



G-LAW

A
Publication for
the Clients and
Friends of
GoldenbergLaw,
PLLC

"Promoting Safety Through Accountability"

Winter 2014

DEFECTIVE PRODUCTS ISSUE

WHAT TO DO
AFTER A PRODUCT-
RELATED INJURY

P.6

DANGEROUS
INDUSTRIAL
MACHINES,
CONSUMER
PRODUCTS,
AND MORE

P. 4



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A message from

STUART GOLDENBERG

As consumers, we use many products during our day both at home and at work, ranging from simple products like lamps, kitchen appliances, and hair-dryers to more advanced products like computers, cars, and medical equipment. However, when we use these products on a daily basis, most of us take for granted that these products will function safely.

Manufacturers must abide by special regulations which were put in place to protect consumers. A manufacturer is required to use reasonable care in the design, manufacture, assembly, inspection, packaging, and testing of a product to protect the consumer from an “unreasonable risk” of harm. This includes a duty to warn of dangers associated with using the product. If a product was defective when it left the manufacturer’s possession, then the manufacturer can be held strictly liable for any injuries caused by the defective product. Strict liability makes it easier (from a legal standpoint) to hold manufacturers accountable.

GoldenbergLaw has litigated hun-

dreds of defective product cases over nearly 30 years. This includes defective toys, vehicles, tires, medical equipment, and dangerous tools, among others. However, some of the worst injury cases we have handled were from defective industrial equipment such as forklifts, saws, presses, lasers, grinders, conveyor systems, and cranes.

Consumers have a right to expect that the products they use will operate safely and effectively. We are proud to play a role in making the marketplace for consumer products a safer place.

Stay in the Loop with GoldenbergLaw!

Our social media sites are a great way to keep up on safety news and updates, as well as any updates we have on our mass tort cases.

You can also show your support for what we do by becoming involved. Next time you’re logged on, make sure to visit us at:

Facebook: facebook.com/GoldenbergLaw

Medtronic BMP: facebook.com/BMPInjury?ref=hl

Twitter: [@Goldenberg_Law](https://twitter.com/Goldenberg_Law)

LinkedIn: linkedin.com/company/goldenberglaw-llc

Google Plus: [GoldenbergLaw, PLLC](https://plus.google.com/GoldenbergLaw,PLLC)

Blog: defectivedruganddevicesourcecenter.com



DANGEROUS DRUGS AND DEVICES

GoldenbergLaw is currently investigating claims involving these products and has 29 years of experience handling dangerous drug and device cases. Contact us at 612-333-4662 or 1-855-333-4662

Medtronic Infuse BMP:

Used in spinal fusion surgeries - linked to unwanted bone growth, inflammatory reaction, severe arm and leg pain and possibly cancer.



Medtronic Paradigm Pump:

Insulin pump - linked to defects resulting in over- or under- delivery of insulin, serious illness, and/or death.



Topamax:

An anti-seizure medication - linked to birth defects such as cleft palate and cleft lip.



Actos:

A blood sugar control medication for type II diabetics - linked to bladder cancer.



GranuFlo/Naturalyte:

Dialysate solutions - linked to metabolic alkalosis, cardiopulmonary arrest, sudden cardiac death, and other cardiac-related events.



Byetta/Januvia:

Diabetes medications - linked to an increased risk of pancreatitis and pancreatic cancer.



Yaz/Yasmin/Ocella; NuvaRing:

Female contraceptives - linked to dangerous blood clots (i.e. deep vein thrombosis/DVT, pulmonary embolism, stroke).



Metal-on-Metal Hips:

Linked to implant loosening, pain, high metal levels in blood and need for revision surgery. Models include DePuy ASR, Zimmer Durom Cup, DePuy Pinnacle, and others.



Stryker Rejuvenate/ABG II Hip Stem:

Modular hip stems - linked to corrosion at stem/neck juncture leading to elevated metal levels in bloodstream, necrosis and need for revision surgery.



Transvaginal Mesh (TVM/TVT):

Linked to tissue erosion, migration, perforation of organs, device failure, need for correctional or removal surgeries.



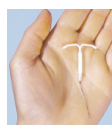
Propecia/Proscar:

(finasteride) a hair loss and BPH drug - linked to severe and persistent sexual dysfunction in men and is also linked to prostate cancer.



Mirena IUD:

Contraceptive that can cause abscesses, pelvic inflammatory disease, embedment in or perforation of uterus, erosion of adjacent areas, and other related problems.





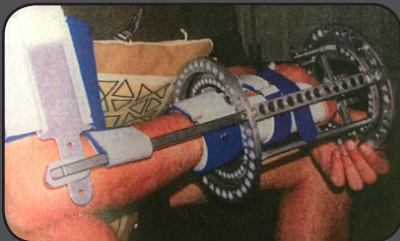
INDUSTRIAL PRODUCTS

GoldenbergLaw recently settled a case for a farm laborer who was severely injured by a piece of a conveyor system.

The young man entered a potato trailer and noticed that the door at the end of the conveyor belt had become loose due to a failed hinge. When he attempted to straighten the door, the hidden rollers behind it caught his glove and pulled his hand and arm into the rollers. His right hand and forearm were trapped and crushed in the machine for two and a half hours until he was freed.



The client sustained a severe crush injury to his hand and forearm with an open forearm fracture (see X-ray). As a result, the client required multiple surgical procedures, and he will have rods in his arm for the rest of his life. This has significantly



Our client had worked on farms his whole life and had developed skills specific to this line of work. His performance and ability to earn is dependent on his physical strength and health.

limited his ability to work, especially in cold weather, due to nerve pain.

Our experts found that proper safety testing was never performed for this model of trailer. They also identified federal safety standards the manufacturer should have followed that would have prevented the injury, such as bolting the doors shut, posting warning signs on the door, and installing an interlocking switch that shut off the system if the door was not closed properly.

After extensive litigation, GoldenbergLaw was able to successfully resolve this case and allow our client to attempt to move on with life.

Some potato carriers, like the model pictured to the right, have conveyor belts on the floor of the trailer to assist in unloading the potatoes. It is customary for the workers to get inside of the truck and push the remaining potatoes onto the belt.



HOUSEHOLD PRODUCTS



We recently represented a teenager who was home babysitting her younger brothers when a lamp exploded and caught fire. Luckily, she was able to get her brothers out of the house before they were injured. The burning lamp shade quickly spread to the bed and ended up causing significant fire damage to the house. Our client was a true hero for saving her brothers, but she sustained serious burns on her hands that caused permanent scarring.

GoldenbergLaw investigated the case, and our experts determined that the ex-



plosion was caused by the electric parts inside of the lamp.

GoldenbergLaw negotiated a fair settlement for our client that helped her pay for her injuries and put the traumatizing experience behind her.

RECREATIONAL PRODUCTS

An experienced rider was severely injured on her horse when her new saddle pad caused the saddle to slip off her horse while riding. Consequently, she fell off her horse and sustained serious injuries to her arm as well as a head injury.

These injuries had a significant impact on our client's life. Prior to her accident, she was a very active person. Unfortunately, she was unable to perform at the same level after her injuries. She was also out of work, which meant suspending her plans to close on a farm property she was in the process of buying.

GoldenbergLaw investigated the details of the case and discovered that, following the incident, the manufacturer had recalled the saddle pad due to an inferior quality of foam that was prone to slipping.

We sued the companies involved in the production of the saddle pad and successfully recovered compensation for our client's pain, financial losses and medical bills.



WHAT TO DO

IF YOU ARE INJURED BY A DEFECTIVE PRODUCT:

Many factors establish whether someone has a viable claim. Those factors include the extent of your injury, why the product failed, whether the product had been altered prior to the injury, and the warnings that came with the product. If you have sustained significant injuries due to a failed product, we encourage you to speak with us and follow the advice below:



AT THE SCENE:

- ATTEND TO YOUR INJURIES
- GATHER INFORMATION FROM WITNESSES
- TAKE PHOTOGRAPHS

Take photographs of whatever you can. This includes the product itself, the area around it, your injuries, and whatever else may be relevant.

THE PRODUCT:

- PRESERVE THE PRODUCT!

The failed product is a very important piece of evidence to your potential case. If it is in pieces, keep all pieces. Make sure it is preserved so we will have the ability to inspect it.

- DO NOT GIVE THE PRODUCT TO THE DEFENDANT

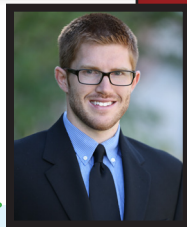
The manufacturer always wants the product and then later may claim it was tested and destroyed.

- DO NOT ALTER OR TRY TO FIX THE PRODUCT

Again, the product will be the most valuable piece of evidence and, even if you are trying to fix the product, the defendant can still point to alterations and try to question the state of the product before the injury.

- KEEP SALES RECEIPTS, INSTRUCTIONS, MANUALS, OR PACKAGING THAT CAME WITH THE PRODUCT.

Justin is our office administrator. He has been with GoldenbergLaw for three years now and has been a very valuable member of our team. Justin is head of human resources and is part of our marketing committee. He does all bookkeeping, keeps track of case expenses and makes sure our clients are paid as soon as their cases are funded.



Get To Know Justin:

What are your favorite winter activities?

Pick up hockey games with friends, cross country skiing and ice fishing. Then following it all up with a dark beer or two by the fire.

What is your most Minnesotan trait (good or bad)?

My love of outdoor winter activities. Provided it's not 20 below, I'd much rather be doing something outside in the cold and snow than sitting inside staring out a frozen window.

What do you most look forward to in 2014?

The Winter Olympics, an Ice Fishing trip to Lake Winnibigoshish, and possibly skiing in one of the City of Lakes Loppet Festival races. And of course St. Louis Cardinal baseball.

Who is your favorite athlete?

Always has and always will be Brett Favre.

What was your favorite meal as a kid?

My mom's Open-Faced Hamburgers.

What animal are you most afraid of?

Raccoons.

What is the most daring thing you have done?

Ate a Ghost Pepper; it's also the most stupid thing I have done.

What place would you most like to visit?

New Zealand.

What is your favorite cereal?

Kellogg's Cinnamon Mini Buns (unfortunately discontinued).



IN OTHER NEWS:

GoldenbergLaw volunteered to be a drop site for the MAJ Toys for Tots drive last month! Here is a picture of our office's "bin."

JUSTICE
MINNESOTA ASSOCIATION FOR JUSTICE

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