



BUCKFIRE & BUCKFIRE, P.C.

A t t o r n e y s A t L a w

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Season's Greetings!

May you and those you love experience the quiet beauty of the holiday season. We hope you and yours enjoy happiness and good health in the year to come.

We would also like to take this time to thank you for choosing our legal services and for referring your family, neighbors, and colleagues to us.

Buckfire & Buckfire, P.C.

Traffic citations and signs and signals

Following an investigation, an experienced attorney can in some cases demonstrate that poorly placed, monitored, or maintained traffic controls may be responsible for a driver's traffic ticket or collision.

The following traffic-control signals, signs, pavement markings, and conditions may contribute to citations or accidents:

- A malfunctioning traffic light.
- Untrimmed foliage blocking visibility of a stop sign.
- Failure to warn of oncoming sharp curves with signs or arrows.
- Lack of temporary signage or road markings at construction areas.
- Traffic-sign "clustering" that obstructs a "No Left Turn" sign.
- Failure to replace signs knocked down by accidents or winds in a timely manner.

Our firm has represented many clients charged with minor and major traffic offenses. We have filed paperwork and represented clients using appropriate legal motions to have ticket charges reduced or dismissed. Please contact an attorney if you believe improper signage may have contributed to a citation or accident.

LEGAL DICTIONARY

Many clients find legal terms mystifying. From time to time, we provide easy-to-understand definitions to help clear things up. This time, you'll learn the meanings of several important terms used at court to help you better understand legal concepts.

Expert witness

Someone with special skills or expertise who can give accurate testimony at a trial, even though he or she did not see the event in question.

Jury

Citizens who listen to evidence and swear to pronounce a verdict on matters of fact.

Peremptory challenge

Prosecution and defense attorneys can eliminate a limited number of juror candidates without providing a reason. Judges oversee peremptory challenges to prevent keeping members of a certain race or sex off the jury.

Sequester

To insulate juries from improper influences or pressures during deliberations, judges may place jurors in secure locations.

Voir dire

Interviewing jurors to be sure they understand the basics of a case and will tell the truth. From the French "to tell the truth."

Defamation

An individual suffers the harm of defamation when someone makes an untrue remark about them that assails their reputation or good name, or opens them to public derision, hate, or censure.

Damaging false statements that appear in print or broadcast media are called libel. Spoken defamation is slander.

Defamatory comments may refer to the subject's business practices, health, honesty, morals, sexual life, and more.

First Amendment rights make defamation cases difficult to prove. Those believing they have been harmed by defamation should contact an attorney experienced in libel and slander.

Employer defamation



A jury awarded significant damages to a sales engineer who sued when a former employer defamed him by communicating false information. The jury came to its decision after

learning the previous employer, pretending he represented a debt-collection agency, sent false accusatory letters warning the plaintiff's current boss that the employee had sued a number of previous employers.

FOR YOUR SAFETY

Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

✓ **Mega Brands America, Inc. (formerly Rose Art Industries, Inc.)** has voluntarily recalled 4 million Magnetix Magnetic Building Sets. Children who swallow tiny, powerful magnets detached from plastic building pieces can suffer serious perforations and blockages if several magnets or metal pieces attach to each other in a child's intestines.

✓ **The Holmes Group** has recalled 300,000 Holmes® Oil-Filled Electric Heaters with poor electrical connections that can overheat and burn users.

✓ **Lamson & Sessions** asks buyers to return 100,000 Carlon® Drop-In Floor Boxes that are incorrectly wired and can shock or electrocute consumers.

✓ **Sears** warns consumers to remove the "Craftsman" logo labels from the outside of the upper blade guards of 308,000 Craftsman Circular Saws. This label can detach, expose the saw's blade, and injure operators.

✓ **Oeuf LLC** recalled 1,400 Infant Bouncer Seats with tubular metal frames that can break and cause infants to fall from the seat.



Premises LIABILITY

Property owners are legally responsible for maintaining their buildings' entrances, common areas, stairways, escalators, and elevators in reasonably safe condition so that visitors will not suffer injuries. Owners must also keep buildings' surrounding walks and parking lots in reasonably good care as well.

Anyone injured in an unsafe building or its surroundings may deserve compensation for harm done to them.

An elevator accident

A building visitor riding in an elevator was injured when the elevator's handrail came loose and caused the man to fall to the floor. His attorney sued after the man required lumbar fusion surgery and suffered continuing chronic back pain. A petty officer in the military, the victim was medically discharged from the U.S. Navy and can now perform only light work. The parties settled prior to trial.



Jury duty and blogs

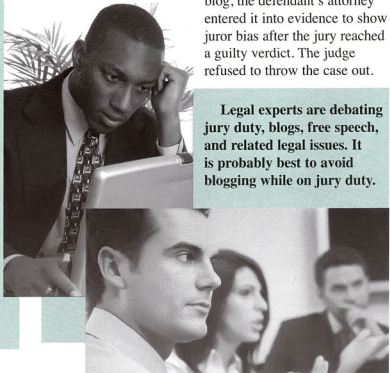
Every American can cast two votes to participate in our democracy. We encourage everyone to do both.

The first is casting ballots on Election Day for candidates, laws, government spending, and public questions. The second is equally important—voting as a juror. Jurors safeguard everyone's legal rights and protect us all.

Recently, some jurors have run afoul of Internet "blogs." Short for "Web log," a blog is a user-generated Web site where participants enter journal-style comments on topics anyone can read. In a recent New Hampshire case, a jury foreperson wrote a blog entry—four days prior to his being named to a jury in a sexual-assault case—stating that he would have to "listen to the local riffraff try and convince me of their innocence," among other comments. Learning of the

blog, the defendant's attorney entered it into evidence to show juror bias after the jury reached a guilty verdict. The judge refused to throw the case out.

Legal experts are debating jury duty, blogs, free speech, and related legal issues. It is probably best to avoid blogging while on jury duty.



Made in China



American consumers are alarmed about the growing list of defective and dangerous products being imported from China. More than 60 percent of all U.S. products recalled were made in China, with the number of recalled Chinese products doubling in the past five years.

In late summer 2007, Mattel's Fisher-Price unit, in cooperation with the U.S. Consumer Product Safety Commission (CPSC), recalled millions of children's toys because toxic lead-contaminated paint had been applied by Chinese suppliers on about 80 different toys, including Dora the Explorer®, Elmo®, and other Sesame Street® character toys.

Previous Chinese products presenting dangers to U.S. and international consumers were vehicle tires, contaminated pet food components, medication ingredients, farm-raised seafood, and many others.

Anyone who has suffered serious harm from imported products should contact an attorney experienced in products liability.

OR CURRENT RESIDENT

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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

Take medications **SAFELY** **Sleep-aid problem**

Before taking a prescription or over-the-counter drug, following some simple guidelines should help your medication work efficiently and safely:

- ✓ Ask your doctor to inform you about the medication.
- ✓ Get all prescriptions filled at one pharmacy you trust.
- ✓ Read the medication information flyer.
- ✓ Read the drug label carefully.
- ✓ Take the medication as directed.
- ✓ If you have reactions or side effects, call your doctor.

Misfilled prescription

Even when patients comply with

medication instructions, they can still experience problems. A patient suffered kidney failure requiring multiple transplants after following a pharmacist's instructions to take five times the amount of a medication prescribed by her doctor. She sued, alleging the pharmacy misread instructions and transferred the incorrect prescription to a second pharmacy, which also filled it.



Ambien®, a sedative-hypnotic medication, is often prescribed to treat insomnia. Doctors wrote 26.5 million prescriptions in 2005, making it the most popular prescription sleep aid in America.

Marketed as safe and effective when used properly, Ambien has been linked to surprising episodes of users discovering that they ate meals or drove cars while asleep.

Four users who injured themselves have filed a 2006 class action alleging that although research linked Ambien to sleepwalking behaviors, its manufacturer neither monitored nor investigated reports and failed to test the product for them. Seeking compensatory and punitive damages, plaintiffs claim that marketers were aware of risks but failed to warn class members, the public, government agencies, and the medical community. They also charge that the manufacturer published false and misleading information about the drug's safety and potential adverse side effects.

Those suspecting they may have been harmed by Ambien use should obtain legal counsel.

We congratulate...

...Firm attorney **Robert Lantzy** and his wife, Barbara, on the birth of their first child, Joseph Kruse Lantzy. Joseph was born on November 2, 2007, at Troy Beaumont Hospital. Joseph enjoys keeping his parents awake throughout the night.

...**Lawrence Buckfire** and his wife, Kelly, for celebrating their tenth wedding anniversary. They celebrated the event with their three wonderful

children—Kylie, Jack, and Toby.

...The entire **Buckfire & Buckfire, P.C.**, law firm for its participation in the Michigan Brain Injury Conference in Lansing, Michigan. The firm sponsored a table at the conference and had the opportunity to meet many wonderful people who share the same goal of treatment, prevention, and advocacy for brain-injury victims.

