



Permanently Injured Baseball Fans Struggle Without Help from MLB

Injured spectators make online pleas for financial support and to MLB to make baseball safer

LAS VEGAS – Spectator injuries caused by errant foul balls and splintered bats are an ongoing epidemic, leaving many baseball fans financially helpless. Attorneys who recently filed a nationwide lawsuit against MLB’s commissioner say that MLB refuses to help these victims, leaving individuals to seek assistance from family, friends and even strangers to raise needed funds for medical care.

These efforts include a campaign for a woman who was permanently injured, needing two metal plates in her head when a speeding foul ball hit her face. So far, she has received donations covering 4 percent of her goal to pay her medical bills of over \$200,000. Another spectator who was blinded by a foul ball and lost his 30-year career as a result sought funding to help pay for the prosthetic eye he may need. His fundraiser ended with a little more than \$2,000 raised – far short of the \$60,000 he incurred in medical expenses. Another campaign sought help for a nine-year-old girl who suffered multiple skull fractures after being hit by a foul ball, and had 10 metal plates placed in her head.

Fans have also looked online for support for these tragedies. A Facebook page asks to “Make MLB Safe for Fans.” A mother whose 12-year-old suffered a skull fracture and a shattered nose started a Change.org petition to “prevent anyone else from getting hurt.”

Commissioner Manfred has thus far not commented on these pleas. The lawsuit against him seeks to implement a safety solution that would extend pre-existing netting to protect spectators sitting in the dangerous areas between the foul lines, where fans are most vulnerable to serious injury.

“I never thought that I would leave a baseball game in an ambulance,” said Liz Fogg, a Las Vegas resident and self-employed single mother who was struck in the face by a bat at an Arizona Diamondbacks game. “Had there been safety netting, absolutely it would have been avoided.”

Fogg lost use of her eye for weeks, and nearly two years later, her everyday life including eating, walking and talking is still impacted. “The ball hit with such force that my orbital rim was broken too deeply and severely for them to do surgery, and may never fully heal.”

The injury also impacted her family. Her son who loved baseball lost interest in the game after seeing the injury his mother suffered. Fogg recounted hearing that the bat nearly hit two children in front of her. “The impact that I was hit with easily could have killed a child,” she said. She still has post-traumatic stress from the incident.

Fogg says that the MLB’s commissioner states publicly that fan safety is a “priority” but his inaction reveals otherwise: “At what point would it become an epidemic? At what point do you say that nobody else should be hurt as a result of going to a game? Change can and should happen before one more person is injured – or worse – killed. I’m not sure how anyone who has the opportunity to stop others from being hurt, and/or living with the trauma of watching someone else get hurt, can sleep at night,” Fogg said, of Commissioner Manfred.

“Bottom line – Rob Manfred will continue to act with disregard for ballpark spectators and will continue to dodge responsibility, unless something changes,” said Robert Hilliard, partner at Hilliard Munoz & Gonzales. “Action needs to happen before one more person suffers from this pattern of avoidable, potentially life-threatening foul ball and bat injuries.”

“Teams and MLB are quick with sympathetic statements, but no financial assistance is provided. It’s a hypocritical approach that has long been used by the world’s wealthiest corporations and entities, like Big Tobacco, to limit liability,” added Steve Berman, managing partner of Hagens Berman, which helped achieve the largest settlement in history against tobacco companies. “MLB makes approximately \$9 billion a year, and yet when push comes to shove, fans like Liz are left holding the bag – and a hefty stack of medical bills.”

After her injury, Fogg was told “everything would be taken care of.” She later found out that was not the truth. “I was uninsured and very concerned about the bills I would receive going to the ER,” Fogg said. “When I reached out, the team’s insurance agent said they weren’t responsible.”

Just this month, several serious spectator injuries and near misses have occurred, including:

- A woman received a concussion from a foul ball at a Lynchburg Hillcats game. Her doctor told her if she had been hit any harder she would be in a coma.
- A woman was permanently injured by a foul ball at the Brewers vs. Braves game at Miller Park. She has two metal plates in her head, needs more surgery and faces a lifetime of doctor visits.
- A man was almost hit in the head by a 70-80 mph ball at a Giants vs. Phillies game at AT&T Park. He was saved by his son.
- A woman was hit in the eye by a foul ball at a Buffalo Bison’s minor league game, and a 15-month-old was almost hit. The woman suffered brain hemorrhaging, a bruised eyeball, an orbital fracture and a broken nose.
- Another man seated in the same section at this Buffalo Bison’s game was also hit by a foul ball and hospitalized.
- A woman received a concussion from a foul ball at a South Bend Cubs game.
- A bat shattered at a major league game, sending a large spear-like piece into the net, just feet from unprotected spectators.

As of the date of this release, no action has been taken by Commissioner Manfred.

Find out more about the [class-action lawsuit against the MLB](#). Individuals who have purchased season tickets to any major or minor league ballpark may contact Hagens Berman by emailing MLB@hbsslaw.com or by calling 206-623-7292.

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