



David Glatthorn, Esq.

DAVID J. GLATTHORN CIVIL TRIAL LAWYER

AGGRESSIVE, ETHICAL REPRESENTATION FOR OVER 30 YEARS

The Concept of Strict Product Liability

Until the tide began to turn in the 1960s, a person injured by a defective product who was seeking compensation had a tough row to hoe. They were required to prove that the manufacturer or supplier was negligent at some point between product inception and the product reaching consumers—frequently a monumental and prohibitively expensive task. Many victims suffered while receiving zero compensation.

State legislatures eventually intervened and established strict product liability laws, which most states have today. Essentially, an injured person need only show that a product caused injury to them as a result of a product defect. Proving negligence on the part of the manufacturer, distributor, or seller was taken out of the equation. The goal was to restore fairness and improve product safety.

Here is what is required of plaintiffs:

- The plaintiff must show that a product was sold in a dangerous condition.
- The plaintiff must have been injured or incurred property damage due to the defective product.
- The product cannot be found “substantially” changed from the condition in which it was originally sold.

Additionally, if the plaintiff used the product in a care-less fashion or in a way for which it was not intended or continued to use it despite knowing about the defect, their case may rightfully go out the window.

Product defects include *manufacturing defect*, an imperfection limited to just one product (or a few); *design defect*, a flaw in the product’s blueprint that affects every product; and *warning defect*, inadequate warnings or instructions on proper product usage.

If you are injured by a defective product, contact a product liability attorney to protect your rights. •



Walnut-Rosemary Crusted Salmon

This recipe is a fantastic source of omega-3 fatty acids, with only 222 calories and 4 grams of carbs per 3 oz. serving.

INGREDIENTS

- 2 tsp. Dijon mustard
- 1 clove of garlic, minced
- ¼ tsp. lemon zest
- 1 tsp. lemon juice
- 1 tsp. chopped fresh rosemary
- ½ tsp. honey
- ½ tsp. kosher salt
- ¼ tsp. crushed red pepper
- 3 Tbsp. panko breadcrumbs
- 3 Tbsp. finely chopped walnuts
- 1 tsp. extra-virgin olive oil
- 1 pound of skinless salmon filet (fresh or frozen)
- olive oil cooking spray



PREPARATION

- Preheat oven to 425 degrees. Line a large baking sheet with parchment paper.
- Combine mustard, garlic, lemon zest, lemon juice, rosemary, honey, salt, and crushed red pepper in a small bowl. In a separate small bowl, combine panko, walnuts, and oil.
- Place salmon on the baking sheet. Spread the mustard mixture over the fish and sprinkle with the panko mixture. Press it in a bit to make it stick. Lightly coat with cooking spray.
- Bake fish until it flakes easily with a fork, usually 8-12 minutes, depending on the thickness of the fish. •

Boning Up on Ocean Geography



How many oceans are there? If you said four—Pacific, Atlantic, Indian, and Arctic—you would be wrong. The correct answer is five, according to a collection of international organizations and most countries.

The fifth ocean is the Southern Ocean, which surrounds Antarctica. It extends from the coast of the mainland to 60 degrees south latitude. In 2000, the International Hydrographic Organization established the boundaries for this “new” ocean, which previously had just been considered the most southern points of the Pacific, Atlantic, and Indian oceans. But they had good reasons for doing so.

The Antarctic Circumpolar Current (ACC)—the world’s largest and strongest ocean current—flows clockwise around Antarctica and is a crucial contributor to global ocean circulation. The point at which the cold waters of the ACC meet up with the

warmer waters of the north forms a distinct border: the Antarctic Convergence. Because of the unique water properties and ecological system contained within, the separate “ocean” designation was deemed scientifically appropriate.

The Southern Ocean is the fourth-largest of the world’s oceans. The ocean and Antarctica itself are home to penguins, seals, whales, and colossal squids, among other hardy creatures. Migratory birds such as terns, albatrosses, and gulls take up temporary residence as well.

The Southern Ocean is also noted for intense storms, large waves, and icebergs—the bane of seafarers. If ships passing through run into trouble, the region’s remoteness will preclude timely assistance.

The seabed is believed to be home to massive oil deposits and gas fields, manganese nodules, and other valuable minerals. All treaties governing the world’s oceans apply to the Southern Ocean, along with treaties pertaining to Antarctica. •

Help Your Dog Fight Spring Allergies



Humans aren't the only ones tormented by spring allergies. Approximately 10 percent of dogs share in the misery as well.

Springtime environmental allergens include airborne pollen—from grasses, trees, and weeds—along with mold spores. When canine and human immune systems overreact to them, irritation ensues.

People with spring allergies generally contend with a runny nose, sneezing, coughing, and itchy, watery eyes. However, itchy skin is a dog's number-one nemesis. Excessive scratching, licking, and chewing can lead to bacterial infections, oozing sores, and hair loss.

But owners can ease their pets' discomfort. For instance, avoid walking your dog between 5 a.m. and 10 a.m., when pollen counts are highest. When your dog's been outside,

remove the pollen from their body and paws with a moist cloth or hypoallergenic wipe before they reenter the house. (Dust off your own clothes, too.)

Change the air filters in your home regularly to keep pollen at bay. Run a dehumidifier to cut back on the moisture that molds thrive on. Steer your dog clear of damp environments, such as the basement, laundry room, etc.

Additional vacuuming should be on the spring agenda. Wash your dog's favorite soft toys and food and water bowls more frequently, too. Bathe your dog more often in the springtime with a veterinarian-recommended anti-itch shampoo.

Dietary supplements may help as well. Omega-3 fatty acids and coconut oil can improve your dog's skin health and suppress allergic reactions (but consult your veterinarian first!).

Sometimes you'll need the heavy artillery only your vet can provide. Treatment options include prescription medications, sprays, and shampoos, as well as immunotherapy (allergy shots). •



March 2019 Notable Dates

- | | |
|--|---------------------------------------|
| March 1 – National Peanut Butter Lover's Day | March 3 – Soup It Forward Day |
| March 8 – National Proofreading Day | March 10 – National Mario Day |
| March 14 – National Write Down Your Story Day | March 16 – National Panda Day |
| March 21 – National Common Courtesy Day | March 30 – National Pencil Day |



DAVID J. GLATTHORN
CIVIL TRIAL LAWYER

506A Datura Street, West Palm Beach, FL 33401

(561) 659-1999

www.DavidGlatthorn.com



The Concept
of Strict Product
Liability
pg 1



This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

Seasonal Surge in Motorcycling

Across much of the country, the arrival of spring is accompanied by a surge in the number of motorcyclists on the roadways. Motorcycling can be a joy, but the stakes are much higher than driving a car.

According to the National Safety Council, motorcycles comprise just 3 percent of registered vehicles on the roadways, but riders account for 14 percent of all traffic fatalities. Motorcycles are less visible than autos, less stable (only two wheels in contact with the road), more vulnerable to hazardous road conditions, and riders are less protected.

However, motorcyclists can diminish the risks. It starts with always wearing a safety helmet. In many states, it's the law. The National Highway Traffic Safety Administration states that the simple act of wearing a helmet reduces the risk of fatality by 37 percent and serious injury by 67 percent.

Visibility is crucial. Riders should wear bright/fluorescent clothing and always drive with their headlights on. Headlight modulators are excellent attention grabbers, too. Motorcyclists should avoid other drivers' blind spots, and when passing a vehicle, they shouldn't dillydally.

Awareness of road conditions is a must. In the spring, roads might not yet be cleared of winter debris, such as sand, cinders, gravel, etc. They're also more susceptible to potholes and cracks resulting from winter's wrath. Potholes may lurk beneath innocent-looking water puddles.

Left-hand turns at intersections can be problematic for motorcyclists—again, visibility is a major issue. In addition, motorists often tend to misjudge the speed of an approaching motorcycle.

If you have been injured while motorcycling due to another driver's negligence, contact a motorcycle accident attorney to protect your rights. ●

