

Electronic Newsletter

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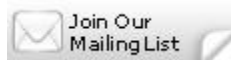
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Judge Allows Slip-and-Fall Case to Proceed



A New London judge ruled in favor of an injured plaintiff and denied a defense motion for summary judgment in a case arising out of serious injuries suffered by a woman when she slipped and fell in the parking lot of a movie theater in Lisbon, CT during a 2008 snow storm. The defendants are the property manager and snow removal contractor, who filed a motion for summary judgment seeking to end the case on the grounds that they owed no duty to the plaintiff. The crux of their argument was that there was an ongoing snow storm at the time of the fall; that they had no obligation to have cleared the parking lot of snow; but that nevertheless they had plowed, salted and sanded at various times throughout the day, including shortly before the accident. The defendants provided an affidavit purporting to detail the activities of the snow plow contractor on the date in question. Contrary to this evidence, the plaintiff, her husband and her granddaughter all testified that they did not observe any salt or sand in the area of the fall, which had been plowed slick. [Attorney Scott D. Camassar](#) argued that the defendants' Motion for Summary Judgment should be denied because there was a genuine issue of material fact as to whether there was salt or sand in the parking lot at the time of his client's fall. The judge agreed, and denied the defendants' motion. You can read the decision [here](#).

Newsletter Again Recognized for Excellence



We're proud to announce that our firm's electronic newsletter has been named a 2010 Constant Contact All-Star Award winner. Forward it to a friend!

Newsletter Archive

New to our mailing list? To read our prior newsletters, click [here](#).

Better Response to Hospital Medical Error Includes Quick Remediation, Transparency

[Modern Healthcare](#) reported that "in recent years, a few hospitals have seen real success in circumventing the usual policies and instead opting for full transparency, quick remediation and improvement of the systems that caused" a preventable medical error. Research has shown that "these institutions, which include 859-bed University of Michigan Health System, Ann Arbor, and 485-bed University of Illinois Medical Center at Chicago, have improved patient safety, lowered liability costs, reduced their total number of claims and improved patients' experiences."

April 4-10 is National Public Health Week

Study: Older Drivers Less Likely

to Notice Street-Side Pedestrians

A new study published by the journal *Accident Analysis and Prevention* found that drivers over 65 were half as likely to notice pedestrians near or moving toward the street as were experienced drivers between the ages of 28 and 45. Compared to younger drivers simulating a drive through a variety of streetscapes, those over 65 tapped on their brakes in response to a "roadside hazard" about half as often, suggesting either that they did not see it or that they did not consider it something they needed to attend to. Pedestrians who were not in an older driver's central field of vision often went unnoticed, the authors noted. The good news is that the older drivers drive about 20% more slowly -- perhaps to compensate for shortcomings in their peripheral vision and attention. Diminished notice of or attention to items in peripheral vision is a well-documented effect of aging. The Ben-Gurion researchers undertook the study because Israeli drivers over 65 have been involved in a steadily rising rate of accidents involving pedestrians since 1999. Read [more](#).

Study: Injuries Decline as Seat Belt Use Increases

A new [study](#) by the CDC shows non-fatal injuries to motor vehicle occupants have declined in recent years as seat belt use has risen, but motor vehicle injuries still affect a substantial proportion of the adult U.S. population each year.

Needed: Crash Test Dummies for Children



The [Washington Post](#) reported on NHTSA's difficulties in developing crash-test dummies that will allow it to set safety standards for car seats and booster seats

intended for children over 65 pounds. At present those seats "are not held to any government safety requirements." Problems with developing child dummies are a "key reason why seats for all children have no federal requirements for effectiveness in side-impact, rear-end and rollover collisions." NHTSA Deputy Administrator Ronald Medford said that "NHTSA tests 75 to 90 models each year." The Post noted that under federal law, "a dummy to mimic a 10-year-old's body was supposed to be developed by late 2004," but "is still in development." And "Medford said the NHTSA hopes to have safety standards for higher-weight seats finalized this year and the dummy's flaws corrected in 2013." One expert said that "'NHTSA doesn't have the money to fund all the research we need' to develop accurate dummies."

National Safety Council: Fatal Intersection Crashes Declined

A new [study](#) issued by the National Safety Council reports that fatal crashes at intersections with traffic lights decreased by 17% and fatal crashes at intersections involving red-light running decreased by 27% from 2005 to 2009. "This report shows that we are making large strides as a nation in reducing crashes at intersections," said Janet Froetscher, president and CEO of the National Safety Council. "However, despite the improvement there were still 12,396 fatal crashes at intersections with traffic lights, including 4,394 fatal intersection crashes involving red-light running during that five year period. While we are making progress, the 13,266 fatalities from these crashes remind us that we have much more to do." The study analyzed fatal crash data in all 50 states plus the District of Columbia, using statistics from the National Highway Traffic Safety Administration. Read [more](#).

Survey: 19% Surf Web While Driving

About one in five drivers admitted in an informal online survey to surfing the Internet while behind the wheel despite a national campaign to curb distracted driving. Some drivers say they access the Internet when they are stopped at a light or stuck in traffic. In the November survey, more than 19% reported accessing the Internet on a cell phone at least once a week while driving. That compares with 74% who reported making or receiving calls at least once weekly while driving and 35% who reported sending or receiving text messages at least that frequently. Read [more](#).



**Safety is
NO Accident:
Live Injury-Free**

National Public Health Week
April 4-10, 2011 · www.nphw.org

Learn more [here](#).

Parents of 2-Year-Old Amputee Bring Malpractice Case Against Hospital

CNN looks at the factors involved in deciding whether to sue for medical malpractice, with special attention to the recent case of Malyia Jeffers, a two-year-old who had to wait without treatment for five hours in an emergency room while a septic infection ravaged her small body, causing her to require quadruple amputations of both her feet, her left hand, and all the fingers on her right hand. Read [more](#).

Tractor Trailer Crashes Increase

According to a report released by the Insurance Institute for Highway Safety (IIHS), 2010 was one of the worst years for truckers and those who crossed their path. Last year, 5,000 people lost their lives and some 100,000 were injured in crashes involving this type of vehicle, compared to the 3,200 deaths recorded in 2009. And the outlook is even worse, says the IIHS, as more new trucks will hit the roads in the years to come. Read [more](#).

AAA: 41% of Drivers Admit to Falling Asleep Behind the Wheel

"Two out of every five drivers, about 41 percent, admit to having fallen asleep at the wheel at some point, with one in 10 saying they've done so in the past year, according to a AAA Foundation for Traffic Safety study." Read [more](#).



Recall Central

To read about recent recalls and product safety news from the U.S. Consumer Product Safety Commission, click [here](#).

30% of Young People Text While Driving



Driving
[CBS](#) reported that according to the April issue of [Consumer Reports](#), 16% of all teenage drivers involved in a fatal crash reported being distracted while driving. Also, 63% of the respondents who were under 30 told Consumer Reports they had used handheld phones while driving within the previous month, and nearly one-third said they had texted while driving.

Get the latest recall information from the National Highway Traffic Safety Administration [here](#).

The Dept. of Agriculture's Food Safety and Inspection Service regulate meat, poultry products and processed eggs. Check their recalls [here](#).

Distracted Driving Enforcement



Campaign Ends After Thousands of Tickets

Click [here](#) for Food and Drug Administration recalls, market withdrawals and safety alerts.

For updates on the peanut products recall click [here](#).

The final wave of the "Phone in one hand. Ticket in the other" pilot campaign to test the effectiveness of high-visibility enforcement for distracted driving was conducted recently in Hartford, CT. The program funded by the Department of Transportation was started last spring to test whether increased law enforcement and public advertising could help deter drivers from talking, texting, or checking email with a handheld cell phone while behind the wheel. The previous three waves resulted in over 7,200 tickets given out for handheld cell phone use and texting in Hartford. After the first two waves, handheld cell phone use dropped 56% in Hartford and 38% in Syracuse. Texting while driving was reduced by 68% in Hartford and 42% in Syracuse. Read [more](#).

Alabama Patients Died from IV Infections

The [AP](#) reported last month, "Nine Alabama hospital patients who were treated with intravenous feeding bags contaminated with bacteria have died and the maker has pulled the product off the market." Ten others were sickened by the outbreak of *serratia marcescens* bacteria, according to health officials.

Lobbying on Healthcare Law Continues



[CNMoney](#) reported, "A year after Congress enacted sweeping healthcare reform, the lobbying bonanza is continuing." So far, over "180 groups have registered to continue shaping the law, the Sunlight Foundation and center reports." Meanwhile, during "2009 and 2010, \$1.06 billion was spent on lobbying, with more than \$500 million spent on lobbying the issue in each year, according to the Center for Responsive Politics."

Proudly Serving Connecticut and Rhode Island

The trial attorneys at The Law Firm of Stephen M. Reck, LLC represent individuals in all types of personal injury cases throughout the state of Connecticut and the state of Rhode Island, including, in Connecticut: New London County, New Haven County, Middlesex County, Hartford County, Tolland County, and Windham County; and in Rhode Island: Bristol County, Kent County, Newport County, Providence County, and Washington County.

Referrals Welcome

About Our Firm



At [The Law Firm of Stephen M. Reck](#), justice is our mission. Our firm is well known and well respected for its ability to handle personal injury, wrongful death, and professional malpractice cases in Connecticut and Rhode Island. Call today or visit us on the web at www.stephenreck.com.

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It Kills



KidsAgainstDistractedDriving.com

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Remember we are here if you need a referral to an attorney in a different area of law.

