

tt

by Tt Tt

Submission date: 26-May-2021 06:40AM (UTC-0700)

Submission ID: 1594579476

File name: Coomer_v._Kansas.edited.docx (23.58K)

Word count: 790

Character count: 4124

Coomer v. Kansas City Royals

Name

Institution

Course

Instructor

Date

Parties

The litigant in the case was John Coomer and the respondent was ¹ **Kansas City Royals Baseball Corporation**.

Facts

Major League Baseball (MLB) is among the most common professional baseball leagues in the United States. Therefore, on 2009 September eighth, John Coomer, together with his father, watched the MLB. During that day, the teams playing were Kansas City Royals and Detroit Tigers. The game was played at the Royals stadium. Nevertheless, because of the reduced turnout, Coomer with his father went near the guests' dugout.

Furthermore, in each Royals game held in their place, the mascot, slugger, initiates hotdogs from the guest's dugout and throws them to the supporters. Thus, while Mr. Shores finished reloading the gun, Coomer saw them turning back and thought they would throw one on the opposite side (Jarvis, 2019). Coomer decided to check the scoreboard and consequently, he unexpectedly felt the hotdog had hit him hard on the face.

After several days, Coomer faced a sight challenge and went to the eye expert, where was checked and recommended surgery because of the detached retina (Jarvis, 2019). This resulted in Coomer suing Kansas City Royals for negligence which they declined, arguing that the victim recognized the risks and purchased the seat tickets.

Procedure

The lower court, Jackson County Court, had ruled against the litigant and favored the Kansas City Royals. Although Coomer argued that the respondent did not practice normal care to

their visitors and did not sufficiently train and managed them, the evidence of non-abandonment and game inherit indicated that Coomer was responsible for his injuries.

Coomer appealed to the court, demanding an informational mistake by the judge. Nonetheless, the court of appeal found that the trial judge had a problem informing the jury that the risk of being injured by the hotdog was essential to the dangers of going to the game (Jarvis, 2019). Therefore, the dangers of hotdog toss were different from that of a baseball play. Thus, the Royals sustained their claim that supporters are exposed to many dangers while watching.

Issue

Did the respondent deliberately use a sophisticated risk to throw hotdogs based on the company safety training?

Does the litigant's intentional involvement in the further events act as an agreement to the known or inherent risks of the event?

Several laws can be used in the case. For instance, the plaintiff used the intentional tort to make his points. Beskind & Coleman (2017) claimed that intentional tort happens if an individual anticipates achieving an act that will harm another person. Therefore, Mr. Shores harmed intentionally based on Coomer. Another law is negligent tort law, defined by Tilley (2016) as an offense caused by failure to respond as a rational individual to another person they owe a duty. As Coomer claimed, Kansas City Royals are responsible for ensuring the safety of fans when throwing hotdogs.

Holding

Although Coomer presented several arguments that were unsuccessful in altering the judgment of the case, the Missouri Supreme Court never accepted the arguments and thus decided there was nothing in the pleading or information presented that indicated Kansas City Royals did not care or they resulted in Coomer's injuries in the absenteeism of their inattention (White, 2015). Therefore, making the Kansas City Royals win the case.

Reasoning

The court ruled the case with the reasoning that the Coomer decided to sit on the Guest dugout because there was less turnout. Therefore, this was the place where hotdogs are thrown and supporters were soothing to have them. Also, Coomer decided to look on the scoreboard despite realizing that the hotdog was almost to be thrown. Another reasoning for the court to consider was that the hotdog throwing was not a significant element of the game, hence affecting baseball and the fans enjoyment.

In summation, Coomer suffered the consequences of not paying attention to the risks of slugger's hotdog thrown. Also, Kansas City Royals' arguments were not considered and hence, regarded to be one hundred percent of his injuries. However, the Royals teams need to consider in the future that they can be accountable for hotdog injuries caused since the dangers can be intensified, reduced or eradicated with no consequence to the results of the baseball game.

References

- Beskind, D. H., & Coleman, D. L. (2017). *Torts: Doctrine and Process* (Vol. 519). Durham: Duke University Press.
- Jarvis, R. M. (2019). Flying Baseballs, Injured Fans, Uncertain Liability: Why Legislative Action is Needed in the Sunshine State. *FLA. BAR J.*, 93, 35.
- Tilley, C. C. (2016). Tort Law Inside Out. *Yale LJ*, 126, 1320.
- White, C. (2015). *Coomer v. Kansas City Royals Baseball Corp.: Come and Have Fun Watching America's Pastime-(At Your Own Risk)*. *Sports Law. J.*, 22, 281.

ORIGINALITY REPORT

1 %
SIMILARITY INDEX

0 %
INTERNET SOURCES

1 %
PUBLICATIONS

0 %
STUDENT PAPERS

PRIMARY SOURCES

1 Leanne O'Leary. "Employment and Labour Relations Law in the Premier League, NBA and International Rugby Union", Springer Science and Business Media LLC, 2017 **1** %
Publication

Exclude quotes On
Exclude bibliography On

Exclude matches Off