

The Bell Law Firm_{PLLC}

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PRESS RELEASE

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Attorney representing family of victim of defective crib welcomes ban on dangerous drop-side cribs.

CHARLESTON, W.Va. – The attorney representing the family of a Fayette County infant who died when he was asphyxiated in a drop-side crib hailed a new federal ban on the cribs, but noted that due care by the manufacturer could have prevented the boy's death.

"I desperately hope that no other family will have to live through this sort of horror," said Charleston Attorney Harry F. Bell, Jr. Bell represents the family of seven-month-old Carter Michael Pack, who died on January 16, 2007, after he was put down for a nap and became trapped between the mattress and the drop-side rail of a Stork Craft Storkling Model No. 5394009 crib. Screws used to assemble the crib came loose, allowing Carter's head to become trapped between the rail and the mattress.

The U.S. Consumer Product Safety Commission on Wednesday voted unanimously to ban the manufacture, sale or resale of the cribs. All new cribs will be required to have fixed sides, rather than sides that can move up and down. The ban also means that child care facilities will be required to stop using the cribs and replace them with safer fixed-side models.

Based in Canada, Stork Craft is a leading manufacturer of cribs. When Carter's parents bought the crib, they did not realize that the hardware used to assemble the crib did not meet the requirements of U.S. consumer safety laws.

"Had Stork Craft made safety its top priority, Carter might be alive today," Bell said, noting that Carter would now be four years old had he lived. "It's especially difficult around this time of the year, when being with family is so important. Stork Craft's indifference has robbed the Packs of that joy."

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Carter's parents filed suit against Stork Craft in the Circuit Court of Kanawha County, West Virginia, alleging that Stork Craft was negligent in its design of the crib, and that the company's carelessness led to Carter's death. The case is currently pending before Judge Tod J. Kaufman.

The parties are currently in the discovery phase of the litigation, where both sides gather and exchange information in advance of trial. Trial is scheduled for September 12, 2011 in Charleston.

For further information, contact Harry F. Bell, Jr. at (304) 345-1700.