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Boy injured by foul ball

9-year-old recovering from surgery after Comerica Park mishap.

By Fred Girard
The Detroit News

When Ruben Mateo of the Texas Rangers came to bat in the fourth inning at Comerica Park on Monday night, 9-year-old Joey Siket was sitting in the front row at his first big-league baseball game, wearing a glove, a Tigers shirt and jacket, and his blue Tigers batting helmet.

Joey was so excited to be at the game he turned down his dad's offer of a hotdog and soft drink,

and raced straight to his seat.

But when Mateo cracked a line-drive foul ball straight at Joey from a distance estimated at 100-120 feet, the Warren third-grader had no time to react before the ball struck him in the head, fracturing his skull. He is the first fan to be seriously injured at the new Comerica Park.

Now Joey is in serious but stable condition at Henry Ford Hospital. He is alert and speaking with family and friends.

"I want to send all my prayers to Joey for a speedy recovery, and extend my apologies to his family," Mateo said through a club representative Thursday. "I was just try-

ing to play the game and get a hit. It's a very unfortunate accident."

Tigers outfielder Juan Gonzalez tried to visit Joey the morning after his injury, but doctors could not permit him to do so. Tigers President John McHale said the team is concerned about the boy's condition.

Tigers officials have had no contact with the Sickets other than a message left on their home answering machine Tuesday morning. Joe and Debbie Siket, who have slept on a pullout couch in their son's room since Monday night, have yet to hear it.

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Joey Siket, 9, of Warren, suffered a fractured skull after being hit by a line drive on Monday night.

COMERICA
"The holder assumes all risk and danger incidental to the game of Baseball, including specifically (but not exclusively) the danger of being injured by thrown bats and thrown or batted balls, and agrees that the Commissioner, the Participating Clubs, their Agents and Players, are not liable for injuries resulting from such cases."
COMERICA

"When I heard where these seats were, I didn't even want him to go to the game, because I've read about this happening before."

DEBBIE SIKET,
mother of Joey

INJURY

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"Obviously we regret the incident and hope for a full recovery," McHale said. "I'll take steps as soon as I can to see that the family hears that from us."

With their seats just to the right of the visiting team's dugout in Section 118, Joey's father, Joe Siket, had seated Joey and his 8-year-old brother between himself and an adult friend specifically so the two men could shield the boys from bats or balls flying into the stands. But the ball came so fast he was unable to respond, Siket said.

Joey, who plays soccer, was unable to raise his glove, or even turn his head, before the liner hit him in the left side of his forehead, striking the batting helmet first.

He was carried out on a stretcher, and taken by ambulance to the hospital.

Joey had suffered a severe closed-head injury. His skull was fractured and a life-threatening hematoma, or blood clot, had formed beneath it, doctors at Henry Ford told his parents.

In a 4 1/2-hour operation Tuesday, the blood clot was drained, his father said.

The ball simply came at him too fast, Joey said. "If I just could have ducked, I would have been fine. But then the person sitting behind me would have gotten hit, I guess."

Joey's mother, Debbie Siket, said. "When I heard where these seats were, I didn't even want him to go to the game, because I've read about this happening before."

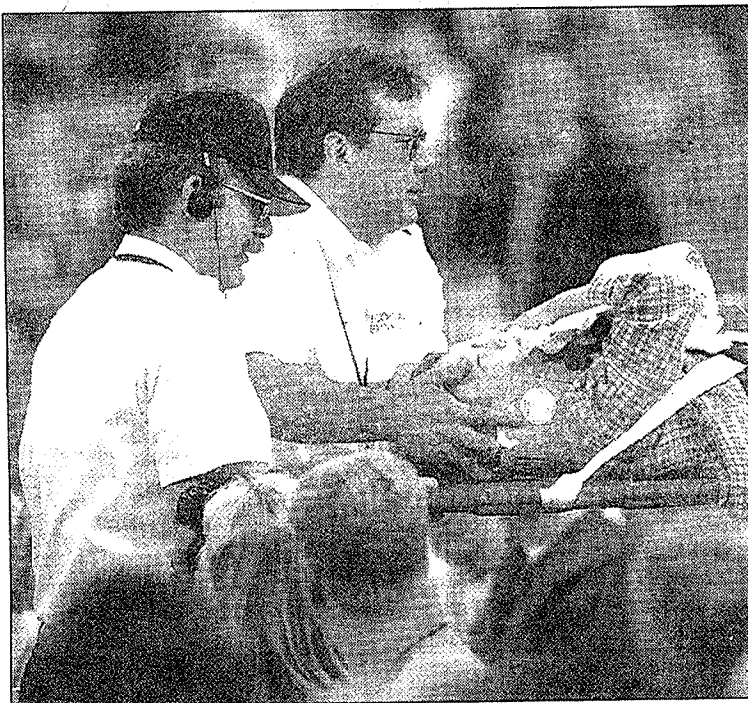
Joe Siket also said that the speed of the line-drive foul was astonishing.

"I saw the swing, I heard the crack of the bat, and — it seemed like it was that very second — I heard it hit my son's helmet and he was screaming bloody murder."

Joey's parents say they plan to sue the Tigers. They have retained attorney James O. Elliott of Bloomfield Hills, who not only has been their friend since childhood, but also may be the nation's leading expert in ballpark liability cases.

In October 1998, Elliott won a \$1-million judgment for a West Bloomfield girl, Alyssia Benjam, whose hand had been impaled by a broken bat. The Tigers are appealing.

In March, Elliott filed a \$10-million suit against the Tigers on behalf of a Detroit woman, Stephanie Ruther-



David Guralnick / The Detroit News

Joey Siket, being removed from Comerica Park on a stretcher after being hit in the head by a foul ball, was sitting in the front row near the visitors' dugout.

ford, who lost an eye when struck in the face by a foul ball. The Tigers gave her the \$5,000 medical benefit in the ballpark's insurance policy, and Rutherford wound up losing her job, her car and her home, and might lose the vision in her other eye. Her case is pending in Wayne Circuit Court.

In researching these cases, Elliott said, he has come across hundreds of incidents in which fans were injured at Tiger Stadium.

"The Tigers were told two years ago (in the Benjam case) that they should immediately construct a three-foot piece of Plexiglas around the stadium in order to cut down on 78 percent of the injuries," Elliott said. "They laughed at the idea, and have refused to follow the expert advice. It is now evident to me that the Detroit Tigers could care less, and even a death in their stands will not alter their conduct toward the unsafe conditions."

Major League Baseball has filed a friend-of-the-court brief in the Tigers' appeal of the Benjam verdict, saying her \$1-million judgment "threatens to alter the play of Major League Baseball as Americans have grown to know it," and "potentially alter the design of every major-league stadium."

McHale said he could not discuss Siket's case, or what went into fan-safety planning for the new Comerica Park.

Joe Siket, however, says changes should be made to protect fans.

"I've been to hockey games, where everybody watches through the glass with no problems," he said. "There should be no reason they can't put up something like that for baseball. It would have saved my son from the devastation he went through."

Nationwide, courts have backed stadium owners in such damage suits because people go to a game knowing full well that balls or bats can fly into the stands.

Also, printed on the back of Joey's ticket to the game, it says, "The holder assumes all risk and danger incidental to the game of Baseball, including specifically (but not exclusively) the danger of being injured by thrown bats and thrown or batted balls, and agrees that the Commissioner, the Participating Clubs, their Agents and Players, are not liable for injuries resulting from such causes."

Now Joey and his family must wait to learn the extent of his injury.

And Joey is trying to keep his thoughts positive.

Even though he feels "not so good" right now, he said, "I know what my project will be for current events — I'm gonna do an article about me."

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