

4 Georgia Cases to Watch This Fall

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Charlie Peeler, a partner in Troutman Pepper's Atlanta office, is quoted in the *Law360* article, "[4 Georgia Cases to Watch This Fall.](#)"

The case, which involves the death of a 7-year-old boy who drowned when his boat flipped and he became entangled in the unprotected propeller, has the attention of litigators from around the state not just because of the size of the verdict, but because of the underlying legal issues, Troutman Pepper partner Charles Peeler told *Law360*. The case could shake up the legal interpretation of a business' duty to warn customers, Peeler said.

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Georgia courts have long held that a manufacturer can be held responsible for its failure to warn customers about potentially harmful defects that it knew about, or should have known about, but that a company doesn't have to tell users of the risk of using a product for something other than its intended use, according to Peeler, a former federal prosecutor who handles white collar, enforcement actions and investigations in the firm's Atlanta office.

An appeals court ruling in this case could clarify how far businesses must go in issuing warnings about the product and whether a company can be held liable for what happens in an accident, Peeler said.

The boat company filed a motion for a judgment notwithstanding the August verdict in the case and is likely to challenge what the state's product warning laws require as well as the size of the verdict awarded by the jury in the case, Peeler told *Law360*.

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The size of the verdict generated some headlines, but the underlying legal issue is what attorneys are watching, Peeler said.

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"Everybody is very passionate about who gets the water," Peeler said.

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