



MORGAN & MORGAN®

Product Liability Lawsuits

A GUIDE

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PRODUCT LIABILITY LAWSUITS | 800.555.6666 | FORTHEPEOPLE.COM

Have you been injured because of a defective product? You may be entitled to compensation. With decades of experience and an expansive team of attorneys and support staff, Morgan & Morgan is here to help you get paid in full.

When you use a product the way it's supposed to be used, you can generally assume you won't injure yourself or anyone else in the process. However, products do malfunction and injuries can occur as a result. The good news is that a skilled product liability lawyer can take you through the legal process from start to finish.

Our attorneys specialize in specific practice areas, which means our product liability lawyers have years of experience practicing product liability law. If a defective product has caused your injury, we may be able to help.

This guide will shed some light on the basics of product liability lawsuits, including the different types of cases and how to come out of them with the full amount of compensation you're owed.

About the Lawsuit

If you have been hurt by a defective product, don't wait to take action. Each state has its own statute of limitations for filing product liability lawsuits (some allow only one year), so it pays to act as soon as possible.

While acting quickly is important, working on your own can be difficult. Those responsible for defective products will try to pay the lowest amount possible for your injuries. However, Morgan & Morgan's experienced attorneys can help you fight for your rightful compensation.

We will investigate your injury, review the relevant documentation, and work with experts to build the strongest case possible. If the big corporations won't budge, we are ready, willing, and able to take them to court.

At Morgan & Morgan, we're building on a history of successful litigation that spans over more than three decades. Contact us today for your free consultation; you don't pay a cent unless we win your case.



About Morgan & Morgan

Morgan & Morgan was founded in 1988 to help injured people fight for justice. More than 30 years later, we are the largest plaintiffs' firm in the country — but we continue to stick to our roots as a family firm that fights For the People.

With over 600 attorneys across the nation, we are well qualified to take on a full range of product liability cases. We fight hard on behalf of those injured by defective products, whether the cause is poor design, shoddy manufacturing, inadequate warnings, or any other defect that makes the product hazardous.

Moreover, we're not afraid to take on the biggest and most powerful companies in America, including the manufacturers, retailers, and wholesalers who provide defective products. It shows in our results: so far, we've won over \$7 billion for our clients across practice areas.

If you or a loved one have suffered a personal injury from a defective product, don't go it alone. Let Morgan & Morgan fight for you. We have the power, experience, and resources to fight for the compensation you deserve, and we won't accept anything less.



FAQs

WHAT IS A DEFECTIVE PRODUCT?

Products don't always work the way they're supposed to. Whether the problem lies in the design or the way it was manufactured, a defective product can be dangerous. If you are hurt by a defective product, you might have grounds for a lawsuit.

DESIGN DEFECTS

If a product has a design defect, that means the flaw stems from the way the product was conceptualized. In this case, every unit manufactured according to that design will have the same flaw. If the manufacturer could have reasonably anticipated the danger in the design, there may be grounds for a product liability lawsuit based on design defect.

MANUFACTURING DEFECTS

Sometimes accidents happen during the manufacturing process and products are misprinted. If the dangerous defect came from the assembly and not the design, it will probably only show up in a small number of units. To have a successful suit based on manufacturing defects, the plaintiff must prove that the product was faulty when it left the factory.

WHAT TYPES OF PRODUCT LIABILITY CASES ARE THERE?

Product liability cases can take several forms. Here's a quick overview of each of the three types:

NEGLIGENCE

In the case of negligence, the plaintiff has to prove that carelessness in the design or manufacture of the product led to an injury. Companies have a duty to sell safe products, and distributing defective products can be considered a breach of that duty. The plaintiff must prove that the defendant knew (or should have known) that the product was defective and that the defect caused their injury.

STRICT LIABILITY

Product liability cases are typically pursued under strict liability. Here, the plaintiff must prove that there is a defect and that the defect caused the injury. If the defect exists, the manufacturer is liable for damages — no matter how careful they may have been through the manufacturing

process. However, this doesn't apply to secondhand purchases; the product must have been purchased in the chain of distribution.

BREACH OF WARRANTY

There are two types of warranties that insure a product: express and implied.

- Express warranty refers to the way the manufacturer or retailer represents the product.
- Implied warranty is the implication that as long as the product is used as intended, it should not cause harm.

WHEN IS A CLASS ACTION LAWSUIT NECESSARY?

Many legitimate claims aren't pursued because the potential winnings wouldn't cover the plaintiff's legal costs. In situations like these, a class action lawsuit may be the more viable option.

A class action suit is appropriate when a defective product has injured many people in the same way. A member of the population of people who have been injured represents the group. In the case of a severe or unique injury, however, an individual lawsuit may be more appropriate than a class action suit.

WHAT DOES THE PLAINTIFF NEED TO PROVE?

In order for a product liability claim to be successful, the plaintiff must prove that:

- There was an injury or monetary loss
- The product is defective
- The defect was the cause of the injury
- The product was being used correctly

A skilled product liability lawyer can help you prove these criteria and get you the maximum value for your claim.

WHAT DAMAGES CAN BE RECOVERED?

A physical injury or medical condition can substantially affect the way you live your life, and it can be expensive, too. If you suffered an injury from using a defective product, there are a few different types of damages you may be able to claim, including:

- Current and ongoing medical expenses like hospital stays, prescription medications, and rehabilitation
- Lost wages from missing shifts at work, losing your job, or losing your earning capacity
- Pain and suffering including emotional damages
- Punitive damages to discourage companies from selling unsafe products

In order to get the maximum amount of compensation for your claim, you need a highly-skilled product liability lawyer. Morgan & Morgan fights for the full value of every claim and doesn't accept anything less.

WHY CHOOSE MORGAN & MORGAN?

Getting full and fair compensation can be difficult on your own, especially when the defendant tries to devalue your claim. That's why you need a law firm with the skills, experience, and resources to take on the biggest bullies and win — and that's Morgan & Morgan.

With more than 30 years of experience, over 600 attorneys across the nation, and a proven track record that includes upwards of \$7 billion recovered for our clients, we have what it takes to win. Since we don't get paid unless we win your case, there's no financial risk to you.

There's only one Morgan & Morgan.



About Us

John Morgan founded Morgan & Morgan in 1988. The firm's first office was located in Orlando, Florida, and was made up of three attorneys, two paralegals, and a receptionist. Over the past 30 years, we've been fortunate enough to hire more than 500 attorneys and open 50 offices across the country, empowering us to reach and help even more people. We have a support staff of about 3,000 employees. These paralegals, case managers, case evaluation specialists, receptionists, and more make sure that our clients are taken care of every step of the way.

Our attorneys are dedicated to fighting for the best possible outcome for those who trust us with their cases. **With that goal, we've won over \$7 billion for our clients.** These wins represent so much more than just a dollar amount, though. They represent the wellbeing of our clients, which is something we take deep pride in protecting.



Practice Areas



Accidents



Birth Injuries



Brain Injuries



Breach of
Warranty



Burn & Fire
Injuries



Business
Litigation



Business
Interruption
Claims



Car, Truck and
Motorcycle



Child Sexual
Abuse



Civil Rights



Class Actions &
Mass Torts



Construction
Accidents



Deaf & Disability
Rights Unit



Dog Bites/
Animal Attacks



Employee Rights



FCRA



Medical
Malpractice



Mesothelioma



Negligent
Security/
Premises Liability



Nursing Home
Abuse



Product
Liability



Property & Life
Insurance and
AD&D



Sex
Trafficking



Slip & Fall



Social Security
Disability



Spinal Cord
Injuries



Train Accidents



Veterans'
Benefits



Whistleblower/
Qui Tam



Workers'
Compensation



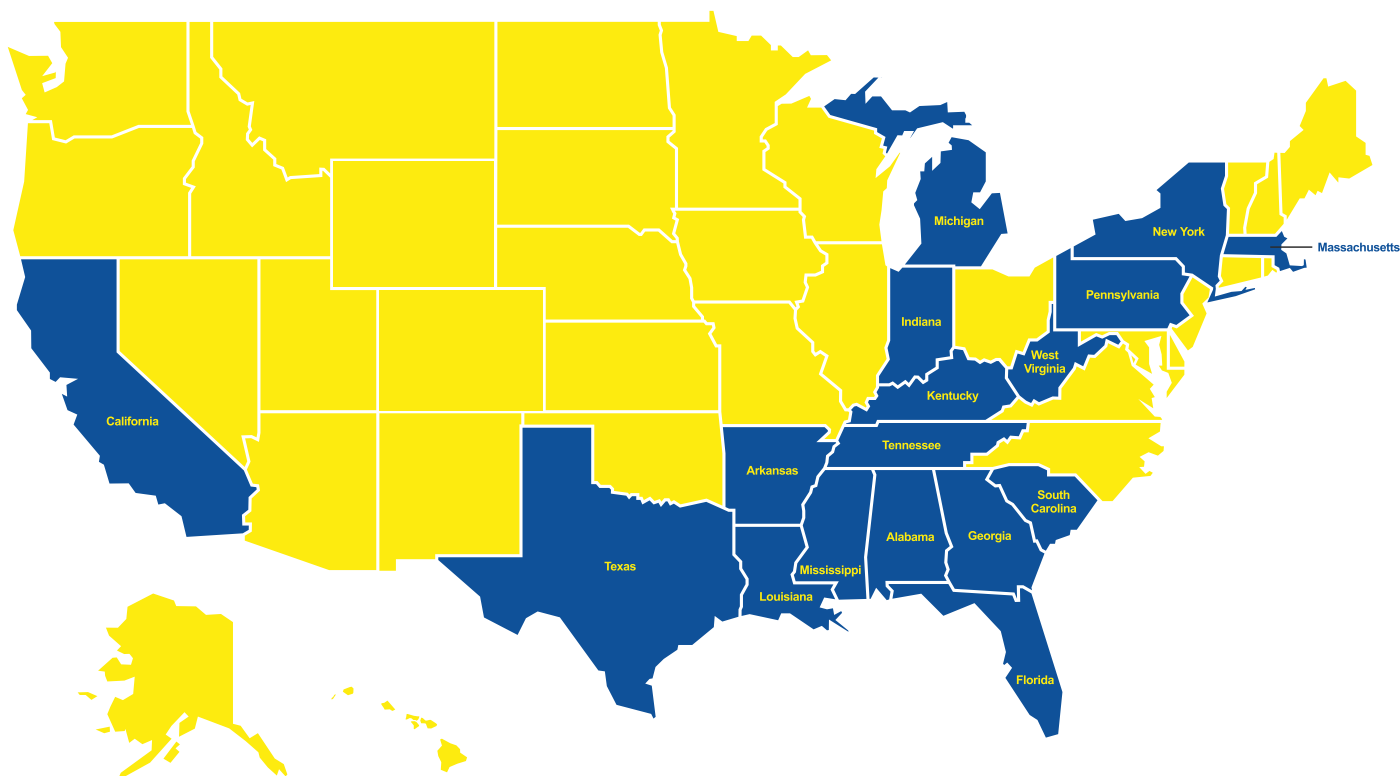
Wrongful Death



Office Locations

*Note: We handle cases nationally, working with local counsel in states without our physical presence.

● OFFICE LOCATIONS





Attorney Growth & Successes

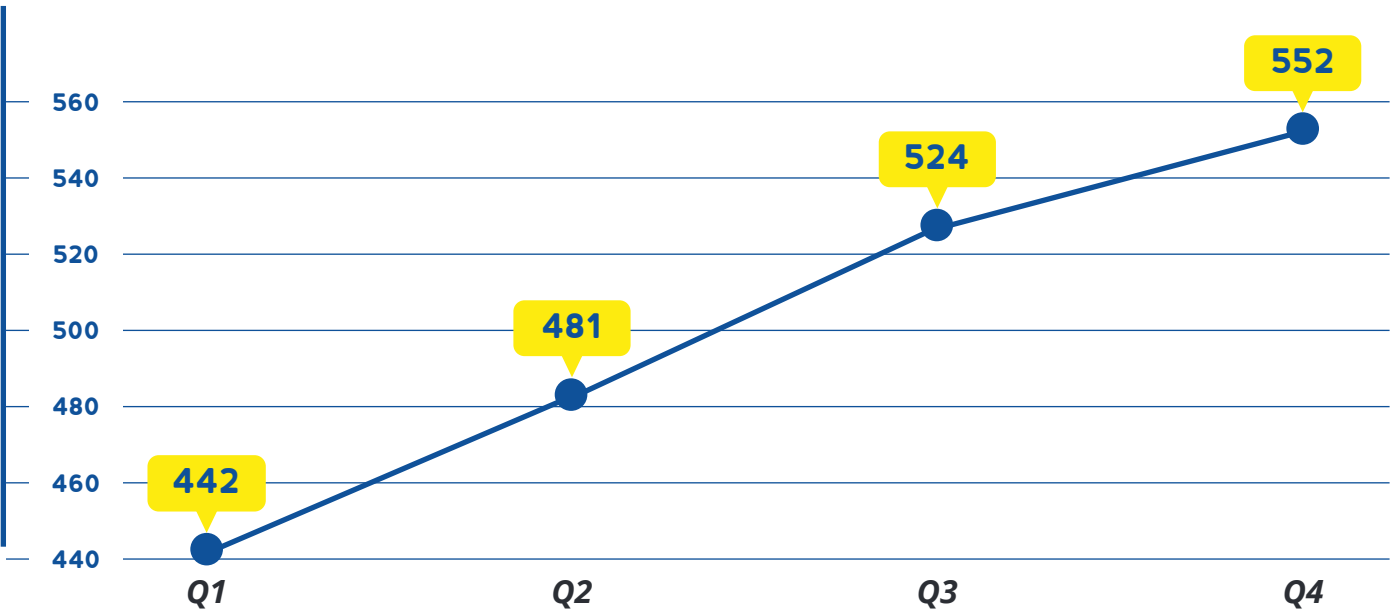
2019

TOTAL AMOUNT RECOVERED:
OVER \$1 BILLION

2019

TOTAL CASES RESOLVED:
50,000

Attorney Growth:



What People Say About Us

I was able to contact Morgan & Morgan via their online form from the emergency room on the day of my accident. Someone called me the next morning and set up rehab and therapy appointments right away. The following day they came to my home to begin my case. They are swift, professional and customer service-focused. After my accident, I was nervous about driving.

“ Z.A., ATLANTA, GA

I would just like to say that, regardless of my injuries and all that I am currently going through daily, my attorney was absolutely wonderful to me as far as listening to my concerns and thoughts and always asking if I needed anything. He made sure that he let me know that I could call him at any time for whatever I wanted to discuss regarding my case! He is a true God send and I simply love his attitude and the attention he gives to clients. From day one, this firm has gone above and beyond the call of duty making certain that I was reached out to in a very timely manner. You all ran circles and holes around the first firm! I would recommend you to family, friends, and complete strangers!

“ Alicia, JACKSON, MS

Unbelievably organized, responsive, and probably the most effective process-oriented group of people I've ever seen. Their preparation for mediation and trial is beyond comprehensive. Across two cases and three years, not once did anything fall between the cracks. Everyone I came into contact with exemplifies professionalism; they quickly resolved insurance issues and spent time educating me about everything affecting my cases. I trust Morgan & Morgan and I am grateful for everything they did for me. I recommend them without reservation and will miss working with them now that my civil suit is settled.

“ Jerri, JACKSONVILLE, FL

They are the most caring and personal attorneys you could ever have on your side. They genuinely make you feel like helping you in every way they can is their goal and main priority. I'd highly recommend this firm to anyone in need. They treat you as if you were a part of their family and are always seeking the best for the client.

“ Janet, LOUISEVILLE, KY

I emailed my questions and concerns and had doubt that anyone would contact me in the next 24 hours. I emailed them around 8:30 pm. I received a call the very next morning and the representative explained that after I answered her questions she would turn it over to a lawyer and then they would contact me. She answered all my questions and concerns. She gave me hope that I did the right thing. She said I should hear something in the next few days after a lawyer has time to review. I will not have to pay anything unless they win a settlement. I will receive all the information soon as to what will happen next. It has been less than 24 hours and everything is set in motion.

“ Tammy, Orlando, FL

I couldn't be happier with the service and the professionalism of your staff I was very satisfied with the outcome of my case. The team always returned my telephone calls in a timely manner and shared valuable as well as valid information. They were very professional and maintained a positive attitude. I would definitely use your services again if I was faced with a situation that required an attorney or legal advice and I would also refer your agency to others. Although my situation was unfortunate, I was glad to have your team on my side to get me through the difficult times. Again, I say THANK YOU.

“ Kathy, MEMPHIS, TN

In the News

At Morgan & Morgan, everything we do — from the cases we take on to our wins in the courtroom — makes an impact. That's why in 2019, our legal actions, settlements, and verdicts were covered by premier national and international media outlets like The New York Times, The Washington Post, The Guardian, and CNN, as well as local media outlets.

Here are some of our cases that made headlines in 2019.



Restoring Basketball Glory

In 2018, the NCAA imposed a penalty on the men's basketball team at the University of Louisville (Kentucky) for alleged rules violations. They had their 2013 NCAA tournament win, 2012 Final Four appearance, and individual player statistics vacated and removed from the record.

With the help of John Morgan, our firm's founder, the team's players sued the NCAA and last year reached a confidential settlement. The players

had all their statistical achievements and personal honors restored.

Coverage appeared on ESPN, Fox Sports, and in the Associated Press, among others.

Morgan & Morgan Attorney Named Cybersecurity MVP

Morgan & Morgan's John Yanchunis was named a 2019 MVP by Law360 — the premier national legal news service — in recognition of his work protecting the rights of consumers harmed by data breaches.

Last year, John achieved a notable victory when he and his team reached a \$117 million settlement with web giant Yahoo after a data breach compromised billions of user accounts.

Major Settlement in MA Gas Explosions Case

In September 2018, a series of explosions ripped through the Merrimack Valley, Massachusetts, towns of Lawrence, Andover, and North Andover. These explosions were caused by excess gas pressure in poorly built, poorly installed, and poorly maintained natural gas lines owned and operated by Columbia Gas of Massachusetts.

More than 40 homes experienced explosions and fires as a result, which caused severe damage and injury, including one death. Morgan & Morgan's Frank Petosa took the lead in the lawsuit representing the victims, and in July 2019, a \$143 million settlement was reached.

Coverage appeared in The Washington Post and The Boston Globe, and was provided by the Associated Press.

Florida Powerhouse

Although we're a nationwide firm, Florida is still Morgan & Morgan's home base. This year, the firm was recognized for its achievements in the Sunshine State as a Law360 "Florida Powerhouse."

With over 350 attorneys in the state and more than two dozen offices, Morgan & Morgan has made an indelible name for itself there through litigation and impact.

Fighting for a Zipline Accident Victim

A 10-year-old boy from Lakeland, Florida, was seriously injured when his zipline harness disconnected and he fell 20 feet to the concrete below. On behalf of his family, Morgan & Morgan is pursuing legal action against the operators of the zipline facility, alleging employee error due to improper training and safety procedures.

Coverage appeared on the ABC, FOX, NBC, and CNN news channels, among others.

The New York Times

The Washington Post

WALL STREET JOURNAL

POLITICO

USA TODAY

AP Associated Press

billboard

Newsweek

THOMSON REUTERS

CNN

Forbes

abc

FOX

NBC

BUSINESS INSIDER

TODAY

ESPN



Contact Morgan & Morgan's Product Liability Lawyers

If you or a loved one have been harmed by a defective product, you could be owed damages for your hardships. When you have high-quality legal representation, you can make sure you get the entire amount.

Morgan & Morgan's specialized attorneys can navigate the complex laws regarding product liability to build the best case possible. We will ensure all responsible parties are held accountable for the injuries you suffered and fight for every penny you deserve.

It's our mission to seek justice for injured clients, and we regularly take on the biggest bullies in America to get it. To find out more, contact one of our attorneys. We will examine and evaluate your case at no cost. If we go forward, you pay nothing unless we win.

Get in touch with us today for a free consultation.

MORGAN & MORGAN®