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Comparative Fault 3d

Enclosed is the 2025 cumulative supplement to Comparative Fault, 3d, prepared by Beth M. Deere, U.S. Magistrate Judge, U.S. District Court for the Eastern District of Arkansas. The 2025 update was prepared by the Publisher's Editorial Staff. This enclosure replaces the prior cumulative supplement dated 2024.

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Highlights

The 2025 cumulative supplement contains the year's significant developments affecting the law of comparative fault. Sample coverage includes:

- Evidence supported jury's allocation of 40% fault for accident to seaman in his Jones Act action against employer, alleging that scaffolding erected directly behind crane ladder caused seaman to slip as he ascended ladder from deck of vessel to crane platform and that he slipped when he stepped on scaffolding brace, rather than ladder rung.
- Trial court's refusal to include manufacturers of asbestos-containing joint compound on verdict form in automotive shop owner's personal injury lawsuit arising from his mesothelioma diagnosis prejudiced brake lining manufacturer in jury's allocation of 60% of fault to manufacturer, 25% to other brake parts makers and 15% to owner, thus entitling manufacturer to a new trial on allocation of fault.

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