

# Chicago Daily Law Bulletin®

VOLUME 168, NO. 76

LAW BULLETIN MEDIA.

## Man hurt in game settles for \$10M

Bubble ball allegedly led to spine injury when he was teen

### GRACE BARBIC

[gbarbic@lawbulletinmedia.com](mailto:gbarbic@lawbulletinmedia.com)

A man who is unable to walk after a spinal injury he sustained while playing bubble ball at a northwest suburban park district received a \$10 million settlement.

Collin Hogan, then 15, was at a friend's birthday party at the Schaumburg Park District on July 8, 2017.

The park district allowed the party to use its facility and equipment, under its supervision, to play bubble soccer and other games, the complaint alleged.

Bubble ball players are half encased in a large inflatable ball with a hollow center that covers the player's head and upper body just above the knees. The activity often involves playing games, such as soccer, where the participants can run into each other during the game while wearing the ball to provide protection to participants when they bump into each other or fall over.

The parents of those attending the party had to

sign a release that explained the dangers of injury and even death, which would release the park district from liability, according to the complaint.

The complaint alleged that Hogan and his mother arrived late after activities had already begun. Though they signed the release, the complaint alleged that Hogan was not properly instructed before participating, and the park district failed to warn him of the risk of harm.

Later in the party, a game of "Last Man Standing" began, and Hogan was eliminated. During a timeout period, he took his inflatable ball off his body, the complaint alleged.

Some "horseplay" allegedly began between some participants who were in the inflatable balls and others who were out of the balls, according to the complaint.

While not in the protective ball, Hogan maintains he ran headfirst into a friend who was in the ball. The impact allegedly resulted in injury to Hogan's spinal cord. He remains unable to walk because of the injury, according to his attorneys.

Hogan's family brought a



Todd A. Smith



Brian LaCien

lawsuit against the park district and the distributor of the bubble balls Peak Healthcare Advisors, LLC, doing business as Battle Balls, claiming negligence and willful and wanton action.

Cook County Circuit Court Judge Janet Adams Brosnahan presided over the case.

The settlement was entered May 27. The case was mediated before retired Judge William Gomolinski of ADR Systems.

Hogan was represented by Todd A. Smith and Brian LaCien of Smith LaCien LLP.

"Even though Collin was no longer in a bubble ball when this happened, we believed the activity gave rise to an environment that encouraged the 'horseplay'

that led to this occurrence. More attentive oversight may have prevented this altogether," Smith said. "I'm very pleased with the outcome, the family was as well, in light of our ability to provide for Collin significantly over time."

The Schaumburg Park District was represented by Michael E. Kujawa of Schain Banks Kenny & Schwartz, Ltd. He could not be reached for comment. A park district spokesperson declined to comment.

Battle Balls was represented by Daniel S. Alexander of Maron Marvel Bradley Anderson & Tardy LLC. He declined to comment.

The case is *Hogan v. Schaumburg Park District, et al.*, No. 2017 L 7523.