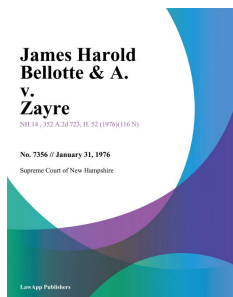


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## JAMES HAROLD BELLOTTE A V ZAYRE EBOOKS 2019



Author: Supreme Court of New Hampshire

Realese Date: Expected @@expectedReleaseDate@@

Certification pursuant to rule 20 of this court ( RSA 490:App. R. 20 (Supp. 1975)) of a question of law by the United States Court of Appeals for the First Circuit to this court as to the standard for determining whether a product is unreasonably dangerous to the user or consumer as provided by Restatement of Torts 2d § 402A(1). The question was argued in this court on December 2, 1975. The question certified is as follows: Where a five-year old child who was playing with matches is seriously burned when his pajama top ignited; where the fabric was not treated with an effective fire-retardant material, but was 100% cotton of a type in general use at the time of the accident for the manufacture of such clothing; and where the question for the jury is whether such fabric is 'unreasonably dangerous to the user or consumer' as provided by Restatement of Torts 2d § 402A(1) , should the definition of 'unreasonably dangerous' be framed in terms of the five-year old child who uses the pajamas or in terms of the child's parent who purchases them?

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