

## Marler Clark Files First Georgia Lawsuit in National E. coli Outbreak

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The first Georgia lawsuit stemming from national E. coli outbreak linked to seven states was filed today in the U.S. District Court for the Middle District of Georgia, Valdosta Division against Nebraska Beef Limited.

The complaint was filed on behalf of Evelyn and John M. Stewart of Moultrie, GA, who are represented by Marler Clark, a Seattle law firm dedicated to representing victims of foodborne illness, and by Albany attorney F. Faison Middleton, IV of Watson, Spence, Lowe & Chambless, LLP.

The lawsuit states that on June 20, 2008 the Stewarts ate at the Barbeque Pit in Moultrie, Georgia. Days later, Mrs. Stewart began having bloody diarrhea and signs of renal failure. She was admitted to the Colquitt Regional Medical Center, where she tested positive for E. coli O157:H7 and was diagnosed with HUS, or Hemolytic Uremic Syndrome, a severe and life-threatening complication. On June 26, she was transferred to the Archbold Memorial Hospital Medical Intensive Care Unit in Thomasville, GA, where she continues to battle the complications of the infection.

A cluster of E. coli illnesses appeared in Colquitt County in late June, and were traced to the Barbeque Pit, located at 311 First Ave. S.E., in Moultrie, Georgia. The restaurant closed voluntarily on July 3, and has been involved in rigorous testing and disinfection procedures. Eight cases of E. coli have been lab-confirmed, and four are pending results. Four of the victims have developed HUS. The Georgia cases have been genetically matched to the outbreak in Ohio, Michigan, Kentucky, New York, Utah, and Indiana. The multi-state outbreak has been traced to tainted meat from Nebraska Beef Ltd. of Omaha, NE, which was a supplier to the Barbeque Pit in Moultrie. At least 60 have fallen ill in seven states.

'Where is the legislation to prevent these illnesses?' asks William Marler, the Stewart's attorney. 'These people should not be in ICU, fighting for their lives, just because they went out to dinner. We have the ability to legislate, regulate, and eliminate E. coli from our food supply, and we need to see Congressional action.'

'After changes in meat regulation dropped recall amounts from 23 million pounds in 2002 to only 181,900 pounds in 2006, 39 million pounds of E. coli tainted meat has been recalled since the spring of 2007. The numbers have just shot up in the last year,' says Marler, 'and so have illnesses. If this was a serial killer - which, actually, it is - every resource in this country would have been mobilized against it. Nothing less is acceptable.'

**BACKGROUND:** Marler Clark has represented thousands of victims of foodborne illness outbreaks since the landmark Jack in the Box E. coli case. The firm's attorneys have litigated high-profile food poisoning cases against such companies as ConAgra, Wendy's, Chili's, Chi-Chi's, and Cargill. Marler Clark currently represents victims of outbreaks traced to tomatoes, ground beef, pot pies, and spinach, as well as other foods.

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