



THE GOLDHABER WARNINGS REPORT



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2009 WACKIEST WARNINGS WINNERS

As I have discussed in previous issues of this newsletter, a warning is typically provided for a hidden hazard, that is, for a hazard or danger that is most likely not known by a product's user at the time of its use. Although a good defense for the absence of a warning when the hazard is known or obvious is that the hazard is NOT hidden (such as a knife is sharp), that has not stopped the tremendous proliferation of warnings in the last couple of decades in our heavily litigious society. The products liability lawsuit has become second only to the Mega Millions lottery as a means for the average person to become an instant millionaire. According to the American Bar Association, over 90% of all Products Liability lawsuits today contain a failure to warn claim. The Pacific Research Institute has estimated that we could save (in the U.S.) over \$589 Billion/year for investments in new jobs and consumer spending IF U.S. torts' costs were comparable to the relative size of other industrialized nations. This amount equals an annual LITIGATION TAX for a family of four of \$9,000.

Due to a CYA mentality among trial and corporate lawyers, virtually every product today must come with some form of warning(s) whether justified or not. This has led Bob Dorigo Jones and his Foundation For Fair Civil Justice to create their annual Wacky Warning Label Contest, now in its 12th year. At a recent press conference, Jones has just announced the 2009 winners of the Wackiest Warning Labels.



The grand prize went to Steve Shiflett of Hampton, Georgia for submitting an actual warning label attached to a portable toilet seat for outdoorsmen called "The Off-Road Commode" because it was designed to attach to a vehicle's trailer hitch. The label reads,
"NOT FOR USE ON MOVING VEHICLES!"

Past winners of this contest have included the warning on a popular baby stroller that states, **"REMOVE CHILD BEFORE FOLDING!"**



My favorite wacky warning was a winner from a couple years ago, a label found on virtually all sun shades sold for vehicle windows, **"REMOVE BEFORE DRIVING!"**



As funny as these Wacky Warnings are, they are no laughing matter! They simply confirm that our American Civil Justice system is totally out of whack! Feel free to pass this newsletter on to any of your friends and colleagues.

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