

November 1, 2005

LEGAL ISSUES UPDATE

An interesting issue of law presented itself in my office recently. A prospective client called and indicated to me that his son was playing in the playground at school during lunch recess when another student ran into him thereby injuring him.

Generally, the standard of care which the Board of Education owes to its students is to act in the same manner and provide the same standard of care that a reasonably prudent parent would provide. In this case, The Board of Education would be liable if the student who was running was doing so recklessly and endangering the other students by so doing and if he had been doing so for a long enough period of time so that the teachers in the playground would have had a reasonable opportunity to see such actions and to take the necessary preventive measures. If the teachers then failed to stop the student from recklessly running The Board of Education would be liable for the injuries caused.

Of course, the specific facts of each case will affect the liability of the parties involved. Therefore, in each instance you should always call my office for a legal opinion so the specific facts can be considered.

I will continue to provide you with updates on legal issues which may effect you or someone you know. If you move please be sure to inform my office of your new address so that you can continue receiving our **LEGAL ISSUES UPDATE**. The success of my law practice depends upon keeping my clients satisfied and informed of their legal rights. If you would like a specific legal issue addressed in a future **LEGAL ISSUES UPDATE** please forward your written questions to me and I will attempt to address that issue.

Of course, please remember that if I can ever be of assistance to either you or someone you know who has suffered injuries from any type of accident or medical malpractice please feel free to call me. I greatly appreciate the opportunity to help you and yours with your personal injury claims. Your referrals are very important to me and will be handled with personal attention. Thank you.

Very truly yours,

MARK EDWARD GOLDBERG

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