

THE DARK SIDE OF SPORTS

Justice Prevails (Part 2)

More insight into a lawsuit that took 19 years to settle

BY DR. MARC RABINOFF

In the previous issue I talked about a lawsuit I worked on in Chicago that resulted from a catastrophic injury to a young man, Ryan Murray, and took 19 years to settle. I need to tell you more about this case.

In February of this year I got a call from the Murray family's representative, who told me they did not have to go to trial because the defendant had finally settled the case for \$14,675,000. Even though Ryan has been a quad since 1991, in the end there was no guilt or innocence established – it was just a settlement. Everybody goes home and Ryan moves on.

One thing this case illustrates in a dramatic fashion is that lawsuits can be very, very expensive. I don't know how much the law firm that worked for Ryan Murray spent, but I would venture to guess that it's deep into the six figures, maybe even a million dollars over the past 19 years.

The case not only cost a tremendous amount of money, a settlement that may result in bankrupting a public school district, but the fact is Ryan



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Murray became a quad in 1991 and is still a quad in 2010. Now he can live a decent life and get all the best medical care he deserves for the rest of his life. But if you'd ask him if he would rather have \$14 million or be able to walk again, the choice would be obvious.

When I first read about the case in 1994, I believed, based upon the evidence presented, that this was a grievous violation of standards of care. I believed that in 1994, and I believed it in 2001 when the Illinois State Supreme Court agreed with me and used my work as part of their decision. And I

believe this settlement will affect, at least in the state of Illinois, how the legal system looks at sport-related injuries. It's also a wakeup call for teachers to get them to understand, very clearly, that they have to be vigilant when they coach or teach. And if they don't know how to teach a specific skill, then they must study it before they put any kid in harm's way.

You can't get lackadaisical in a PE class. If you've been teaching for 20 years, and you get lazy and neglect to take precautions you would have earlier in your career, a kid could get hurt. How would you live with yourself? And in any trial that ensues, the jury will be asking did you in fact at the time of the injury fall below the standard of care in your profession. That's the lesson to be learned from Ryan Murray's tragic accident. **BFS**

"The Dark Side of Sports" is a regular feature by Dr. Marc Rabinoff that answers questions about safety and liability based upon actual litigations.



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