from minor cuts and bruises to amputations and even death. Some of these injuries are caused by unsafe lawnmowers.

The National Institute of Safety and Health has identified these potential defects possibly found on some walk-behind lawnmowers:

1. Some mowers have power-driven chains, belts, and gears that are not guarded to prevent contact and injury. Exposed items such as these can cause serious injury.
2. Some mowers have poorly marked operator controls. Controls must be clearly marked to ensure safe operation.
3. Some mowers do not have a shut-off device which shuts off the mower when the operator removes his hand(s) from the controls. This is vital to protecting operators who fall down or otherwise lose control of a mower.
4. Some mowers have a mower blade enclosure that does not fully extend to the lowest cutting point of the blade in the lowest cutting position. This leaves the deadly mower blade exposed in some instances.
5. Some mowers lack warnings affixed to the mower to indicate that the mower should not be used without either the grass-catcher assembly or the discharge guard in place. It is vital that one of these items be used. Mowers used without either of these items have no device in place to ensure which direction debris is discharged from the mower.
6. Some discharge ports do not have proper designs which may cause debris to be discharged long distances or may even cause the debris to be discharged in the direction of the operator.



Lawnmowers have come a long way in safety over the years. Nevertheless, hazards still exist and will continue to exist as long as the public remains unaware of these hidden dangers.

ROBERTS & ROBERTS

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
- Industrial and Construction Accidents
- Falls, Fires, and Electrical Accidents
- Farm and Ranch Accidents
- Sports, Guns, and Recreational Accidents
- Professional Malpractice, Including Legal Malpractice
- 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...
The call costs you nothing. It can mean everything.

903-597-6000 • 1-800-248-6000

All calls are answered 24 hours a day, 7 days a week.

www.RobertsLawFirm.com



WHAT TO DO WHEN A MOTORIST IS INJURED IN AN ACCIDENT

Question:

If someone is hurt in an accident, should I try to help?

Answer :

Yes. If the person is seriously injured, do not attempt to move them unless it is absolutely necessary to protect them from further injury. Get someone to call the police or 911 if an ambulance is needed. Do what you can to make the injured person comfortable until paramedics or the police arrive. With few exceptions, a bystander who in good faith administers emergency care at the scene of an emergency in Texas, is not liable for damages for an act performed during the emergency unless the act is willfully or wantonly negligent.



This newsletter is printed
on recycled paper.

THE ATTORNEYS OF ROBERTS & ROBERTS



RANDELL (RANDY) C. ROBERTS

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 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.



KAREN R. ROBERTS

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. She also serves on the Texas Trial Lawyer Association's (TTLA) Board of Directors as well as the TTLA Advocates Board of Directors. She is a member of the College of the State Bar of Texas, an honorary society chartered by the Supreme Court of Texas.



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.



SEAN W. HESTER

Sean attended Baylor University Law School where he earned his Doctorate of Jurisprudence (J.D.) in 1992. While at Baylor, Sean was selected to join Phi Delta Phi, an honorary legal fraternity established to promote a higher standard of professional ethics. Sean is a member of the College of the State Bar of Texas, an

honorary society chartered by the Supreme Court of Texas

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. As a member of the State Bar of Texas, Sean served on the Federal Judicial Relations Committee. He is also a member of the Smith County Bar Association and the Texas Trial Lawyer's Association. Sean is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization.



R.E. (FELIX) COX

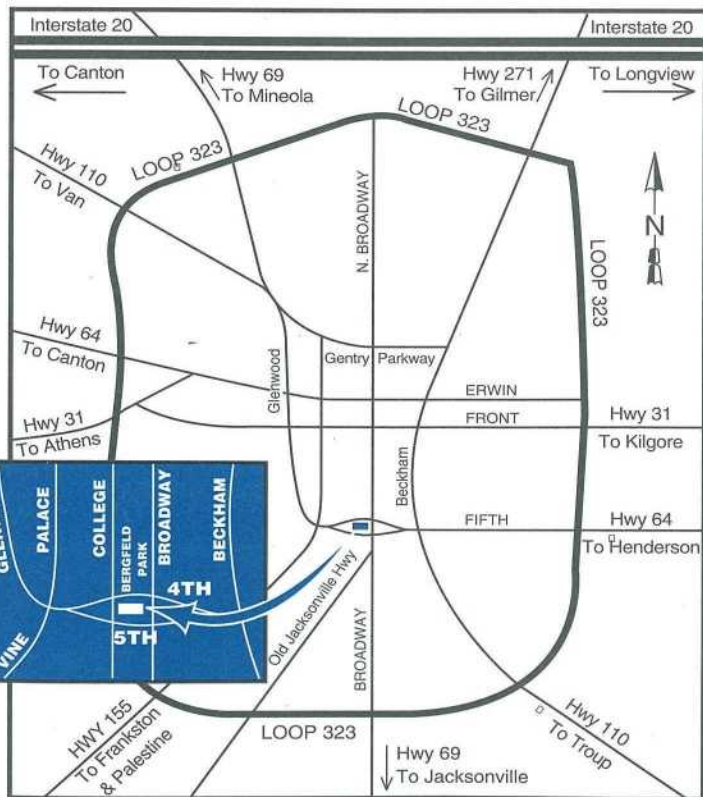
Felix received a Juris Doctor from the Dedman School of Law at Southern Methodist University in 2003. While at SMU, Felix competed in several national advocacy competitions receiving awards as a National Best Brief writer and National Finalist speaker. As a result, Felix was

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.

At SMU, Felix served as a Student Prosecutor for the Dallas County District Attorney's Office where he tried several criminal misdemeanor cases. He also worked as a Legal Intern for the Federal Public Defender's Offices in Dallas and Fort Worth and as a Research Assistant to SMU Professor of Law Joseph McKnight.



Located across from Bergfeld Park on Broadway



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CONSUMER PRODUCT WARNINGS & RECALLS

■ **ROCKING CHAIRS** - Wal-Mart recalled approximately 643,000 Mainstays brand Porch Rockers (models IT-13379 and IT 13270) and Love Seat Rockers (model IT-13380) because poor construction could result in a fall hazard. Contact Wal-Mart at 1-800-925-6278.

■ **HONDA CIVICS** - Honda recalled approximately 12,750 2006 model two door Civic coupes because the vehicles occupant detection system (ODS) could have a faulty electronic component that could interfere with the systems ability to properly suppress the front passenger air bag when an infant or small child is seated in the front passenger seat. Contact your local Honda dealer.

■ **NIGHT LIGHTS** - AmerTac recalled approximately 35,000 Forever-Glo Nite Lites because an electrical short circuit in the night lights can cause a fire hazard. Only model numbers 75001 and 75002 with a manufacture date of April 2004 or later are included in the recall. Contact AmerTac at 1-800-420-7511.

■ **BOX FANS & PIVOTING FLOOR FANS** - Lasko Products Inc. recalled 5.6 million Lasko, General Electric, Galaxy, and Air King brand box fans and pivoting floor fans. An electrical failure in the motor of these fans can pose a fire hazard to consumers. The recall involves various models manufactured between January 1999 and July 2001 and sold through February 2004. Contact Lasko at 1-800-894-3311 or visit Lasko's website at www.laskoproducts.com

■ **LIQUID- FILLED TEETHERS** - The First Years recalled six different types of liquid filled teethers as a result of a bacterial contamination hazard. The liquid inside the teethers may contain bacteria which can cause serious illness in children if the teether is punctured. The recalled products include: Disney Days of Hunny Soft Cool Ring Teether Y1447; Disney Soft Cool Ring Teether Y1470; Disney Soft Cool Ring Teether Y1490; The First Years Cool Animal Teether Y1473; Sesame Beginnings Chill & Chew Teether Y3095; and The First Years Floating Friends Teether Y1474. Contact The First Years at 1-866-725-4407.

■ **SUZUKI VL1500 MOTORCYCLES** - Suzuki recalled all 1998-2005 model VL1500 motorcycles as well as all 2006 model VL1500 models produced before Dec. 20, 2005. These models can experience hairline cracking around the right front fuel tank mounting point. This can result in fuel seepage. Contact your local Suzuki dealer.

■ **GO-KARTS** - Manco Blazer Fun-Kart and Sunright International Go-Karts recalled approximately 3,200 go-karts because the throttle can stick causing the driver to lose control of the go-kart. The recall involves two-seat Manco Blazer (model 1050L-09) and Sunright International (model RTV50-SK50) go-karts. Contact Manco Blazer at 1-800-643-7332 or Sunright International at 1-888-737-7488.

■ **BRASS EAGLE PAINT BALL GUNS** - Brass Eagle recalled 243,000 Blade Turbo paintball guns. The carbon dioxide (CO2) cartridges used in the guns can unexpectedly eject out of the back of the paintball gun. This poses a serious risk of injury to the paintball guns operator who can be hit by the CO2 cartridges. Contact Brass Eagle at 1-866-363-8241.

■ **FORD & LINCOLN PICKUPS** - Ford recalled approximately 211,400 2006 model Ford F-150 and Lincoln Mark LT pickups. The vehicles' ABS indicator may not be illuminated under certain circumstances. The error could prevent the ABS warning system light from illumination if the ABS module ever became inoperative. Contact your local Ford dealer.

■ **DODGE PICKUPS** - DaimlerChrysler recalled approximately 39,275 2006 model Dodge Dakota, Dodge Ram, and Mitsubishi Raider pickup trucks with four-wheel ABS. The ABS electronic control unit could cause the rear brakes to lock up prematurely during certain braking conditions. The problem could result in a loss of vehicle control and cause a crash without warning. Contact your local DaimlerChrysler dealer.

■ **COOPER TIRES** - Cooper Tire & Rubber Company recalled 183,600 tubeless radial tires because they may not have adequate rubber coverage of the belt edge. The condition could result in an increased risk of tire separation that could cause loss of steering control. The recall affects tubeless radial load range D and E tires, sizes LT285/75R16 and 38.50X14.50R20LT. The tires were manufactured between Feb. 1, 2004, and Jan. 21, 2006 under the following brand names: Cooper Discoverer S/T, Dean Mud Terrain Radial SXT, Durango Radial XTR, Mastercraft Course C/T, Mickey Thompson/Dick Cepek Radial F-C II, TBC Corp./Mesa C/T, Transamerica Auto Parts Pro Comp Xtreme, and Teadways Corp. Tempra Tailcutter Radial RT tires. Contact your local Cooper Tires dealer.

■ **NISSAN MURANO SUVS** - Nissan recalled more than 332,000 Murano SUVs worldwide, including 203,000 in the United States, to repair a defective seat belt. The rear seat belts on both sides of the seat could abrade and tear. All vehicles were manufactured at Nissans Kyushu plant in southern Japan between August 2004 and November 2005. Contact your local Nissan Dealer.

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.

ROBERTS & ROBERTS

*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

*...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

**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.