



2026-2027 Middle School Mock Trial Case*

Kit Keller

V.

Babe Jeter

Case Committee

Hon. Joyce Krutick Craig

Attorney Jeanine Dumont

Hon. Hope C. Seeley

Attorney Eilish Thompson

Attorney Jonathan Weiner

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Release Date: October 15, 2026

*Adapted from 2017 Georgia Mock Trial Competition Case. The Connecticut Bar Association is grateful to the Georgia Bar Association for giving us permission to use the case. The Case Committee adapted the case to Connecticut and made additional substantive changes to the content contained in the case problem used in the prior competition in Georgia.

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Prohibition On Uploading This Case to Any Generative Artificial Intelligence Platform

Generative artificial intelligence platforms such as ChatGPT, GitHub/Microsoft Copilot, and OpenAI are growing in their use and utility in our daily lives, and AI image generators such as DALL-E, Stable Diffusion, Copilot, and Adobe Firefly are now widely available, expanding creative opportunities while implicating the rights of the original creators whose work is used without their knowledge or permission.

These developments are pressuring many aspects of society to adapt, and mock trial is not immune. The Mock Trial Case Committee continues to work to balance the importance of learning to use these tools with the educational objectives of mock trial.

No team member, coach, observer, or individual affiliated with the competing team may upload any portion of this case to any generative AI tool. For avoidance of doubt, this includes uploading the case packet or any part of the case packet, such as the fictional logos in the Exhibits.

If any team member, coach, observer, or other individual affiliated with a competing team is found to have violated this prohibition, that team is subject to the full range of possible sanctions provided by the Rules of Competition, which can include suspension of that individual or expulsion of that team from competition this year and/or in future years.

If any individual or entity not affiliated with a competing team is found to have violated this prohibition, the authors reserve all legal rights with respect to such actions. For avoidance of doubt, the authors do not agree to any use of these materials for purposes other than this competition or the creation of derivative works from these materials; they reserve all copyrights and authors' rights in these materials; and they do not agree that any use of these materials to train a GenAI engine or other machine learning tool is a fair use or consent to any such use.

Team members and coaches shall ensure that others with whom they share these case materials are aware of this prohibition.

INTRODUCTION

This introductory statement is of no legal consequence in terms of the trial and may not be used for impeachment, proof or for any other competitive purpose.

Bottom of the ninth, two outs. It's tied 4-4 and the game-winning run is on second base, with a runner on first. This is the moment every kid who's ever played ball has always dreamed about, and it's come true for Kit Keller and the Fairfield Red Robins. Kit is on second base. The Red Robins are in the semi-finals against the Hartford Nutmeggers in a heated baseball playoff game, with the winner going on to the championship. This is a moment Kit has been dreaming about for his/her entire playing career. It's also the moment that Babe Jeter has been dreaming about, albeit on the other side of the field. Babe's the hot-armed outfielder on the Nutmeggers who has been waiting to win a championship just as long as Kit. Babe and Kit have been in a pitched battle on the field ever since Kit moved to the area a few years ago. While they're opponents here, they also play on the same teams during the summer with Whale State Ball. Sure enough, their rivalry knows no season.

Phil Wrigley is up at bat for the Red Robins and he hits a sharp grounder through the pitcher's legs where it bounces off second base into center field. The Red Robins' third base coach, Terry Valentine, coaches Kit at Fairfield County High School during the school year, and both Babe and Kit at Whale State during the summer. Cal/Callie Robinson is the Nutmeggers' shortstop who also plays Whale State with Kit and Babe. Both have a front-row seat as the play is about to happen.

Kit takes off towards third base. Babe fields the ball on the left side of center field. Coach Valentine wants Kit to stop at third and not test out Babe's famous arm at the plate, but Kit steams past, losing his/her helmet along the way. Babe picks up the ball and fires it from left field towards the plate. The ball does not make it to the catcher's mitt. Instead, it connects with the back of Kit's head and knocks Kit out cold. As Morgan Scully, the PA announcer said: You could hear the crack of Kit's skull all throughout the stadium. Manny/Mandy Ortiz, the local college/pro scout, said s/he's never seen anything like it.

While this may not have been the "Game of the Century," it was a big moment for both Kit and Babe. The play may have ended Kit's future career playing ball. Losing this lawsuit may do the same for Babe. Everyone knows Babe has the arm and the talent to hit anything on the field from the outfield. Kit's head is proof of that.

But, did Babe hit Kit on purpose?

STIPULATIONS

1. All exhibits included in the problem are authentic in all respects, and no objections to the authenticity of the exhibits shall be entertained.
2. Stipulations cannot be contradicted or challenged.
3. The signatures on the witness statements and all other documents are authentic.
4. The Charge of the Court is accurate in all respects; no objections to the charge shall be entertained.
5. Chain of custody for evidence is not in dispute.
6. The **Introduction** provided is of **no legal consequence** in terms of the trial and **is not admissible** for impeachment purposes or for any other purpose.
7. In Exhibit 2, the icons denoted by “MS”, “MO”, “BJ”, and “TV” fairly and accurately indicate each witness’s position on the field at the time of the throw. The position of Kit Keller’s icon (“KK”) indicates his/her position on the field at the point of the ball’s impact.
8. Many students play baseball over the summer months in a travel league with the Whale State Ball organization. Whale State fields a Class A team and a Class B team for both sports, similar to a varsity and junior varsity team respectively. The class A team is the Wolves. The class B team is the Whale State Goats.
9. The field has baselines of 90 feet with the outfield fence located a uniform 325 feet from home plate.
10. The time of day and weather conditions captured in Exhibit 8, 9, and 10 are not necessarily representative of those at the time game on April 25, 2025.
11. A power outage caused the stadium servers to malfunction so that the video footage of the game on April 25, 2025 is no longer available.
12. This is a bifurcated proceeding, with this trial limited to liability only. The amount of damages, if any, is not at issue.

WITNESSES

*The following witnesses are available to be called by the parties. The Plaintiff's witnesses may not testify or be called on behalf of the Defendant. Defense witnesses may not testify or be called on behalf of the Plaintiff. Although the case materials may use "s/he" for pronouns, all witness roles are intended to be gender-neutral in nature, and, in the spirit of inclusivity and respect, all participants are requested to use the preferred pronouns of the other trial participants as stated on the trial roster forms.**

For the Plaintiff

Kit Keller, Plaintiff

Cal/Callie Robinson, Shortstop

Manny/Mandy Ortiz, Scout

For the Defense

Babe Jeter, Defendant

Morgan Scully, Announcer

Terry Valentine, Third Base Coach

* The Case Committee recognizes that, in the majority of cases at the high school level, male athletes play baseball and female athletes play softball. Given the gender-neutral nature of mock trial, and inspired by the increasing number of women who have made their mark as players, coaches, or executives at baseball's highest levels, such as Mone Davis and Kim Ng, we have set this case on the baseball field with mixed-gender or gender-neutral teams. We emphasize that student gender identity should not play *any* part in the assignment of roles in this case.

EXHIBITS

Teams in competition may use the following exhibits. Teams may use exhibits in a black and white format; some exhibits are presented in the case materials in color to give teams a better view of the exhibit. They are pre-marked and are to be referred to by the assigned number, as follows:

Exhibit Numbers and Title/Descriptions

1. Accident Report
2. Field layout
3. Photo of baseball
4. School system athletic release form
5. Student/Parent Concussion Awareness form
6. Helmet labels
7. Lineup card for April 25, 2025 game
8. Photo of Dunkin Park playing field viewed from behind home plate
9. Photo of Dunkin Park playing field viewed from left field line behind third base
10. Photo of Dunkin Park playing field viewed from left field line behind third base, showing shallow outfield area.

KIT KELLER,	)	STATE OF CONNECTICUT
Plaintiff,	)	
	)	JUDICIAL DISTRICT OF HARTFORD
v.	)	
	)	
BABE JETER,	)	
Defendant.	)	JANUARY 5, 2026

COMPLAINT

COUNT I (Battery)

Plaintiff, Kit Keller alleges as follows:

1. Defendant, Babe Jeter, is a resident of Hartford County and may be served with a copy of this Complaint within the confines of said county. Jurisdiction and venue are hereby appropriate in this Court.
2. On Wednesday, April 25, 2025, Defendant willfully and intentionally made actual physical contact with Plaintiff which was unjustified, unauthorized and unlawful when Defendant deliberately threw at and struck Plaintiff with a ball during a sporting event at Dunkin Park in Hartford.
3. As a result of the incident described above, Plaintiff suffered serious bodily injury and tremendous pain and suffering, all for which Plaintiff is entitled to compensation from Defendant.
4. The tortious actions of Defendant show willful misconduct, malice, wantonness, oppression, or that entire want of care which would raise the presumption of conscious indifference to consequences, and thus punitive damages are warranted in this case.
5. Defendant has acted in bad faith in the instant matter, and has caused Plaintiff unnecessary trouble and expense, and has been stubbornly litigious, so as to entitle Plaintiff to an award of attorney's fees and expenses of litigation.

COUNT II (Negligence)

6. Plaintiff incorporates the allegations contained in paragraphs 1-3 of Count I herein.
7. Defendant owes plaintiff a duty of care not to cause physical injury or harm to plaintiff.
8. Defendant breached the duty of care by negligently and recklessly causing the ball to be thrown at plaintiff causing him/her serious bodily injury and tremendous pain and suffering.

WHEREFORE, Plaintiff prays for the following relief:

- (a) that Plaintiff be awarded special, general, and punitive damages in an amount to be proven at trial and as determined by a fair and impartial jury;
- (b) that Plaintiff be awarded costs and attorney's fees in bringing this action; and
- (c) that Plaintiff be awarded such other and further relief as the Court deems just and proper under the circumstances.

Dated: January 5, 2025

Plaintiff, KIT KELLER

By: Matthew Starr

Matthew Starr
Attorney for Plaintiff

KIT KELLER,	)	STATE OF CONNECTICUT
Plaintiff,	)	
	)	JUDICIAL DISTRICT OF HARTFORD
v.	)	
	)	
BABE JETER,	)	
Defendant.	)	FEBRUARY 5, 2026

ANSWER AND SPECIAL DEFENSES

Defendant, Babe Jeter, alleges the following in response to the plaintiff's Complaint herein:

Count I

1. The allegations of Paragraph 1 are admitted.
2. The allegations of Paragraph 2 are denied as pled. By way of further answer, Defendant denies intentionally targeting or striking Plaintiff in any way.
3. The allegations of Paragraph 3 are denied.
4. The allegations of Paragraph 4 are denied.
5. The allegations of Paragraph 5 are denied.

Count II

6. Defendant incorporates his/her responses to Paragraphs 1-5 above herein.
7. The allegations of Paragraphs 7 are denied.
8. The allegations of Paragraph 8 are denied.

SPECIAL DEFENSES

Defendant, Babe Jeter, alleges the following Special Defenses:

First Special Defense (Assumption of Risk)

By participating in the April 25, 2025 baseball game, plaintiff knowingly assumed the risk that balls are thrown at high speeds, and that s/he might be hit by a ball thrown by another player. As a result, plaintiff should recover nothing.

Second Special Defense (Contributory Negligence)

Plaintiff contributed to the injuries s/he sustained herein because the plaintiff carelessly and reckless allowed his/her helmet to fall off while playing, exposing herself/himself to serious injuries which the helmet is designed to prevent.

WHEREFORE, Defendant prays for the following relief:

- (a) that Plaintiff recovery nothing; and
- (b) that Defendant be awarded such other and further relief as the Court deems just and proper under the circumstances.

Dated: February 10, 2026.

Defendant, BABE JETER

By: Charlotte E. B. White

Charlotte E. B. White
Attorney for Defendant

KIT KELLER,	)	STATE OF CONNECTICUT
Plaintiff,	)	
	)	JUDICIAL DISTRICT OF HARTFORD
v.	)	
	)	
BABE JETER,	)	
Defendant.	)	MARCH 1, 2026

ANSWER TO SPECIAL DEFENSES

Plaintiff, Kit Keller responds to the defendant's Special Defenses contained in defendant's Answer and Special Defenses herein as follows:

Answer to First Special Defense

Plaintiff denies the First Special Defense.

Answer to Second Special Defense

Plaintiff denies the Second Special Defense.

Dated: March 1, 2026

Plaintiff, KIT KELLER

By: Matthew Starr
Matthew Starr
Attorney for Plaintiff

KIT KELLER,	)	STATE OF CONNECTICUT
Plaintiff,	)	
	)	JUDICIAL DISTRICT OF HARTFORD
v.	)	
	)	
BABE JETER,	)	
Defendant.	)	JUNE 3, 2026

MEMORANDUM OF DECISION ON MOTION FOR PARTIAL SUMMARY JUDGMENT

Defendant has filed a Motion for Partial Summary Judgment under the provisions of Conn. Practice Book § 17-44, et seq., arguing that there are no material issues of fact in dispute with respect to plaintiff's cause of action for negligence (Count II), and that, therefore, summary judgment must be entered in favor of the defendant as to that claim.

The following facts relevant to this motion are not in dispute. Plaintiff and defendant participated in a high school baseball game on April 25, 2025. At the time of the incident, plaintiff, a member of the Fairfield Red Robins, was a runner on second base who was attempting to run home and score the winning run for his/her team. As the plaintiff rounded third, the plaintiff's helmet fell off. The defendant, a member of the Hartford County Nutmeggers, was positioned in center field. The ball had been hit by the runner at the plate, and was recovered by defendant. Defendant threw the ball, and it hit plaintiff on the head, causing her/him serious injuries.

The Complaint alleges two counts, one for battery alleging that the defendant's conduct was an intentional battery, and the second alleging negligence. Defendant now moves for summary judgment in his/her favor with respect to the negligence count.

Summary judgment may be granted where, based upon the pleadings, affidavits and any other proof submitted show that there is no genuine issue of material fact in dispute and the moving party is entitled to judgment as a matter of law. Conn. Practice Book § 17-49.

In this case, defendant has met this burden with respect to Count II of the Complaint. As our Supreme Court has stated in the context of soccer competitions: "In athletic competitions, the object obviously is to win. In games, particularly those played by teams and involving some degree of physical contact, it is reasonable to assume that the competitive spirit of the participants will result in some rules violations and injuries. That is why there are penalty boxes, foul shots, free kicks, and yellow cards. Indeed, the specific rules applicable to this game demonstrate that rules violations were expected in the normal course of the game. Some injuries may result from such violations, but such violations are nonetheless an accepted part of any competition. Simply put, when competitive sports are played, we expect that a participant's main objective is to be a winner, and we expect that the players will pursue that objective enthusiastically. We also anticipate that players in their enthusiasm will commit inadvertent rules violations from which injuries may result. The normal expectations of participants in contact team sports include the potential for injuries resulting from conduct that violates the rules of the sport. These expectations, in turn, inform the question of the extent of the duty owed by one participant to another." *Jaworski v. Kiernan*, 241 Conn. 399 (1997).

The Supreme Court explained further that there “is a tension between promoting vigorous athletic competition on the one hand and protecting those who participate on the other.” *Id.* at 409. Therefore, a “balance is best achieved by allowing a participant in an athletic contest to maintain an action against a coparticipant only for reckless or intentional conduct and not for merely negligent conduct. We believe that participants in recreational sports will not alter their enthusiasm for competition or their participation in recreational activities for fear of liability for injuring someone because of their reckless or intentional conduct. Liability for simple *negligence* would have an opposite effect. . . . [A] recklessness standard will sufficiently protect participants in athletic contests by affording them a right of action against those who cause injuries not inherent in the particular game in which the participants are engaged. In other words . . . the reckless or intentional conduct standard of care will maintain civility and relative safety in team sports without dampening the competitive spirit of the participants.” *Id.*

Extending the logic of *Jaworski* from soccer to this case arising from a baseball game, I conclude that the plaintiff does not have a valid cause of action against defendant for negligence, and the only claim that should be tried in this case is the claim for battery based upon intentional conduct by the defendant. The special defenses of assumption of risk and contributory negligence do not apply to a cause of action based upon an intentional tort such as battery, and therefore, they cannot be considered as defenses to this cause of action. Notwithstanding, the facts relating to these defenses may be relevant to either party’s case at the time of trial.

Based upon the foregoing, summary judgment is granted as to plaintiff’s Count II for negligence.

Giammatti, J.
Giammatti, J.

KIT KELLER,	)	STATE OF CONNECTICUT
Plaintiff,	)	
	)	JUDICIAL DISTRICT OF HARTFORD
v.	)	
	)	
BABE JETER,	)	
Defendant.	)	

JURY INSTRUCTIONS

1 *[The judge will instruct the jury how to apply the law to the evidence. Hypothetically, if the judge in*
2 *your mock trial case were to provide instructions to the jury, the following instructions would be read*
3 *to the jury.*

4

5 *Although these instructions may not be used as an exhibit during the mock trial competition,*
6 *students may use these legal concepts in fashioning their case and making arguments to the jury.]*

Pleadings

You have been considering the case of *Kit Keller v. Babe Jeter*. You have heard the evidence and the allegations of the parties, and I will not repeat them here. It is now my duty to instruct you on the law which you will use to render a verdict in this case.

Burden of Proof; Generally; Preponderance of Evidence, Defined

The party making a claim has the burden of proof with respect to that claim. Thus, the plaintiff has the burden of proving each essential element of the cause of action upon which the plaintiff relies. The defendant does not have to present evidence to disprove the plaintiff's claim. I will review those elements with you in a moment. Plaintiff must prove his/her case by what is known as a preponderance of the evidence. This means that all of the evidence, regardless of which party produced it, must lead you to believe that the claim is more likely true than not true. A preponderance of the evidence is "properly defined as the better evidence, the evidence having the greater weight, the more convincing force in your mind. Greater weight of the evidence does not necessarily mean the great number of witnesses or the great volume of evidence. Any believable evidence may be enough to prove that a claim is more likely true than not.

Your verdict will only deal with liability—the issue of damages will be determined at a later time.

Credibility of Witnesses

The jury must determine the credibility of the witnesses. In deciding this, you may consider all of the facts and circumstances of the case, including the witnesses' manner of testifying, their intelligence, their means and opportunity of knowing the facts about which they testify, the nature of the facts about which they testify, the probability or improbability of their testimony, their interest or lack of interest in the outcome of the case, and their personal credibility as you observe it.

Stipulations

The parties have entered into certain stipulations that have been approved by the court. Where parties stipulate to the facts, this is in the nature of evidence. You may take that fact or those facts as a given without the necessity of further proof. However, you are not required to do so, and even such matters may be contradicted by other evidence. You make all decisions based on the evidence in this case.

Conflicting Evidence; Reconciliation

Any conflicts in the evidence are to be reconciled wherever possible. All witnesses are presumed to speak the truth and, if possible, you should not attribute a false statement to any of them. If you find that this cannot be done, then you should believe the evidence that is most reasonable and believable to you and decide the case by the preponderance of the evidence as you find it to be.

Circumstantial Evidence; Direct Evidence

Direct evidence is evidence, which immediately points to the question at issue. Indirect or circumstantial evidence is evidence, which only tends to establish a fact; it must be such as to reasonably establish that fact rather than anything else. The comparative weight of circumstantial and direct evidence on any given issue is a question of fact for you to decide.

Stated differently, direct evidence is the testimony of a witness who has seen or heard the facts to which the witness testifies and which, if believed, is sufficient to prove or establish these facts.

Circumstantial evidence is the testimony of a witness who has seen or heard the facts to which the witness testifies where, from such facts, if believed, you may find other facts to exist, which are reasonable and believable to you in the light of your experience.

Where circumstantial evidence is relied upon to establish a fact or theory, it must be such as to reasonably establish that fact or theory rather than anything else.

Admissions

An admission is a statement by a party, which tends to aid the cause of the opposing party. All admissions shall be carefully considered.

Prior Statements

You may determine whether there was evidence that a witness testified falsely about an important fact during the course of the trial as opposed to some other time before this trial.

In doing so, you may make a determination whether the misstatement was because of an innocent lapse in memory or an intentional attempt to deceive. You should consider all the facts and circumstances of any prior statements.

Battery

The plaintiff alleges that the conduct of the defendant constituted a battery. A battery is a harmful contact with the person of another. A harmful contact is one that causes physical impairment of the condition of another's body, physical pain, or illness. As alleged in this case, the contact must be the direct and immediate consequence of a force exerted by the defendant intentionally.

Intent

What a person's intention was is usually a matter to be determined by inference. No person is able to testify that he/she looked into another's mind and saw therein a certain knowledge or a certain purpose or intention to do harm to another. Because direct evidence of the defendant's state of mind is rarely

available, intent is generally proved by circumstantial evidence. The only way a jury can ordinarily determine what a person's intention was at any given time is by determining what the person's conduct was and what the circumstances were surrounding that conduct, and from that, infer what his/her intention was. To draw such an inference is the proper function of a jury, provided of course that the inference drawn complies with the standards for inferences as explained in connection with my instructions on circumstantial evidence. The inference is not a necessary one. You are not required to infer a particular intent from the defendant's conduct or statements but it is an inference that you may if you find it is reasonable and logical.

Verdict; Unanimity

Your verdict must be unanimous. If you cannot unanimously agree on a verdict, the judge is required by law to declare a mistrial and retry the case before another jury. Jurors should carefully consider all the evidence in the case, consult with one another, and deliberate with a view toward reaching a unanimous verdict, consistent with your consciences and oaths as jurors.

Avoid premature fixed opinions. Do not hesitate to reexamine your views and change your opinions if, after fair and impartial discussions and deliberations with your fellow jurors, you are honestly convinced that your opinion should be changed. However, no juror is required to surrender an honest opinion differing from that of another juror merely for the purpose of reaching a unanimous verdict.

Jury; Final Instructions

One of your first duties in the jury room will be to select one of your number to act as foreperson, who will preside over your deliberations and who will sign the verdict to which all twelve of you freely and voluntarily agree.

You should start your deliberations with an open mind. Consult with one another and consider each other's view. Each of you must decide this case for yourself, but you should do so only after a discussion and consideration of the case with your fellow jurors. Do not hesitate to change an opinion if convinced that it is wrong. However, you should never surrender honest convictions or opinions in order to be congenial or to reach a verdict solely because of the opinions of the other jurors.

You may go now to the jury room, but do not begin your deliberations until I send you the pleadings and exhibits, which I will do shortly. Then you may begin your deliberations.

Legal Authorities

Case Law¹

The following excerpts concern the legal issues raised in this mock trial case. Only portions of the opinions are provided, and only the excerpted portions may be used in the course of the trial. Although these excerpts may not be used as an exhibit during the mock trial competition, students may use the legal concepts as contained in the excerpted portions of the case law in fashioning their case and making arguments to the jury.

Clearly, the act of intentionally causing actual physical harm to another is civilly actionable as a battery. However, the intent to cause actual physical harm to another is not absolutely essential to the viability of a civil action for battery. In the interest of one's right of inviolability of one's person, any unlawful touching is a physical injury to the person and is actionable. . . . Any act of physical violence (and the law will not draw a line between different degrees of violence), inflicted on the person of another, which is not necessary, is not privileged, and which constitutes a harmful or offensive contact, constitutes an assault and battery. If the circumstances of the occasion be not such as the law would permit an inference that the battery proceeded from anger, the jury may nevertheless be authorized to conclude, considering its nature and the circumstances, that it resulted from a lack of proper respect for the person on whom the contact was made. Contact proceeding from rudeness is as offensive and harmful as that which proceeds from anger or lust, and in law constitutes an assault and battery.

Alteiri v. Colasso, 198 Conn. 329 (1975)

In an action for damages on account of an assault and battery, the defendant may give in evidence any opprobrious words or abusive language used by the plaintiff to him, in order to justify his conduct or mitigate the damages; and it is for the jury to determine, in view of the character of the provocation and the nature and extent of the battery, whether such opprobrious words or abusive language amount to a justification or only to a mitigation of damages recoverable.

Arlowski v. Foglio, 105 Conn. 399 (1926)

[T]his court believes that when athletes are engaged in an athletic competition; all teams involved are trained and coached by knowledgeable personnel; a recognized set of rules governs the conduct of the competition; and a safety rule is contained therein which is primarily designed to protect players from serious injury, a player is then charged with a legal duty to every other player on the field to refrain from conduct proscribed by a safety rule. A reckless disregard for the safety of other players cannot be excused. To engage in such conduct is to create an intolerable and unreasonable risk of serious injury to other participants. We have carefully drawn the rule announced herein in order to control a new field of personal injury litigation. Under the facts presented in the case at bar, we find such a duty clearly arose. Plaintiff was entitled to legal protection at the hands of the defendant. The defendant contends he is immune from tort action for any injury to another player that happens during the course of a game, to which theory we do not subscribe.

It is our opinion that a player is liable for injury in a tort action if his conduct is such that it is either deliberate, willful or with a reckless disregard for the safety of the other player so as to cause injury to that player, the same being a question of fact to be decided by a jury.

Nabozny v. Barnhill, 31 Ill. App. 3d 212 (1975)

¹Some of the case law provided here is consistent with generally accepted legal principles, but are not actual court decisions.

Being intentionally hit by a baseball is an inherent risk of the sport, so accepted by custom that a pitch intentionally thrown at a batter has its own terminology: "brushback," "beanball," "chin music." In turn, those pitchers notorious for throwing at hitters are "headhunters." Pitchers intentionally throw at batters to disrupt a batter's timing or back him away from home plate, to retaliate after a teammate has been hit, or to punish a batter for having hit a home run. Some of the most respected baseball managers and pitchers have openly discussed the fundamental place throwing at batters has in their sport. One-time Oakland Athletics and St. Louis Cardinals manager Tony La Russa details the strategic importance of ordering selective intentional throwing at opposing batters, principally to retaliate for one's own players being hit. As Los Angeles Dodgers Hall of Fame pitcher Don Drysdale and New York Giants All Star pitcher Sal "The Barber" Maglie have explained, intentionally throwing at batters can also be an integral part of pitching tactics, a tool to help get batters out by upsetting their frame of mind. Drysdale and Maglie are not alone; past and future Hall of Famers, from Early Wynn and Bob Gibson to Pedro Martinez and Roger Clemens, have relied on the actual or threatened willingness to throw at batters to aid their pitching.

It is true that intentionally throwing at a batter is forbidden by the rules of baseball. But "even when a participant's conduct violates a rule of the game and may subject the violator to internal sanctions prescribed by the sport itself, imposition of legal liability for such conduct might well alter fundamentally the nature of the sport by deterring participants from vigorously engaging in activity that falls close to, but on the permissible side of, a prescribed rule." It is one thing for an umpire to punish a pitcher who hits a batter by ejecting him from the game, or for a league to suspend the pitcher; it is quite another for tort law to chill any pitcher from throwing inside, i.e., close to the batter's body—a permissible and essential part of the sport — for fear of a suit over an errant pitch. For better or worse, being intentionally thrown at is a fundamental part and inherent risk of the sport of baseball. It is not the function of tort law to police such conduct.

Avila v. Citrus Community College Dist., 38 Cal. 4th 148 (2006).

Recklessness involves an extreme departure from ordinary care. Reckless conduct takes on the aspect of highly unreasonable conduct in a situation where a high degree of danger is apparent. Such aggravated negligence must be more than any mere mistake resulting from inexperience, excitement, or confusion, and more than mere thoughtlessness or inadvertence, or simply inattention. Recklessness is a state of consciousness with reference to the consequences of one's act. It is more than negligence, more than gross negligence. In order to infer recklessness from conduct, there must be something more than a failure to exercise a reasonable degree of watchfulness to avoid dangers to others or take reasonable precautions to avoid injury to them—there must be a complete indifference to do whatever is needed to avoid injury. The result is that wilful, wanton, or reckless conduct tends to take on the aspect of highly unreasonable conduct, involving an extreme departure from ordinary care, in a situation where a high degree of danger is apparent.

Mariorini v. Gugliotti, Docket No. HHDCV1606069971S (Conn. Super. Dec 14, 2016)

STATEMENT OF KIT KELLER

My name is Kit Keller, and I was a junior at Fairfield High School when this incident occurred. My family and I moved to Fairfield when I was about ten years old. I was already very involved in competitive baseball by that time. The best players start out young. The other baseball families didn't exactly roll out the red carpet for us—they obviously saw me as competition (which I was). I had to work extra hard to prove myself to coaches and teammates. But once they saw my talent and pure passion for the sport, I made the team at school, and everyone wanted me on their summer league and travel teams. Well, everyone except Babe Jeter. Babe realizes there is a limited future for our sport, be it in college or the pros, and Babe's chances of making it are much lower with me in the running. Anyway, when you play for different teams (school and summer leagues), you end up playing against people who were your teammates just weeks earlier. It creates opportunities to get to know a lot of people, but there's also friction and an air of competition.

Babe and his/her family were among those who were not on the welcome committee when we first moved here. Even though Babe goes to Hartford High School, s/he and I had to compete against each other every summer to get on the best travel team in the Whale State Organization. Whale State is the summer travel league a lot of us play with. We've got kids from all over Connecticut. I remember the summer I was fourteen, the summer before high school. Babe and I were both trying out for the Wolves, Whale State's A-team baseball team, but they couldn't take both of us. Babe ended up getting picked. Coach Terry Valentine ran that team. I wound up on the Whale State B-team, the Goats. We were still a good team with great players, but it wasn't the Wolves. When our teams played each other that summer in a tournament in Danbury, Babe constantly heckled me about not getting picked, right in front of the coach and other players. I was just a kid then, so I let my emotions get the best of me. I threw my helmet in the dugout after I struck out. Valentine tried to get me thrown out of the game, but the umps just warned me not to do it again. I learned my lesson for sure. Even though I got stuck on what I thought was going to be a lesser team, we ended up winning the tournament—a fact Babe has never forgotten. As it turns out, Coach Valentine is the third base coach for the Red Robins, so it was a bit awkward when I made the team my freshman year. Sometimes I feel like s/he is holding me back from realizing my true potential.

Growing up playing ball, you learn how to play all of the positions at first. Eventually, though, you find your niche. Mine is playing first base. In my opinion, it's one of the most important positions on the field. A lot of plays are made at first base, and I'm definitely one of the best in the area at the position at stretching and scooping bad throws from other fielders. I know how to bring the passion to the field, every time. Babe and I were on the same team last summer after I made the Wolves roster, but playing against each other definitely brings out our competitiveness. We both try to bring our "A-game" when we face each other on the field. Babe has an amazing throwing arm—both power and accuracy. I'll give him/her that. But s/he wastes it showboating for cameras. Throwing balls into buckets and pulling off blindfolded stunts to impress online followers is just plain careless. If s/he wants to throw out a shoulder being a showoff, it'll hurt his/her scholarship or pro chances. I let my skills speak for themselves on the field and in the box scores. I wasn't planning on taking any chances with my health—but obviously Babe had other plans. Nothing like literally knocking out the competition.

I know some folks say I'm too passionate, but they're just being wussies. It's not my fault I run so hard that my helmet flies off, even though the umps seem to think I'm doing it on purpose. I do love the feel of the wind through my hair on the base path. I try to remember to reach up and grab hold of it when I'm rounding a bag but I sometimes forget. I haven't gotten ejected for it yet. I get teased a lot about being the hatless baseman, but I'm not slowing down for anything—not a flying helmet, not the coaches, and

1 definitely not the catcher. I plan to score no matter who thinks they can stop me. It's called "winning." If
2 you're not first, you're last. And a little friendly heckling never hurt anyone—and it might even help the
3 team win. If runners on first base pay too much attention to my "jokes," they might miss a chance to steal
4 or get picked off. All of the major league players engage in trash talk—so I just considered it practice for
5 when I make it to the show.

6
7 Just finishing my junior year, I knew I've only got one more summer league and one more school year
8 to impress the scouts. That means playing all out—giving it my all. I guess Babe is trying to do the same
9 thing. S/he even went so far as to try to make me look bad so s/he could make him/herself look better. S/He
10 picked a fight at a game earlier this season. The rivalry between the Red Robins and the Nutmeggers runs
11 deep, so there's always a lot of trash talk among the players. Most people know how to handle what I dish
12 out. Not Babe though. S/He made it to first base on a lazy hit and started mouthing off as soon as his/her
13 foot hit the bag. S/He said something about me crowding the bag or being in the base path, but it's my bag;
14 I've got to be there to get him/her out. I was just engaging in a little friendly chit chat about how two's a
15 crowd on my bag. Babe lost his/her cool and the umpire had to come separate us. I bet the scouts who were
16 there didn't take too kindly to Babe's attitude.

17
18 Obviously, Babe blamed me for his/her embarrassment, because s/he was still pouting at the big game
19 on April 25, 2025 at Dunkin Park. I call it a big game because of the rivalry, but also because college
20 scouts and media were in attendance. We were lucky to play that day because it had rained earlier in the
21 day. The winner would advance to the state championship, and the Whale State coaches watch these games
22 to help them decide what players to draft for the teams. I knew Babe was still smarting about the earlier
23 incident, so I took full advantage. Like I said, distracting the players on the other team only helps mine. I
24 was giving Babe an earful every chance I got, but I don't think I was that much worse on him/her than
25 anyone else on his/her team. I will say that Babe was not having the best day. S/he seemed off—maybe the
26 pressure was getting to Babe. It certainly did not stop Babe from pestering me by saying my mouth was no
27 match for his/her arm. After all, what's a little smack talk among "friends"? I never expected Babe to react
28 the way s/he did. To intentionally hit me like that? What does she/he think this is, dodge ball? Targeting
29 someone like that is way out of bounds.

30
31 It was a close game—closer than I liked for sure. In fact, we were tied 4-4 late in the game. I may have
32 taken a shot to the head, but I remember it like it was yesterday. It was the bottom of the ninth, two outs,
33 two on. I'm in scoring position on second; I can't remember who was on first, and our Phil, our most
34 reliable contact bat, was at the plate. The sun was shining on my face, making it bit of a challenge to see the
35 plate; thankfully I had my Nike Show XI's on. It had been sunny most of the game and most players on the
36 left side of the field were shaded with glasses and their hats/visors. Babe was too big league—tried to get
37 by with just some eye black.

38
39 Of course, as soon as I get to second base, Babe starts running his/her big mouth at me from the
40 outfield. Babe was playing very shallow because, although Phil never strikes out, Phil also doesn't have the
41 pop to hit it over anyone's head. Babe's asking me if I had any plans for the Memorial Day weekend since
42 we'll be done with our season by then. I tell him/her where to go and s/he says, "Tough talk from little Kit!
43 Don't even think about trying to score that run . . . there's no way you're crossing that plate with me out
44 here! You better hope Wrigley pops it up to Chipper over there so I don't have to throw it down on you!"
45 I've been hearing his/her garbage for so long; I just ignored it. S/He may have a good arm but I wasn't
46 going to let him/her steal this win from me.

47
48 I got a gut feeling that Phil's bat was going to connect, because it always does, and that I would have
49 to run like the wind to win the game. I was ready. Sure enough, I hear that beautiful sound of the bat hitting

1 the ball—a hard ground ball up the middle right at me. I take off running with all I had—I knew this game
2 was on my shoulders. The pitcher couldn't stop me—the ball shot through his feet. The shortstop couldn't
3 stop me—the ball ricocheted off the second base bag and headed toward left center field. I touch the base at
4 third going full speed. Coach Valentine at third didn't want to stop me—I rounded third and headed for
5 home. My helmet came off but that couldn't stop me. I almost felt lighter without that stupid thing as I
6 came back to the baseline to head straight for the plate. I only saw home plate and the catcher who was the
7 last thing standing between me and my victory. S/he was moving to block the plate, waiting for the rocket
8 from Babe, his/her eyes getting wide seeing me focused on her/him like a missile to its target.
9

10 Then, suddenly, the world went dark. Thirty-five feet from home and pain exploded in my head and I
11 felt myself start to tumble down the line. I don't remember much after that. I came to in a hospital room
12 where the light hurt my eyes and my head was pounding. My teammates and coaches were there, obviously
13 worried by the looks on their faces. The next several days are a blur. The catcher, Yogi Piazza, told me that
14 I was hit by the ball, and that Babe had thrown it right at me as hard as s/he could. Yogi said it looked like
15 the ball was a bullet fired from a cannon, heading towards the target on the back of my head. Babe never
16 misses a target. Unfortunately, I was his/her target that day. There's no way this was an accident. A throw
17 home from shallow center field should never cross the baseline that far from the plate. Those of us who
18 have been playing for years know there's always a chance of getting hurt, but that's the risk you pay for the
19 greatness you play. But those are generally the result of wild pitches or collisions at the bases. Yeah, I
20 signed the release form at the beginning of the season when I turned in all of my paperwork; we all did.
21 I've never heard of a player being hit in the head on purpose. I thought I was the one who would do
22 anything to win. Apparently, that title goes to Babe. To make matters worse, I heard Babe was a poor sport
23 about my injury. S/He walked over and tagged me out just to be a jerk. Stilwell said it looked like Babe was
24 almost grinning when s/he came running up to tag me out, saying "Bang! Extra innings! Let's do this
25 thing!" That did not sit too well with my team—it almost caused a fight to break out between Babe and
26 some of my teammates. Yogi said she about threw a punch at Babe after hearing Babe say, "Kit deserved
27 it." Coach Valentine got them all back in our dugout before anything could start. Apparently, the home
28 plate ump was about to toss Babe until Coach Valentine pushed him/her towards the Nutmeggers dugout,
29 telling him/her to cool it and don't do anything else. I guess Babe's got Coach Valentine to thank for
30 keeping him/her in the game.
31

32 Thanks to Babe's spitefulness, I was in the hospital overnight for observation. The doctor said I was
33 lucky to be alive. Nothing was broken, but I almost wish something was—at least I could point to that
34 physical injury and blame it for my current problems. Even if we had won, I would have missed the
35 championship game due to the school's concussion protocol. I still feel the effects to this day. I have
36 constant headaches, I'm frequently dizzy, and things just don't feel right. I can already tell these issues are
37 affecting my ability to play baseball. I've been able to get back on the field but it took a few months. This
38 is so much worse than the last time my head got whacked during summer league last year. I was trying to
39 stretch a single into a double, and I was smack-tagged upside my head when I was sliding head first into
40 second. I suppose my helmet must have come off again when I rounded first, because the glove hit me right
41 on my left temple. The umpire called me out, and I trotted back to the dugout. Things seemed fine until I
42 got back to the dugout and Coach Valentine started asking me all sorts of questions. It turns out that my trot
43 back was a little zig-zaggy. I answered all the questions right, put an ice pack on my head for a little while,
44 and finished the game. I don't quit, and I wasn't about to admit that I was dizzy or had a headache. I felt
45 better after a few days.
46

47 I wasn't going to sue Babe or anything until I realized that I was going to miss a bunch of games. I had
48 already missed the first four weeks of the Whale State season. Once I was cleared to play, I came back so
49 late that the only spot for me was on the Class B team. Thankfully, I didn't have to see Babe that much

1 this summer. Manny/Mandy has said s/he “doesn’t think” this will affect my scholarship opportunities, but
2 I can tell s/he’s not coming around as much anymore; I don’t feel very confident in what Manny/Mandy’s
3 saying at this point. S/He’s still talking to Babe all the freaking time I just don’t hope my future
4 winds up being in ruins on that third base line.
5

6 The foregoing is true and correct to the best of my knowledge and belief.

7 Executed at Hartford, Connecticut, on September 1, 2025.

8
9

10 Kit Keller
11 KIT KELLER

12 STATE OF CONNECTICUT)
13) ss: Hartford, CT
14 COUNTY OF HARTFORD)
15

16 Then personally appeared KIT KELLER, the above-named, and swore to me that the foregoing was
17 true and correct to the best of his/her knowledge and belief, before me.

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20 Lizzie Arlington
21 NOTARY PUBLIC
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STATEMENT OF CAL/CALLIE ROBINSON

Baseball runs in my family. My dad was a third baseman, but I don't have the arm that he does (nor do I hit as well). I'm much quicker side to side, though, so naturally, shortstop was the place for me. The middle infield is a unique place to play; you have so much influence all over the field. And turning a double play is one of the best parts of it. Growing up, I'd always ask my dad to tell me stories about Ozzie Smith, Johnny Pesky and Cal Ripken, who were his favorite players when he was younger.

A lot of people don't realize it, but our job isn't finished when the ball is hit to the outfield. We have a lot of responsibilities, particularly when there are runners on base. We're the cutoff for our outfielders to make sure that runners don't advance any farther. When the ball is hit to right field, I'll cover second base while the second baseman is the cutoff person for the throw from the outfield, and when the ball is hit to left field, I'm the cutoff person. Depending on how many runners are on base and where they are, I may have to back up someone else, but those situations aren't quite as common. Sometimes, for me, though, with Babe in center field, I feel like I'm going through the motions. S/He has the strongest arm of anyone I've ever played with. And s/he is the most accurate, too. Babe is like the shortstop of our outfield.

During the school year, I play on Hartford High School's baseball team and I played on the team all four years of high school. A lot of the players on these teams also play travel-league baseball in the summer, most in the Whale State Ball organization, based in Hartford; that's where the real competition lives. For us, the school year team is more about having fun, getting in some competition, and keeping our skills up until the next travel season starts. Last summer was my last year playing organized baseball. It was fun but I wasn't getting any scholarship offers out of it.

By the end of my senior year, I will have lettered all four years in baseball at Hartford, and as impressive as that sounds, it's nothing compared to the accolades that Babe has piled up. Babe is truly a five-tool player. Not only is his/her arm super strong, but Babe can range all over the outfield. Sometimes his/her range gets on our coach's nerves because s/he roams into our right and left fielders' territory and takes plays away from them. I know it's just because Babe thinks that s/he can throw out players better than the others, but it's a team sport, not an individual showcase; Betty "Spaghetti" Yastrzemski is a great right fielder and I don't know why Babe thinks s/he has to get in Betty's way all the time. Babe is one of our best hitters, too. It's easy to see why scouts fawn all over him/her. I'm sure s/he'll get a number of scholarship offers, especially after the summer baseball season s/he had. Babe has been attracting attention to him/herself for as long as s/he has played ball. That person Manny/Mandy Ortiz has been talking to Babe a lot so I'm sure s/he's on the way.

Babe is always showing off for anyone who will watch, especially his/her teammates and the scouts. And his/her followers online. His/her videos have tons of views and comments. And, they're seriously real. Babe can hit the backstop at our field on the fly from the warning track, and s/he can hit the "No Pepper" sign behind home plate ten times out of ten from 2nd base.

Babe lines up batting helmets on the dugout fence and knocks them down from the foul line, like a shooting gallery at the county fair. A few weeks ago, s/he recorded another one of his/her famous clips and put it up online. Babe set up a bucket at home plate and then tilted the bucket to the side and propped it up with bricks. His/Her brother was holding the camera behind the plate through the fence so you can see Babe and the bucket. You could hear Joe set it up by saying "So Babe, there's a runner on 2nd wanting to score the winning run. Don't let him score!" and Babe starts sailing them in. Throughout the throws, Joe is yelling, "hit it, Bro/Sis!" and "nail that sucker!" After each one, Babe hoots and hollers, saying "take that!" At the end, Babe runs up to the plate and dumps the bucket out and looks at the camera and says, "That's

1 for you, Red Robins! No way you're getting to home with me in the field! Whoo!" S/He threw 10 balls
2 from the warning track and filled up the bucket without missing once. Not one of them bounced!
3 Unfortunately, when I went to show another friend the other day, the video had been taken down.
4

5 We're all really competitive on the field, but off, we all usually get along, especially those of us that
6 play together during the travel ball season. The travel ball leagues pull the competitive kids from different
7 schools, so I'm on a team with a few of my Nutmeggers teammates, but also with a few from Fairfield
8 County as well. It can be a bit odd playing against our friends but we get used to it. It's not unusual to see
9 some of us cutting up while getting pizza after a big travel tournament. When we take the field for our
10 schools, though, it's different. When the Red Robins and Nutmeggers play, there's definitely no love lost.
11 Every time we play there is constant trash-talking and name-calling. Sometimes I get in on the action, but
12 after, I always feel bad, because like I said, a number of the Red Robins are my friends and travel
13 teammates. Thankfully, we're not in the same high school sports, so we don't face off that often. In full
14 disclosure, I'm friends with Kit. We played on the Class B travel team, for several seasons until Kit moved
15 up last summer. Babe is on the Wolves, which is the Class A team in our summer league. I haven't quite
16 made it to the "big leagues" from the Class B team but that's okay; I still enjoy it. Kit and I work really
17 well together during the summer and have turned some awesome 3-6-3 double plays.
18

19 This year, our teams met in the state semifinals. I'm always nervous during the playoffs, but I get
20 especially amped up the closer we get to the finals. You never know when your team might get another
21 chance at a championship, and in my senior year, I wanted to end on top.
22

23 Going into the game, everyone was tense—especially Babe. Also, it had rained hard the night before,
24 and the field was a bit wet when we played. Babe is always supremely confident, and that day was no
25 different. As intimidating as Babe is because of his/her talent, sometimes the confidence is calming. Some
26 see it as cocky, especially Kit. Kit has never really liked Babe personally, and I hear about it all the time. I
27 always feel like I'm defending Babe with Kit, even though Kit may be right sometimes on Babe's attitude.
28

29 My dad always makes fun of Dunkin Park because the third baseman looks into the sun the whole
30 time. He's a bit of a purist, and he always says, "Everybody knows that Rule 1.04 says 'THE PLAYING
31 FIELD: It is desirable that the line from home base through the pitcher's plate to second base shall run East
32 Northeast.'" You should see how worked up he gets about Ray Liotta batting right-handed as Shoeless Joe
33 in *Field of Dreams*. Anyway, Hartford's field is a little unusual. Under the rule, the center fielder should be
34 to the east-northeast of home plate, but here, the center fielder stands to the southeast. Newer stadiums
35 don't have the same character as the classics. I'm sure those teams did that to throw off the visiting teams
36 who are used to the sun and shadows being in different places. Having played our home games facing the
37 sun, we're all used to it.
38

39 Normally, the third baseman and I would look right into the sun during the late evening games at
40 Dunkin Park, but that evening it was mostly cloudy, and the sun wasn't a real problem. Fielding popups in
41 the infield wasn't nearly as hard as I've dealt with there before. I do remember a few occasions in the
42 earlier innings where the sun would peek through the clouds and I had to pull my hat/visor a little lower to
43 shade my eyes, but after the fourth inning, the sun was gone for good.
44

45 With two outs and runners on first and second, I was playing a little deeper in the infield, almost to the
46 outfield grass. In a tie game, like the semifinal was, you don't want a ball to sneak through the infield and
47 let Kit score from second. Sometimes it doesn't matter how strong Babe's arm is when only 120 feet
48 separates a baserunner from the winning run. Unfortunately, the batter hit a full count pitch right past my
49 outstretched glove into left-center field. Kit was on second, and they were off with the crack of the bat. I

1 knew it was going to be a close play at the plate, because, with Phil's lack of pop, Babe was playing a
2 shallow with the hopes of stopping Kit at third. Of course, with all the talk going back and forth between
3 Babe and Kit throughout the game, I should've known that Kit was going to try to score. It would've been
4 exactly the kind of end s/he would want in front of all those scouts: making the State championship by
5 scoring the winning run in spite of what was sure to be a great throw from his/her bitter rival.
6

7 I yelled at Babe to hit the cut-off with an easy throw instead of taking the chance of throwing it away
8 and letting the Red Robins win on an error. I know, it was a little dumb of me to think that Babe would ever
9 miss Yogi, our catcher, but in an extremely tense situation, sometimes your instincts take over. Babe being
10 Babe, the ball sailed over my head. But, there was something irregular about Babe's throw. S/he had been a
11 bit off all day, starting with routine infield/outfield warmups. I don't know if Valentine was yelling "whoa"
12 or "go" but s/he was screaming something at the top of his/her lungs. I wheeled around to try to catch the
13 play at the plate just in time to see Kit go down. I noticed that his/her helmet was spinning by third base,
14 and the ball was right beside him/her halfway between third and home. Babe ran all the way in toward our
15 dugout, picked up the ball, and tagged Kit out. To extra innings we went. It was kind of a cheap play by
16 Babe, but I like to win, too. Where the ball hit Kit, Babe could've just as easily thrown him/her out at the
17 plate, though.
18

19 The foregoing is true and correct to the best of my knowledge and belief.

20 Executed at Hartford, Connecticut, on September 8, 2025.

21 Cal/Callie Robinson

22 CAL CALLIE ROBINSON

23 STATE OF CONNECTICUT)
24) ss: Hartford, CT
25 COUNTY OF HARTFORD)
26

27 Then personally appeared CAL/CALLIE ROBINSON, the above-named, and swore to me that the
28 foregoing was true and correct to the best of his/her knowledge and belief, before me.

29 Lizzie Arlington

30 NOTARY PUBLIC
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1

STATEMENT OF MANNY/MANDY ORTIZ

2 My name is Manny/Mandy Ortiz. I am 33 years old, and I was working as a scout at the semi-final
3 playoff baseball game between Fairfield High School and Hartford High School on April 25, 2025. I was
4 never one to actually play sports. But, I love watching sports and have been a fan all of my life. I'm a
5 numbers guy/girl and once you start seeing the numbers in a sport, you see it in a whole different way.
6 Especially baseball. Baseball is all about the numbers, the stats. Batting average. RBIs. BBs. OBP.
7 Slugging percentages. Runs allowed per game. Runs saved above average. Putouts, assists, errors.
8 Replacement values. There are a million ways to look at what happens on the field and put it into numbers.
9 Then, you can start getting really nitty-gritty and ranking everyone and seeing trends, massaging the
10 numbers to show a player's strengths and weaknesses. Or from a big picture view, you can look at a box
11 score (numbers) and tell exactly what happened in the game without seeing any of the plays live. I went to
12 Wesleyan University and got a degree in applied mathematics and statistics and then an MS in Kinesiology
13 from UConn. I wanted to get into management and scouting for a big-league team somewhere but you have
14 to know the right people. In trying to build my reputation, I've done a lot of scouting.

15
16 I knew that Whale State was one of the big summer leagues for kids wanting to make a career out of
17 professional baseball. As luck would have it, they were looking for some front-office help and I was able to
18 work with both levels of Whale State traveling clubs over several summers. Turned out to be a very useful
19 way to network. I also started doing free-lance scouting for some of the minor league teams around the
20 southeast, along with some of the Division II and III colleges. The scout gives the prospecting ball club a
21 heads up on a good player. If that player is successfully recruited, the scout gets a commission. Smaller
22 colleges don't have the budget for a broad network of dedicated scouts, yet they need broader coverage
23 than the big-name schools do to fill their rosters. A lot of the small schools contract freelancers like me to
24 provide a look at prospects possibly willing to consider a smaller program. Being involved with the
25 baseball programs with Whale State allowed me to keep my finger on the pulse of some of the top talent in
26 the area and build my reputation.

27
28 Some may be concerned with me promoting players I knew from the summer but my involvement
29 during the summer is more peripheral than instructional. It has paid off. I've probably gotten Kit Keller a
30 spot in a Division II school in New York. Babe Jeter, though, could be on his/her way to bigger things. This
31 kid's got a lot of talent and could be drafted for professional baseball within two seasons. My ability to spot
32 promising potential on the baseball diamonds turned into an offer to scout directly for a regional semi-
33 professional league. I don't make enough from it to live well on, but the work is occasional—leaving me
34 time to pick up other free-lance jobs until I get established. I enjoy it. I like the people, and I don't mind
35 commuting all over to cover games.

36
37 Normally, I don't spend a lot of time on the high school baseball games since my scouting clients seem
38 to prefer the higher-end travel organizations. I try to spend most of my efforts on what pays the bills.
39 However, this was a big game for the mere fact that some of the best players in the Whale State
40 organization were facing off on the field and it would be another chance to see them playing in a high-
41 stakes contest. On the day of the game, I'd arrived prepared. Coach Terry Valentine was covering the third-
42 base line, and I stopped to gossip with him/her on my way to the stands; we've known each other from
43 Whale State days. I tried to give him/her some advice on their starting lineup, based on the past 10 games'
44 numbers. I didn't like having Chipper batting after Betty "Spaghetti" Yastrzemski; Betty should have been
45 after Joe Hodges since her OBP and slugging numbers have been up in the past 6 at bats. Peña's numbers
46 of runners left on base (LOB) are the highest for the team this season, so putting her fourth didn't make
47 sense either, but I'm not the coach. Valentine didn't want to listen to much I had to say, even though it was

1 all free advice based on the numbers, not emotions. But what do I know? Valentine's the one with playing
2 experience, even though it didn't get him/her very far. Valentine's nice and all and can be fun to shoot the
3 breeze with but s/he isn't doing too much to develop his/her players' skills for the future. A lot of these kids
4 need some guidance. Kit Keller and Babe Jeter are the exception.

5
6 I've followed Kit and Babe extensively through the years. These kids are the real deals. These are the
7 kind of players development coaches and scouts hang their hat on, discoveries that can change (or start) a
8 career. Kit is a bit of a hot head but his/her ownership of first base is amazing. Kit's fielding percentage is
9 an impressive .885 with 125 putouts. With a .233 batting average and a .438 slugging percentage, Kit is a
10 threat at the plate, too.

11
12 Babe is something of a hot-dog, amusing everyone with trick throws, even producing videos to show
13 the masses; it's a shrewd move, most likely gaining the attention of other scouting hounds. But make no
14 mistake, the kid has juice: both power and accuracy. Well, usually. Babe's fielding percentage is a
15 whopping .986 with an average of 2.3 putouts per game. S/He's got an ultimate zone rating of +9.2. From
16 the outfield, that means that Babe has essentially thrown out a runner 2-3 times a game. Those are
17 outrageous numbers for a kid in high school. Runners who try to stretch their hit against Babe are usually
18 gunned down. I've seen him/her nail a runner trying to take home from second when Babe fielded the ball
19 by the left field fence. The runner should have just tagged and moved to third after Babe caught the out but
20 he decided to make a break for home. Babe threw a perfect one-hopper from the warning track with enough
21 time for the catcher to get the ball and then adjust his stance to block the plate for the out. It was amazing.

22
23 I've talked to both of them about options they have. Both of them are talented, both have experience
24 from the regular seasons, and both have experience on the summer travel teams, most importantly. There
25 are a lot of colleges out there, but it's in the nature of aspiring top-notch athletes to be competitive . . .
26 constantly.

27
28 Is Babe professional level like s/he thinks everyone says s/he is? If s/he keeps playing like s/he's been,
29 s/he's got a great chance. Maybe not quite amateur draft-level promising but if the right spot opened up
30 with a semi-pro team, s/he might have a shot at the big leagues in a couple of seasons. If I could make that
31 happen, that would help my ambitions as well.

32
33 This playoff game would clinch a spot in the state championship game and the two of them, who've
34 played with and against one another since elementary school, were hyped. I could tell it from their body
35 language—and their tension built as the score tied, 4-4, going into the 9th. I was at the game earlier in the
36 season, where Babe and Kit came to blows at first base, but from the shade being thrown across the batters'
37 boxes, dugout to dugout, their attitude hadn't improved with time.

38
39 Unfortunately, I'm a bit known from working with Whale State. I spent a bit of time trying to brush off
40 over-eager parents lobbying me and wanting some help getting their kid a spot in the future. I like the seats
41 behind the dugouts as it gives me a chance to hear the players and coaches in a more private moment of the
42 game. As usual, Babe was one of the loudest in the dugout. At one point, when the game was tied with a
43 long-shot triple by the Red Robins in the 6th inning, Babe let off on the team saying that, "I am not going to
44 let any of you lose this game! If I have to win this by myself, then I'll do it! What do we do?" Several of
45 the others responded, "Do whatever it takes!" It seemed to have an effect on the team as several key plays
46 were made to get them to the 9th inning still tied.

47
48 As I've said, the game was tight and both Kit and Babe were on fire. Although my impression was that
49 Babe's throws were a bit less accurate than usual that day. Kit had already connected on a couple of double

1 plays with Chase Katz in the game and was 2 for 3 with a walk. Babe had everyone watching center field,
2 not wanting to test his/her arm between second and third. The Red Robins could have had another run in
3 the seventh, but Coach Valentine was playing it safe against the gun in the outfield. It's tied 4-4 in the
4 bottom of the ninth, two outs, two on. Kit was on second and Chase Katz, I believe, on first. As soon as Kit
5 reached second, s/he and Babe start going after each other. Babe was letting Kit hear it, and Kit seemed to
6 be throwing it right back. I couldn't hear everything they said since the players in the dugouts were
7 chattering too, but Babe did say that s/he wasn't going to let Kit be the one to score the winning run. Phil
8 Wrigley came to the plate, looking to drive in the win. Kit was out there dancing on the bag—knowing s/he
9 would be the winning run, if s/he made it home—and my attention quickly refocused on the field rather
10 than on the soft drink somebody spilled down my back. Despite the noise, and sun directly in my eyes, my
11 scouting talents were on full alert. Phil had not been having his best season thus far—only having a .138
12 batting average over the past 8 games—but the gods of baseball were smiling on him that day. Well,
13 smiling just enough.

14
15 It was a beautiful hit. The ball sailed through the infield, into left center-field, and Babe was on it, but
16 not before Kit, hell-bent-for-leather, had rounded third. Coach Valentine must have seen the gods smiling
17 and waved Kit home. I couldn't believe it! Morgan Scully didn't really need to hype the play over the PA
18 system but I doubt anyone was paying attention as crazy the crowd had gotten in the moment. Kit was
19 almost on the base-line—maybe a step or two outside of it—zeroing in on home plate. The catcher, too
20 well trained to be lured into a run-down that the Nutmeggers infield could hardly win against Kit, had
21 moved a little up the baseline to position himself/herself for the play, but nowhere near the runner yet: still
22 protecting home plate. Good job!

23
24 I saw Babe's arm cock, his/her body wind up for the throw. Instead of going to the cutoff, Babe must
25 have realized that Kit was going for the win, Babe zips it straight to the catcher. Babe is definitely
26 something of a glory-hound since Cal/Callie was available at shortstop for the cutoff, but, in this case, s/he
27 was probably right to go for the long bomb to save the game and the season.

28
29 How many times, both on video and in person had I watched Babe make such a spectacular and
30 difficult throw? As I said, the kid has strength and accuracy. But not today. Not for the first time, Kit's
31 batter's helmet had flown off as s/he ran. It lay somewhere close to Cal/Callie, upside down between
32 second and third bases. Kit barely made it three or four steps past third before it happened. The meeting of
33 horsehide and skull was audible (or, at least, I imagined so, over the screams of the crowd). Kit, body
34 arched, stumbling, and collapsed into the dust as though shot. Had that been thrown to the catcher, Kit
35 would have had no chance to score.

36
37 The entire ballpark was stunned. It took a few seconds for anyone to move. Several players from the
38 field ran to Kit and both dugouts came out a few steps. One of the Nutmeggers' coaches was right on Kit,
39 trying to keep him/her still. As with all high school games, they'd arranged for paramedics to be stationed
40 behind the stands, and they were called out right away. I found myself at the bottom of the stands on the
41 fence, next to the dugout, watching everything. By then, Babe had made it in from the outfield and some of
42 the Red Robins players started getting a little angry and a shoving match broke out. In the scuffle, I heard
43 someone say something about a cheap shot, and heard Babe say that it had been an accident—I remember
44 hearing the word, "fluke." I do remember hearing Babe gripe in the dugout before the game about not being
45 "allowed to win," and now his/her tone reflected (to me) more self-pity than genuine remorse. Before
46 things got out of hand, Coaches Torre and Valentine grabbed Babe by the arms and got him/her into the
47 dugout as quick as possible. I could almost hear Valentine say to Babe, "Don't say anything else!" For my
48 part, I think that throw was intentional—impulsive, quickly regretted, but deliberate at the time. Babe
49 couldn't have missed home plate (or the catcher close to it) by that much accidentally. As for Kit, s/he

1 should bounce back from it. Lots of players have recovered from a concussion and played a full career. I
2 truly hope that's the case for Kit.

3
4 The foregoing is true and correct to the best of my knowledge and belief.

5 Executed at Hartford, Connecticut, on October 13, 2025.

6
7 Manny/Mandy Ortiz
8 MANNY/MANDY ORTIZ

9 STATE OF CONNECTICUT)
10) ss: Hartford, CT
11 COUNTY OF HARTFORD)
12

13 Then personally appeared MANNY/MANDY ORTIZ, the above-named, and swore to me that the
14 foregoing was true and correct to the best of his/her knowledge and belief, before me.

15
16
17
18 Lizzie Arlington
19 NOTARY PUBLIC
20
21

STATEMENT OF BABE JETER

1 My name is Babe Jeter. I am named after the legendary Babe Ruth, the greatest baseball player who
2 played for the Boston Red Sox and the New York Yankees. I was 17 years old and just finished my junior
3 year at Hartford High School when this incident happened. I have been on the baseball team since my
4 freshman year, being one of the youngest starters ever. I have been playing some sort of baseball for as
5 long as I can remember, and have always loved the game. When I was in elementary school, I tried pee-
6 wee football, and I used to be on the neighborhood's swim team every summer. Something just sort of
7 clicked for me when I started to play baseball. Something just felt right. You get out there, the stands are
8 full, and everyone's cheering. It's like everyone in town came to see you. Time stands still, and you feel
9 like you can do anything and have a great life doing it.

10
11 Most of the high school players also play summer league baseball. That's where the real competition
12 happens. I was only able to play summer league when I went to high school. Whale State Ball is the
13 organization that fields the baseball teams over the summer in our part of the state. You've got to try out to
14 make the teams and it's very competitive, with everyone wanting to play on the top teams: the Goats and
15 the Wolves, but especially the Wolves. If you want a future playing ball, you have to play in the travel
16 leagues and Whale State is one of the best in the state. We travel to tournaments around Connecticut
17 playing other summer teams. We've been out to Putnam, down to Stamford, and always go to a big
18 tournament in Danbury every year. It's a lot of work and time, but it's also a lot of fun. Since Whale State
19 is our summer league, it's made up of players from several of the high schools in the area, so everyone
20 winds up playing with and against each other over the course of several seasons. Everyone plays the
21 summer to be a prospect, but only a few get the call.

22
23 When I started high school, I easily made the baseball team. Coach Valentine is a summer coach in
24 Whale State, and s/he put in a good word for me with Coach Torre here at Nutmeggers. Coach Torre was
25 impressed and got me on the roster right off the bat. Yeah, there were a few other players who were not
26 happy that I made the team a "year early" since most really don't make it until their sophomore year.
27 During the school year, I am the center fielder. It's a pretty active position and I've got a fantastic arm to
28 hold runners pretty easily. With me in center field, everyone knows you have to pay attention to play the
29 infield.

30
31 Coach Torre said that he needs every player to pull his/her weight to help make the Nutmeggers state
32 champs. Coach Torre has been drilling into our heads the importance of the state championships since I
33 first joined the team, and we all want that trophy.

34
35 Coach Valentine from the Red Robins has been my coach over the summers. While I enjoy playing on
36 the school team, I am much more challenged by the summer travel league. This is where the best of the best
37 play against each other; we don't have any scrubs at this level. Mostly this is because there are some steep
38 fees to play in the summer travel league and the practices are located far from Hartford. It takes an hour
39 each way to get to and from practice three days a week!

40
41 Since it's so far away, we all carpool to get to practices. All of the teams practice at the same time, so
42 we're all around each other every day in the summer. Luckily, I carpool with players from Hartford, and
43 not Kit Keller because we don't get along. I've been told that I've got a future in the game and I'm thinking
44 of college and possibly beyond college. Maybe the pros! I've learned in team sports that there are lots of
45 people that you may not be friends with, but who are teammates and you need to work together to get that
46 win. I know a lot of kids dream of the big leagues, but it's a real possibility for me. I'm not going to do
47 anything to jeopardize my future just because I don't get along with someone.

1
2 Since most of us play Whale State ball, I've been able to play with or against many of the people that
3 we come up against during the school season. I feel this gives me an edge. I try to observe both my
4 teammates and opponents so that when I play against them later, I have an advantage. Obviously, not
5 everyone can be at my level, so the school season is more of a practice season for me.
6

7 Kit is one of those players that I have played both with and against over the past few years. Early in the
8 season last spring, we had a game against the Red Robins. Kit was standing on top of first base when I hit
9 what should have been a double. Kit was all over the bag and deliberately got in my way so that I was not
10 able to make it to second. Of course, I was mad, wouldn't you be? So, I told Kit what s/he needed to hear
11 and it almost got physical. Coach Kinsella got between us and shut Kit up pretty quickly. The umpire gave
12 us both a warning.
13

14 I know that some of the other players on both the summer and school teams think that I should keep
15 my mouth shut with Kit and just take it. No way! I stand up for myself! After all, what is a ball game
16 without a little trash talk? That's part of the game. I am a top player and some of the others are just jealous,
17 that's all it is. To stay on top, I spend a lot of extra time practicing my throwing. You have to practice drills
18 daily to keep your arm in good condition. I'm not just talking straight throws to the cutoff man. I mean
19 putting the ball right where I want it; that can make the difference in a game. There are lots of resources for
20 learning to throw that will increase velocity and accuracy. I practice throwing at a series of stationary
21 targets and try to hit the center of the target every time.
22

23 I thought it would be fun to record my skills with some trick shots. My brother and I spend a lot of
24 time trying all sorts of trick shots. He sets up the camera every time and we see what we can catch on
25 video. Sometimes, some of my teammates are in the videos, especially Cal/Callie. I think s/he looks up to
26 me with my skills and is hoping something rubs off on him/her being in my presence. Now, believe me it
27 takes a lot of takes to get one of those trick shots to work! One had my brother throw his glove in the air
28 and I threw the ball at it, putting it right in the web. It was still pretty cool. Another favorite was when I
29 fielded a one hop ball in left field and quickly turned to throw it into a 5-gallon paint bucket set up at home
30 base. That video had 117,672 online hits. I've even managed to hit the catcher's mitt at home blindfolded a
31 couple of times, though most of them sailed a bit wide. After Kit got hurt, Coach Valentine suggested I take
32 them all down.
33

34 I think that the online videos of my throws helped with scouts. The state rules say that I can't be
35 contacted by college recruiters or pro scouts until the end of my junior year. Up until then, the recruiters
36 cannot call or e-mail the students. But the recruiters can talk to coaches and see the players in action during
37 games before then. Before my junior year, Coach Valentine told me we had a lot of scouts at our game
38 looking at me. There were a few at the Red Robins games too, which was big since they don't really come
39 to the high school games that much. However, once we got to the playoffs, I was getting more attention.
40

41 I was looking forward to the end of the high school season so I could actually talk to scouts about my
42 future. However, since that game on April 25, 2025, there seems to have been a damper on the number of
43 recruiters and coaches who have called me or taken my calls to them. I've left lots of messages and sent out
44 e-mails, but few have responded. Kit is the one to blame, not me!
45

46 This past season had been one of our best seasons; we could feel everything falling our way. We got to
47 the semifinal round of the state playoffs and came up against the Red Robins. There has always been a lot
48 of tension and high energy when we've played them. One big omen I should have seen was that "Nutty,"
49 the Nutmeggers' mascot, was missing. In the quarterfinal game against New Haven County, Archie, the kid

1 who wears the Nutty costume, tried to do his routine on top of the home dugout and jump through a
2 flaming hoop. Archie didn't get quite enough air and, well, let's just say that polyester and foam aren't the
3 most flame-resistant materials. Thankfully, Archie was okay but ol' Nutty was done for the season.

4
5 So how it happened was that it was the bottom of the ninth with Hartford up to bat. It had been a close
6 game all day. We were tied up 4-4, and Kit managed to get him/herself to second base. Phil Wrigley, who
7 doesn't miss, shot a hit right through our pitcher's feet; it almost took Millie out. I was playing shallow and
8 naturally took off towards second to grab the ball and throw Kit out at third. Before I knew it, the ball then
9 ricocheted off of the bag and shoots into left field, no bother. I sprint over to it, scoop it up just behind
10 Cal/Callie and glance at Kit as s/he was getting to third. I was planning on hitting Cal/Callie directly at
11 third to keep Kit there. Just before I fired the shot, I saw Kit was rounding third and heading for home.
12 Coach Valentine was losing his/her mind trying to get Kit to stop but I guess the hot shot knew more than
13 the coaching staff that day and s/he just ran right through Valentine's stop signs. There was no way that
14 slob was going to steal home and the game from me like that. S/He must have thought I had taken a
15 vacation out there thinking s/he could beat my throw to the plate, but I was going to show him/her how
16 wrong s/he was. I grabbed the ball out of my glove, crow hopped towards the plate, and sent the ball to
17 home, getting it there long before Kit stumbled his/her way to the plate. Yogi saw what was happening and
18 made the perfect target for the throw; it was going to be one for the ages! I've done this a thousand times
19 before, in games, in practice, on video—I really don't know what happened. It was pretty late in the day,
20 and there were some fierce shadows everywhere. I had my hat/visor low and the sun wasn't a problem. The
21 field was a bit damp from last night's rain. But, I swear I sent the ball to Yogi's mitt, not at Kit's head. I
22 must have been a bit off balance when I had to adjust towards home base after fielding the ball from a
23 weird angle. It went wide and should have wound up in the fence behind the plate. Yogi may have been
24 able to grab it before Kit got there, but it would have been close. Kit should not have been way out there,
25 no way.

26
27 The next thing I know Kit goes down in the dirt about 10 feet outside of the third base line. I ran over
28 to see if s/he was okay. Right up against the Nutmeggers' dugout, about 10 feet from where Kit was lying
29 in the dirt, I found the ball. The ball was still live. It was just instinct and training. I picked it up and went
30 over to tag him/her out to end the inning. I didn't mean anything by it but you would have thought the Red
31 Robins thought I had kicked Kit in the head while s/he was lying there the way they reacted. The umps had
32 to pull players apart, and they suspended the game to sort it all out, and get Kit out of the dirt. I couldn't tell
33 if Kit had his/her helmet on or not, but I wasn't paying attention to that. If s/he wasn't wearing it, what am I
34 supposed to do? Throw it softer?

35
36 I know Kit says I beaned him/her on purpose, but I would never do that! I know I've got skills but
37 nothing like that. With my running, losing balance, throwing on the fly, Kit running away from me and
38 being so far off the target, there's no way I could have nailed him/her like that even if I tried. Yeah, Kit is a
39 loser who will never make it beyond Whale State. Why would I throw away my entire future with a throw
40 like that? It was a complete accident in the "heat of battle." I don't recall saying, "Kit deserved it." But, if I
41 did say it, I meant that Kit deserved to win. S/he played a good game, and fought hard. S/he deserved the
42 win.

43
44 The foregoing is true and correct to the best of my knowledge and belief.

45 Executed at Hartford, Connecticut, on December 14, 2025.

Babe Jeter

BABE JETER

STATE OF CONNECTICUT)
) ss: Hartford, CT
COUNTY OF HARTFORD)

Then personally appeared BABE JETER, the above-named, and swore to me that the foregoing was true and correct to the best of his/her knowledge and belief, before me.

Lizzie Arlington

NOTARY PUBLIC

STATEMENT OF TERRY VALENTINE

1 I'm Terry Valentine. I'm originally from Sudlersville, Maryland, but moved north to play college ball
2 on scholarship at UConn. I was one of the most highly-sought-after high school catchers in the country, but
3 once I got to college, the only record I ended up setting was for most career ejections. I was eventually
4 tossed from the team when I got angry and threw my bat a little too close to some teammates. For a year, I
5 provided "customer service" for an internet service provider, but the game is in my blood. I quit trying to
6 deny it. So, I got into coaching several years ago.

7
8 Now, I monitor in-school suspension at Fairfield High School and help coach the baseball team. I was
9 reading my contract, and it turns out, I get a bonus based on how far the Red Robins advance in the post-
10 season. Who knew?! I was inspired to coach the Whale State summer league so I could mentor the Red
11 Robins' talent and scope out the competition.

12
13 In the summer league, I coached a young gun named Babe from Hartford High School. Even though
14 Babe isn't on my team during the school year, I couldn't help taking an interest and got him/her on the
15 Wolves for travel play. S/He's got some real talent. I admit, his/her smack talk and hot-headedness remind
16 me of myself at his/her age. With his/her talent, you expect to have some of that cockiness and drive. I can
17 see Babe doing big things in the game, which is why it's so important that s/he learns that just because s/he
18 has talent, doesn't mean s/he has the world by the tail. Babe is being looked at by a number of scouts. S/He
19 can definitely get a ticket to a Division I school without blinking. There's one scout, Manny/Mandy Ortiz,
20 who thinks s/he can get Babe a contract with a minor league team. Manny/Mandy's been hanging around
21 the ballfields during the summer, trying to work his/her way into the front office somewhere. S/He's
22 always trying to chat me up, and give me all of this great advice based on his/her latest stats calculations,
23 who to bat when, who should start where, all that garbage. I know the game. I know these kids and see
24 them play every day. I don't need numbers and charts to know how to coach them.

25
26 During the summer season in 2024, I had Babe Jeter and Kit Keller together on the Wolves. Babe has
27 always been the center fielder on the A-team for Whale State, but Kit finally made enough progress to
28 move up from the Goats to the Wolves after a few summers. During the school year, Kit is my starting first
29 baseman in Fairfield. However, Kit and Babe have always had a tumultuous rivalry, even when they were
30 on the same team that summer. I hate to say it, but I think Kit knew Babe had a future in the game, and
31 Kit's own future potential was not quite as certain. It was not unusual to hear them going after each other in
32 the clubhouse or the dugout. Babe was bragging after a particularly stellar performance, and I remember
33 Kit huffing, "You're like school on Saturday. No class!" To which Babe responded, "Hey Murphy? What's
34 the difference between Kit and a newborn puppy? The puppy stops whining after a few weeks." Kit shot
35 back, "Babe, you're the reason there are instructions on hand soap," which led to a shoving match that I
36 had to break up.

37
38 Kit's a good kid. However, s/he can also be a bit of a hot-head and pretty thin skinned. My first
39 interaction with him/her was a game a few years ago where Kit threw his/her helmet across the infield after
40 not getting a call his/her way. It almost took out the shortstop from my team. I almost lost it. I was all up in
41 the ump's face, trying to get him to toss Kit for this display, but he just gave Kit a warning. To his/her
42 credit, I never saw him/her do anything like that again.

43
44 Now, in the school season, the Red Robins had been surprising everyone with the streak we were on. I
45 wanted to ride this train for as long as it would take us! Nutmeggers were at the top of their region as usual,
46 mainly because of Babe's talent in the outfield. S/He has gunned down several runners trying to stretch a
47 single to a double or a double to a triple. There have been a few plays at the plate, too. So, both of our

seasons got us together for the semi-finals. Everyone knew this was going to be the annual “game of the century.” It was a huge crowd and was being broadcast on radio. Tons of students showed up; the Nutmeggers even had their own cheerleaders, the “Spice Girls.” Cheerleaders at a ball game? While it was going to be a great game, I knew the rivalry between Babe and Kit would be part of the main attraction.

It didn’t take long for their mouths to flow. I’m pretty sure I overheard Babe tell Kit s/he’d allow Kit to mow her/his lawn once Babe got to the big leagues. There was a lot of glaring and trying to intimidate each other on both sides. In the middle of the ninth inning as Babe was jogging to the outfield and Kit was heading to the dugout, I heard Kit taunt, “Grab a spoon. It’ll help you to taste defeat.” I had to chuckle as I got in my third base coach position.

The game was a tight one, tied at the bottom of the ninth. The crowds were really into it. You could feel the electricity in the place. It was impossible to not get that this was a big moment, from the crowd, to the scouts, to the radio call—this is why players give up so much for the game. In the ninth, we had two outs, but things were looking promising for the Red Robins because we had two runners on base, Kit on second and Chase Katz on first, with one of our most consistent hitters at the plate, Phil Wrigley. Babe and Kit kept it up while Kit was on second. I didn’t pay any attention to them; it was all the same stuff they’ve been saying to each other all season. Sure enough, Wrigley gets a base hit up the middle, and Kit takes off towards me at third base. I’ve been the third base coach for every team I’ve ever coached because I don’t trust anyone else to strike that delicate balance between aggressive base-running and stupidity. I watch as the ball hits second base and dribbles toward left field. Babe runs at top speed to beat the left fielder to the ball, and I hold up both hands emphatically—the universal symbol for STOP! Kit is preparing to round third anyway, so I jump up and down and yell, “stop!”—desperately trying to get Kit to stay safely at third to load the bases for our slugger, Jan Levinson, set to bat next. Instead, Kit blasts through third base and barrels past me, helmet flying off in the process. What part of “STOP” do you not understand?? Plus, this thing with the helmet really gets my goat—it happens all the time with Kit. S/He’s been warned by the ump once already in the game, but no matter what I or any of the coaches say, it comes off a lot. I mean, the team provides the standard CAHSA approved helmets everyone has to wear. I guess you could get your own, but they’re all the same. With as big as Kit’s let his/her head get, I figured every helmet we have would be a tight fit on him/her and wouldn’t come off so freaking easily. By the time I turn towards the outfield to see where the ball was, Babe’s fielded it, and winds up her/his cannon to deliver a powerful rocket towards home. I have to admit, after Kit blew through me on his/her own hero/heroine agenda, I hoped Babe would get the ball to home before Kit, just to teach him/her a lesson. No harm: it would have put us into extra innings and we could have gotten it done in the tenth.

The crack of the ball hitting Kit’s skull was stomach-churning. Kit hit the dirt like a sack of potatoes, and Babe ran from the outfield to the third-base-line where Kit lay motionless. Picking up the ball and tagging Kit out on his/her arm might not have been the most sympathetic move, but Babe is a merciless competitor, and technically, the ball was still live. The out had to be made. Babe immediately dropped the ball and went to the Nutmeggers dugout and sat down looking a good bit shaken. I went over there after they had gotten Kit on the stretcher and off the field to check on Babe and tell him/her that freak accidents happen. I was interviewed by Mr. Mann, our principal, for the incident report. It is something the district requires for every injury.

What do I think really happened? It’s baseball. Things happen you can’t control. It’s part of the game. You have to learn to live with the stuff you can’t control and either use it to your advantage or put it out of your mind. Yeah, it was a sunny day, but it had rained hard the night before. There were some clouds that came through now and then. The stuff the pros use has gotten down to the little leagues now, with the fancy sunglasses, eye black and everything, to the Tommy Copper bands and other “performance enhancing

equipment” they find online. Back in the day, your glove was your sunblock and you learned to work through it. So, what happened? Maybe Kit messed with Jobu or something, but that throw just went wide. It happens.

This lawsuit against Babe is preposterous. I hate what happened to Kit as much as anyone, but to try to hold another high school athlete legally responsible boggles the mind. Aside from the fact that hitting a moving target with a baseball from 130 feet is difficult for anyone, why would Babe do this? They don't get along and want to beat the other one every time. But this isn't how Babe plays. Maybe Kit is hoping to cash in on Babe's possibly very lucrative career, or maybe Kit is trying to sabotage her/his old rival's future since Babe's got a much better chance down the road. Kit just couldn't take the pressure and reality of his/her skill level and future, and is now taking this cheap shot on his/her way out of the game. All sports have risks. Every player gets hurt at some point. You just wipe off the dirt and move along. *There's no crying in baseball!* The bottom line is, Kit didn't have on a helmet in one of the most dangerous situations in the game—a play to home plate—and Kit disregarded my very clear order to stop on third base. If you ask me, Kit was blinded by her/his desire to be the hero/heroine.

The foregoing is true and correct to the best of my knowledge and belief.

Executed at Hartford, Connecticut, on September 20, 2025.

Terry Valentine
TERRY VALENTINE

STATE OF CONNECTICUT)
) ss: Hartford, CT
COUNTY OF HARTFORD)

Then personally appeared TERRY VALENTINE, the above-named, and swore to me that the foregoing was true and correct to the best of his/her knowledge and belief, before me.

Lizzie Arlington
NOTARY PUBLIC

STATEMENT OF MORGAN SCULLY

My name is Morgan Scully. If you listened to sports-talk radio, or followed high-school sporting events in Connecticut, you've probably heard my voice a million times.

"You have the perfect radio voice!" That's what people always said to me back when I started attending Goodspeed University. So, I decided to sign up to be a volunteer disc jockey at the campus station WGOO. From there, I worked my way into doing play-by-play commentary for the university basketball games after the student announcer graduated.

This was back in the good old days when the students ran the station, and their programs were broadcast over the airwaves 24/7. As luck would have it, the station manager of Hartford's sports-talk station, WHST, was a huge basketball fan, and listened to my play-by-play all the time. Next thing I knew, the manager offered me a part-time producer job, so I was working in real radio for real pay at the same time I was working as a college radio volunteer.

I worked full-time at WHST after I graduated. At first, I mostly did lots of production work, voicing a lot of the commercials that aired on the station and promos/bumpers for other programs. But then I was able to add a new Sunday morning show—*The Breakfast Club*—for fans to call in and rehash the college games from the day and/or week before.

The Breakfast Club developed a core audience of Goodspeed University fans, and I was hoping to broaden the subject matter with an eye towards syndication. But that's when the media conglomerate that owned WHST suddenly decided to change the station format to hip-hop oldies to improve ratings. The corporate brass jettisoned the entire staff—said we were just a bunch of sports jocks who didn't have the sense to know that you never play Notorious B.I.G. back-to-back with Tupac, and that you sure can't play Lil' Nemesis T next to Ludacris because it just sounds weird.

I got a small severance package, which I combined with a little bit of savings, to buy some equipment for a home recording studio. My initial plan was to continue producing voiceover work for commercials. But it also occurred to me that I could build on my past experience as a college play-by-play announcer. I didn't want to just be sitting around the house talking to myself. I missed going to games. It was summertime, so I started helping out coaching a bit with a summer league team made up of players from various high schools, the Goats. I didn't have that much experience but for being a fan but I did what I could, mainly running drills for the kids. The team was part of the Whale State Ball organization. These are kids who are hoping to make it to the next level after high school. All of the players come from the various high schools around this part of the state, with a good number from Hartford and Fairfield. It was fun to be involved with the best players around as they traveled to different tournaments around New England. We even had a few of the players make the regional All-Star team that played in Connecticut. I was surprised how much of a following the baseball teams had over the summer. That's when it occurred to me that there might be a market for coverage of high school sports in Connecticut.

At first, sort of as a pilot project, I set up a network to stream play-by-play coverage of Fairfield High School games and events. I called my new venture, PLAY-BY-PLAY SPORTS PRODUCTIONS, INC. It was an immediate success! By the end of the first school year, several other schools wanted broadcast programming for their baseball, football, basketball, soccer, and lacrosse games. There was even demand for some of the lesser-watched events like archery, fencing and swim meets.

1 As PLAY-BY-PLAY SPORTS PRODUCTIONS grew, adding new schools to the broadcast network, we also
2 added more services to create a fuller sports media package—public address and play-by-play announcers,
3 web streaming of games, and team marketing and digital scouting services. We had enough interest in the
4 area to add a Sunday afternoon call-in show, *Sunday Brunch with Scully*, to talk about the previous week's
5 games and preview what was coming up. It worked really well, becoming a regional sports “network” for
6 the high schools and counties in the area.

7
8 The best part of being the founder of PLAY-BY-PLAY SPORTS PRODUCTIONS is that I get first choice of
9 the games I cover myself. Naturally, on April 25, 2025, I wanted to be at the semifinal baseball playoff
10 between the Hartford High School Nutmeggers and the Fairfield High School Red Robins. After all, there
11 was a lot riding on this game. Not only would it determine who would advance to the state championship
12 series, but also featured a couple of the key players that were being scouted for scholarships or even pro-
13 offers. On a personal level, it's fun for me because I know some of the players from my days coaching the
14 Goats—such as the Nutmeggers' catcher Yogi Piazza, the Red Robins' second baseman Angel Stilwell and
15 the Nutmeggers' right fielder Betty “Spaghetti” Yastrzemski. I knew a number of other players from the
16 summer leagues as well.

17
18 Another draw to the game was the rivalry between the Red Robins and the Nutmeggers. There is no
19 love lost between these teams. It's odd, in a way, since during the summer, some of the kids play on the
20 same travel teams together and do it quite well. But not during the high school season. This game is always
21 high on tension and competitiveness. This is in large part due to the rivalry between Babe Jeter and Kit
22 Keller. Every time they are on the same field, there's insults and all-around aggressiveness. Around here,
23 it's become one of the biggest rivalries in sports, up there with Manning vs. Brady, Allison vs. Yarborough,
24 A-Rod vs. everyone. True to form, Kit and Babe didn't hold back during the game. Every time they came
25 close to each other, it got loud. The umpire gave them each a warning and Annie Kinsella, Fairfield's first
26 base coach, had her hands full keeping them in check. Kit also got a warning from the umpires about
27 his/her helmet coming off in the third inning at second base. A second warning on the same issue gets you
28 an early trip to the showers.

29
30 Having covered so many of their games, I've seen firsthand the talent that both Kit and Babe have.
31 Babe is probably the better player all around, but Kit's ego makes up for it. S/He tried to get me to play
32 walk-up music every time s/he came to bat but we don't do that. Kit asked me to introduce him/her as
33 “Number 3 in your programs, but number 1 in your hearts!” Babe's arm is legendary and one of a kind.
34 We've linked to a few of his/her online videos as part of our media package, and they do help attract more
35 viewers to our site. I was excited to see his/her cannon in action this afternoon. So were some scouts. They
36 tend to skip the high school games since the overall talent level is usually a step below high-end travel, but
37 this was a big one!

38
39 While my roots are in doing the play-by-play, with so many management commitments these days, I
40 find that I'm best suited to making the public address announcements. With it being such a big game, I had
41 E.C. August handle the play-by-play in the booth next to me, which was great. He's a big name in these
42 parts and has a great social media following. It's less stressful—you don't have to focus quite as intently as
43 you do for the play-by-play. But you still get to sit in one of the best seats in the house—the press box
44 above home plate. There's nothing like having a bird's eye view of the field. And the school principals are
45 always up there watching the game, which gives me time between innings to brainstorm with them about
46 ways PLAY-BY-PLAY SPORTS PRODUCTIONS can help them with their sportscast needs.

47
48 The Red Robins-Nutmeggers matchup was proving to be a real nail biter going into the ninth inning.
49 Play had been underway for about two hours, and the game was all tied up 4-4. I had been to the field early

that day, and watched the teams' warmup. I did notice that Babe seemed a bit off during warmup. His/her throw was not as precise as usual. I just chalked it up to nerves—this was a really important game, and Babe's rival, Kit Keller, would be on the opposing team.

In the bottom of the ninth, the first Red Robins batter, the left fielder Murphy Horner, was swinging for a walk-off home run. He exercised extraordinary patience, waiting through three balls for a perfect pitch right in the wheelhouse. Horner connected, but didn't get quite enough power on the ball to take it over the fence, flying out to Nutmeggers right fielder Kelsie Whitmore. One out.

Next up was first baseman Kit Keller, who jumped on the first pitch for a precisely placed single to shallow center field. Kit moved from first to second base when Red Robins' catcher Rose Peña laid down a sacrifice bunt, which dribbled perfectly down the third-base line. That must have rattled Nutmeggers pitcher Millie Deegan, who walked the next batter, Chase Katz, the Red Robins' shortstop. Millie must have let the pressure of the moment get to her—she got flustered trying to put it down the middle of the plate, but kept missing the strike zone.

Now, with Kit on second and Wright on first, Fairfield's center fielder Phil Wrigley strode up to the plate. The crowd is really getting into it and the players in the dugout are chattering up a storm. At first it looked like Wrigley was on the ropes, running the strike count to 0-2 with two fouls into the stands down the third base line. Deegan's next two pitches were a bit low, trying to get Wrigley to ground one in the infield for an easy third out. The heat on the field was getting up there, definitely helped by the bright setting sun coming in low, right over the Red Robins dugout, casting the long shadows on that beautiful spring afternoon. On the 2-2 count, Wrigley connected with a perfect pitch, shooting the ball straight up the middle through Deegan's feet. At first, it looked like the ball was headed straight to center field, right between Babe Jeter and Betty "Spaghetti," the Nutmeggers' right fielder. I was on my feet, excited for one of my players to have the chance to end the threat from Red Robins and the inning. Instead, the ball hit the bag at second base just left of the inside corner, ricocheting into left field and bouncing toward the foul line well behind third base. In a flash, Babe shifted his/her direction on a dime, sprinting about 20 feet to snag the ball before it reached Nutmeggers' left fielder, Bryce Schmidt. I winced a little bit seeing that Bryce had a perfect line to the ball and then to Cal/Callie Robinson, the shortstop/cutoff looking back to the outfield.

But I shouldn't have been surprised—Babe is known for his/her incredibly accurate and strong arm. There are online videos of him/her throwing trick shots into a bucket at home plate and knocking soda cans off the dugout fence from the pitcher's mound. That's how s/he got the attention of the scholarship scouts. So, when Terry Valentine, Red Robins' third base coach, saw that Babe had snagged the ball, s/he gave Kit the signal to stop at third base—so the bases would be loaded.

I don't know if Kit, who had taken off at the crack of Phil's bat, willfully ignored the signal, just didn't see it, or had too much momentum going to stop. There seemed to be no stopping him/her. S/He rounded wide around third and barreled on towards home plate—losing his/her helmet at the bag, which bounced to a stop right at the coach's feet.

Valentine was yelling "stop!" Joe Hodges is pointing at and yelling "HOME!" to Babe from third base. Babe digs the ball out of his/her glove. Kit is around third, turning to home. The helmet is in the air, spinning to the ground. The crowd is losing its mind. This is it folks! Babe cocks his/her arm. The catcher is lining up, giving a target for the throw, for the out, for the game. Babe lets it loose and sends the ball on a line to the plate—but something's off. It doesn't quite look right—the way Babe throws the ball. Nevertheless, it's going to be a close one! Can Kit beat the throw and win the game? But wait! The throw

1 goes wide! Yogi sees it and starts to move to her left to catch the ball. Will it be too far from the plate to
2 make a play? Then, Kit's down! The ball shoots up to the right and into the net above the Fairfield dugout.
3 Kit's still down.
4

5 It took me a second, but then it came together: Babe fired wide and nailed Kit right in the back of the
6 head as s/he was halfway between third and home. The ball made a sickening "CRACK" when it hit, and
7 Kit face-planted right into the base path cinders, about 20 feet from the plate. I heard it when it happened.
8

9 The crowd gasped, then fell silent. Not a sound. Many in the stands appeared to be stunned as the
10 coaches and umpire rushed to Kit. Players ran in from the field out of instinct. Babe trotted in toward the
11 crowd, late to the scene. I thought s/he was going to check on the injured player since his/her shot felled the
12 runner; instead, s/he picked up the ball and tagged Kit on the leg as s/he lay unconscious on the field.
13

14 I've seen Babe make a million perfect throws all over the diamond—I am so familiar with the
15 mechanics of his/her throw, I see it in my sleep. In fact, I am looking forward to seeing it in the big leagues
16 one day. This throw was different: Babe held onto it just a millisecond longer, and it resulted in a wild
17 throw that, unfortunately, caused a nasty injury. You could tell the throw was different from the moment it
18 left Babe's hand. Was it the sun, shining full on Babe's face? Was it the sweat on his/her fingertips from
19 the stress of the play? Was it nerves, finally getting to the great Jeter? Did Babe's feet not grip the damp
20 ground causing him/her to delay and then rush the throw? It may have been as simple as Babe being forced
21 to readjust in the midst of the throw when s/he saw Kit passing third base. I don't know. What I do know is
22 that if Babe really wanted to hit Kit, there's a good chance that s/he could have done it. But, it would have
23 looked the same as Babe's other throws that season. This was a gut-wrenching accident, nothing more.
24

25 As many games as I've called over the years, I've never seen anything like this. Sure, I've seen batters
26 beamed by a pitch, and infielders spiked by a runner. I've heard an ACL pop from the box. Awful
27 experiences! Still, it's hard to believe that this shot was payback. I'm glad I wasn't calling the play-by-play.
28 I probably would have been at a loss for words. I wanted to watch the play again on video to see if I had
29 missed anything, but I couldn't because a lightning strike totally wiped out the stadium servers.
30

31 The foregoing is true and correct to the best of my knowledge and belief.
32

33 Executed at Hartford, Connecticut, on January 25, 2026.
34

35 Morgan Scully

36 MORGAN SCULLY

37 STATE OF CONNECTICUT)

38) ss: Hartford, CT

39 COUNTY OF HARTFORD)
40

41 Then personally appeared MORGAN SCULLY, the above-named, and swore to me that the
42 foregoing was true and correct to the best of his/her knowledge and belief, before me.

43 Lizzie Arlington

44 NOTARY PUBLIC

EXHIBIT 1

Form JCBE-4

School Accident Report Form

Use the STUDENT ACCIDENT REPORT form to report each serious student accident coming under the jurisdiction of the school's authority. This form, when completed, should be filed in the office for future reference for the school's protection in case litigation may result from the accident at some future date. Minor accidents such as scratches, bruises, etc., need not necessarily be reported.

General Information

School Fairfield County High School ☒ Student ☐ Employee

Name of injured

Keller Kit
Last First

Grade 12 Age 17

Accident Information

Time of Accident 4:00 p.m. Date 4/25/25

Supervised Activity? ☒ Yes ☐ No If yes, person in charge Philip Newton

Nature of Injury (*may be completed after medical examination*)

- | | | | |
|--|--|--|-----------------------------------|
| ☒ Abrasion | ☐ Bump | ☐ Dislocation | ☐ Puncture |
| ☐ Amputation | ☐ Burn | ☐ Fracture | ☐ Sprain |
| ☐ Bruise | ☒ Concussion | ☒ Laceration | ☐ Strain |
| ☐ Other _____ | | | |

Part of Body Injured (*check all that apply*)

Head

- ☒ Scalp
- ☒ Back
- ☐ Front
- ☐ Eyes
- ☐ Ear
- ☒ Nose
- ☒ Mouth
- ☐ Tooth
- ☐ Neck

Trunk

- ☐ Chest
- ☐ Abdomen
- ☐ Back

Arms

- ☐ Shoulder
- ☐ Upper Arm
- ☐ Elbow
- ☒ Lower Arm
- ☒ Hand
- ☐ Fingers

Legs

- ☐ Hip
- ☐ Upper Leg
- ☐ Knee
- ☐ Lower Leg
- ☐ Foot
- ☐ Toes

Kind of Accident

- ☐ Animal bite or insect bite
- ☐ Collision with student
- ☐ Contact with hot or toxic substance
- ☐ Fall or slip
- ☐ Fighting
- ☐ Struck by auto, bike, etc.
- ☒ Struck by object (swing, bat, etc.)
- ☐ Student collided with object

Where Accident Occurred

- ☐ Athletic Field
- ☐ Cafeteria
- ☐ Classroom
- ☐ Gym
- ☐ Hallway
- ☐ Locker Room
- ☐ Playground
- ☐ Restroom

- ☐ School Bus
- ☐ School Grounds
- ☐ Shops/Labs/Tech area

- ☐ Stairway
- ☐ Parking Lot

- ☐ To or from school
- ☐ Other: _____

Accident Description

Describe the accident in your own words. Please give all details so this accident report may be used to prevent other similar accidents.

During 9th inning of baseball game, Kit Keller was hit by a throw from opposing team's left fielder, Babe Jeter. Keller was running from 3rd base to home. The throw came from left field and hit Keller on the back of his/her head and knocked him/her down, injuring his/her right forearm and scrapes to the face. Keller's helmet came off before the throw as s/he ran past 3rd. Valentine says Keller had been warned by umpires in 3rd inning about keeping her/his helmet on during play. Keller was out for about 6 minutes and taken to hospital by Hartford EMS. Valentine said it was ultimately Keller's fault for not stopping at 3rd as he had instructed. When I mentioned that this all appeared to be a horrible accident, Valentine smirked. I was in the press box talking to Morgan Scully and I did not actually see the play. All information is from Coaches Torre and Valentine.

Immediate Action Taken

- ☒ First-aid provided: by whom? EMS PERSONEL ON THE SCENE
 Description of first-aid: IMMEDIATE FIRST AID WITH ICE BAGS

- ☐ Sent to nurse
☐ Sent home

- ☒ EMS called By whom? COACHES ON FIELD
 Sent to hospital? ☒ Yes ☐ No Name of hospital HARTFORD HOSPITAL

Was parent or guardian notified? ☒ Yes ☐ No If yes, by whom? COACH TORRE
 Name of contact: BOB KELLER Means of contact IN
PERSON
 If no, explain:

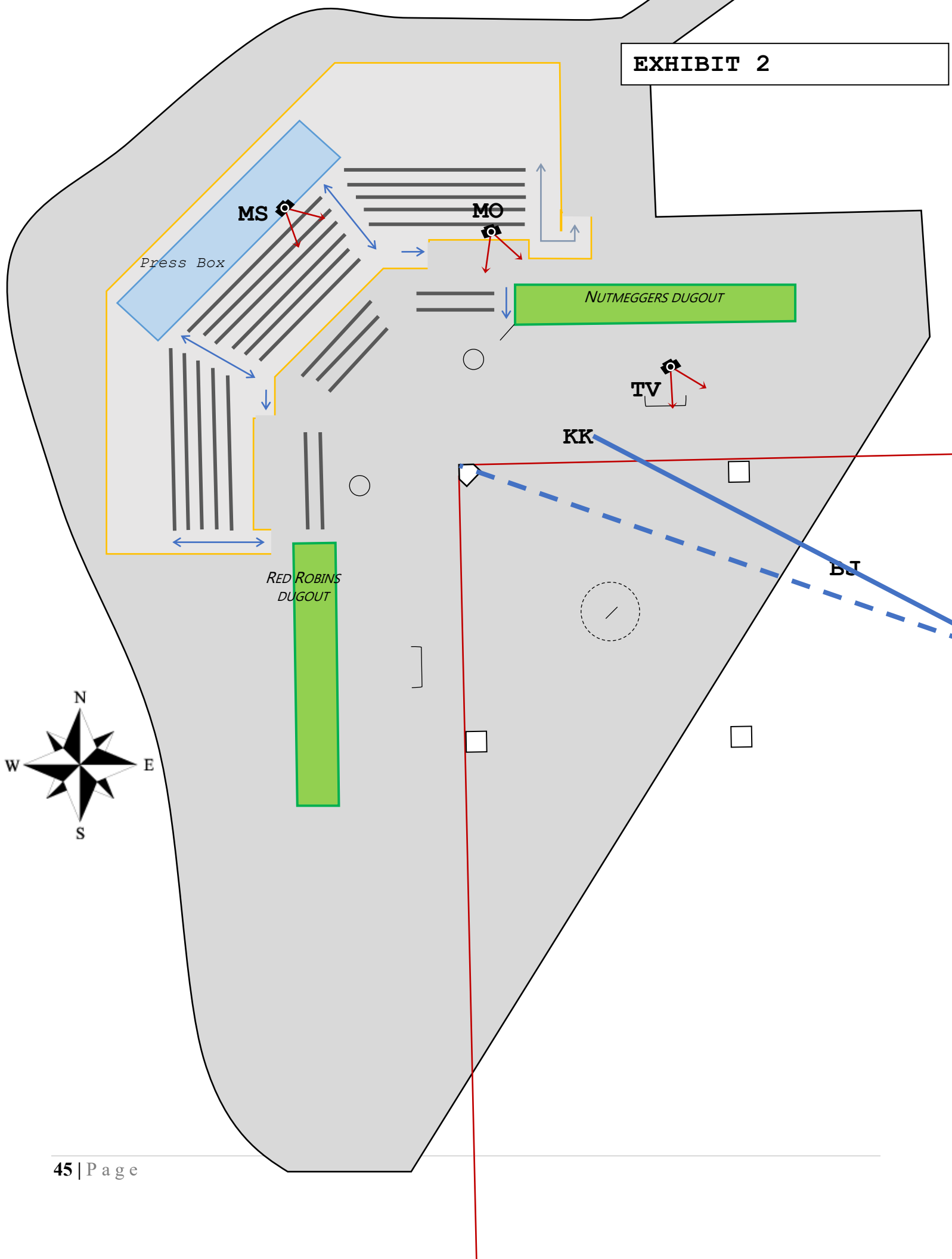
MCSD Action Taken

- ☒ Discussed at staff meeting
- ☐ Discussed in each class as part of regular
- ☒ Instruction
- ☐ Discussed with parent
- ☒ Personal instruction given to injured
- ☐ Personal instruction given to person in charge
- ☐ Presented as a subject of assembly program
- ☐ Policy review undertaken by principal/district

Signatures

<i>Terence Mann</i>	4/26/25	Terence Mann
Principal	Date	Print Name
<i>Philip Newton</i>	4/26/25	Philip Newton
Activity Supervisor	Date	Print Name
<i>Philip Newton</i>	4/26/25	Philip Newton
Person completing form	Date	Print Name

This form must be completed and filed with the secretary of your school within 1 school day of accident.





2024-2025 School Year

ATHLETIC PARTICIPATION, WAIVER, INSURANCE, AND CONSENT FORM

**Parent/Guardian(s) and Student signature required at bottom of form & initials required as indicated below*

PLEASE PRINT

Student

Name _____

(Last) (First) (Middle) (Grade Level)

Address

(Street) (City) (Zip)

(Parent Cell Phone #) (Parent Alternate Phone #) (Year Entered 9th Grade) (Date of Birth)

PARENT/GUARDIAN CONSENT FOR ATHLETIC PARTICIPATION

Parent/Guardian and Student must both initial in blanks before each **bold section below*

Parent/Guardian	Student
-----------------	---------

ACKNOWLEDGEMENT OF RISK: I understand and acknowledge that participation in inter-scholastic sports teams/clubs and events is voluntary and by its very nature possesses an actual or potential risk of emotional and physical injury/illness, which may range in severity from

minor to long term catastrophic injury, up to permanent paralysis or death. While it is not possible to eliminate this risk, Students have the responsibility to help reduce the chance of injury. Students must obey all safety rules, report all physical problems to their coaches or supervisors follow a proper conditioning program and inspect equipment daily. Parents/Guardians or Students who do not wish to accept this risk should not sign this form.

Parent/Guardian	Student

INSURANCE COVERAGE: I am aware there is no District insurance coverage for medical treatment of personal injuries or property damage which may arise out of Student's participation in inter-scholastic athletics, sports clubs and events. I understand my Student must have insurance

coverage in order to participate.

Please CHECK one of the following statements regarding insurance coverage for Student for the current school year:

____ Student is adequately and currently covered by accident insurance that will cover injuries sustained while participating in inter-scholastic athletics, sports teams/clubs and events.

Insurance Company: _____ Company Phone Number: _____

Name of Insured: _____ Policy Number: _____

I wish to purchase the Benefit Plan provided by the County School System.

Parent/Guardian Student

PHYSICAL EVALUATION AND MEDICAL TREATMENT: Per Connecticut Association of High School Athletics (CAHSA) a **Pre-participation Physical Evaluation** must be performed by a physician (MD/DO), nurse practitioner or physician assistant to medically screen

each student who participates in District athletic programs. I understand that this medical evaluation is general in nature and only performed for purpose of determining fitness for athletics. In case of an emergency or accident on/off school grounds during any school activity or athletic event, which in the opinion of school authorities requires immediate medical or surgical attention, I hereby grant permission to physicians, consulting physicians, certified athletic trainers, emergency medical technicians, and other healthcare providers selected by school authorities to provide medical care and treatment (including hospitalization if deemed appropriate) unless I am present and request otherwise or until I later request otherwise.

Parent/Guardian Student

REVIEW OF ATHLETIC HANDBOOK (including Board Policy IDF-R Athletic Code of Conduct): I acknowledge that I have reviewed and consent to the guidelines of the Student/Parent Athletic Handbook, which can be found on the Athletics page of the County School District

website, the local high school website, or by request of a hardcopy to the local high school. I understand that both Student and Parent/Guardian are subject to the rules outlined in this handbook and that violations may result in school discipline and consequences up to Student's loss of the privilege of athletic participation and/or loss of Parent(s)/Guardian(s)' privilege of attending athletic events. **I have read and understand the consequences of certain behavior(s) as outlined in the Code of Conduct.**

Parent/Guardian Student

TRANSPORTATION AND TRAVEL: I acknowledge my understanding of the travel-related guidelines as outlined within the Student/Parent Athletic Handbook, including the responsibility of parent/guardian to arrange transportation when not District-provided. I

consent for my Student to participate in school-sponsored athletic trips.

Parent/Guardian Student

WAIVER: I assume all liability and responsibility for any and all potential or real risks, injuries or even death which may result from Student's participation in inter-scholastic athletics, sports teams/clubs and events. I represent and warrant that I know of no mental or physical

condition that would make it unsafe for Student to participate in inter-scholastic athletics, sports teams/clubs and events. I understand, acknowledge, and agree that the County School District shall not be liable for any injury/illness suffered by the Student which arises out of and/or is associated with preparing for and/or participating in inter-scholastic athletics, sports teams/clubs and events.

I hereby release, discharge, indemnify, and agree to hold harmless the District, Members of the Board of Education, its past, present and future officers, attorneys, agents, employees, predecessors and successors in interest, and assigns, hereinafter "releasees", from any and all liability arising out of or in connection with Student's participation in inter-scholastic athletics, sports teams/clubs and events. For purpose of this Release, liability means all claims, demands, losses, causes of action, suits, or judgments of any kind that Student or Student's parents, guardians, heirs, executors, administrators, and assigns have or may have against the releasees because of Student's personal, physical, or emotional injury, accident, illness or death, or because of any loss of or damage to property that occurs to Student or his or her property during Student's participation in inter-scholastic athletics, sports teams/clubs and events due to acts of passive or active negligence by releases other than actions involving fraud or actual malice.

By signing below, you acknowledge that you have carefully read this voluntary Waiver and understand the potential dangers incident to engaging in inter-scholastic athletics, sports teams/clubs and events, and are fully aware of the legal consequences of this agreement.

SIGNATURE:

By signing below, Parent/Guardian and Student hereby agree to/give consent for participation in inter-scholastic athletics, sports teams/clubs and events for County School District of the below-indicated Student. You acknowledge that you have carefully reviewed and agree to all terms of athletic participation, including the voluntary waiver, verify that all information contained herein is accurate, and understand that any false information may result in Student's ineligibility for athletic participation.

Signature(s) of Parent(s)/Guardian(s)

Printed name of Parent(s)/Guardian(s) Date

Signature(s) of Student

Printed name of Student Date

EXHIBIT 5

STUDENT/PARENT CONCUSSION AWARENESS FORM

SCHOOL: _____

DANGERS OF CONCUSSION

Concussions at all levels of sports have received a great deal of attention and a state law has been passed to address this issue. Adolescent athletes are particularly vulnerable to the effects of concussion. Once considered little more than a minor “ding” to the head, it is now understood that a concussion has the potential to result in death, or changes in brain function (either short-term or long-term). A concussion is a brain injury that results in a temporary disruption of normal brain function. A concussion occurs when the brain is violently rocked back and forth or twisted inside the skull as a result of a blow to the head or body. Continued participation in any sport following a concussion can lead to worsening concussion symptoms, as well as increased risk for further injury to the brain, and even death.

Player and parental education in this area is crucial—that is the reason for this document. Refer to it regularly. This form must be signed by a parent or guardian of each student who wishes to participate in c CAHSA athletics. One copy needs to be returned to the school, and one retained at home.

COMMON SIGNS AND SYMPTOMS OF CONCUSSION

- Headache, dizziness, poor balance, moves clumsily, reduced energy level/tiredness
- Nausea or vomiting
- Blurred vision, sensitivity to light and sounds
- Fogginess of memory, difficulty concentrating, slowed thought processes, confused about surroundings or game assignments
- Unexplained changes in behavior and personality
- Loss of consciousness (NOTE: This does not occur in all concussion episodes.)

BY-LAW: CAHSA CONCUSSION POLICY

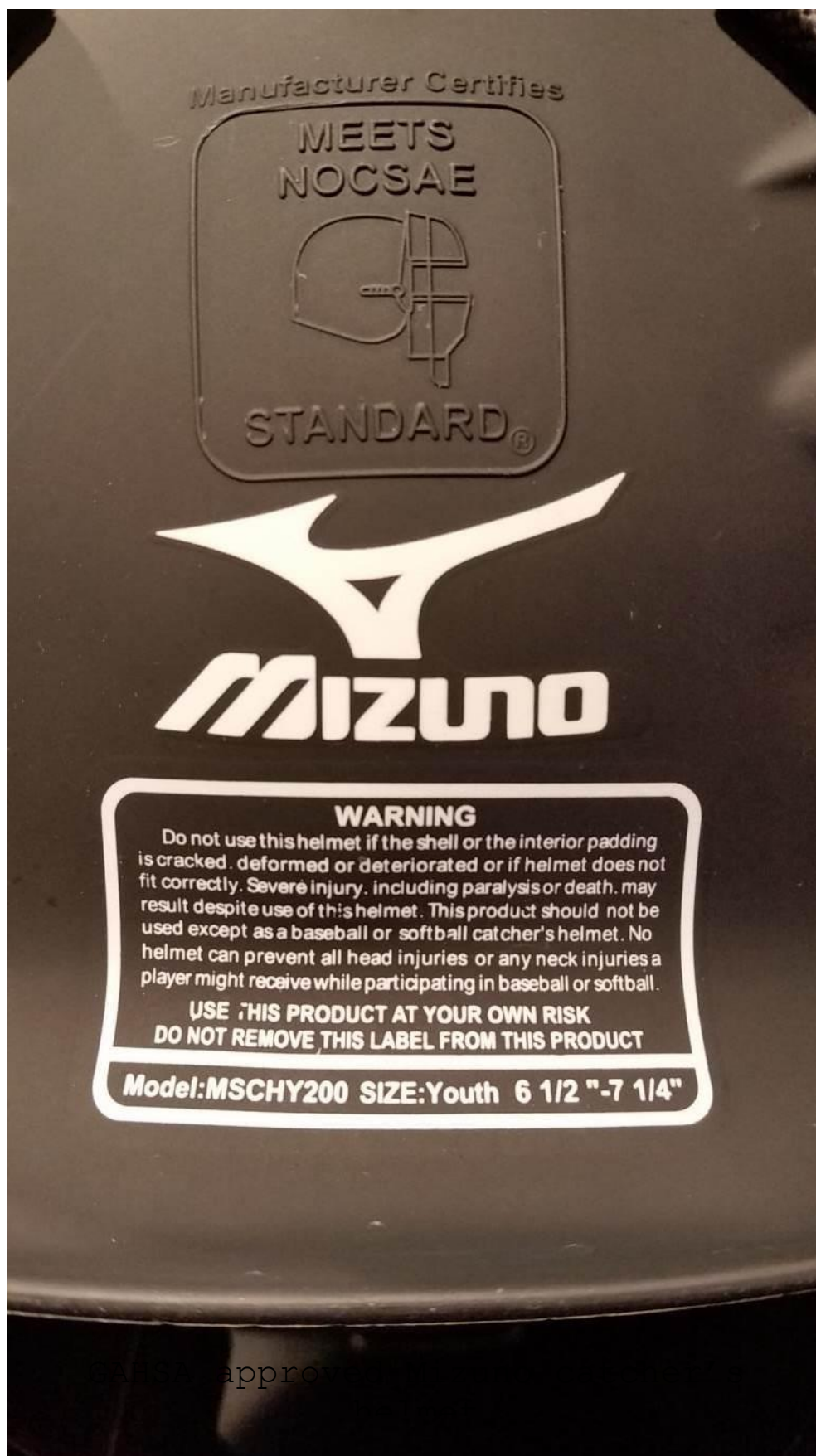
In accordance with Connecticut law and national playing rules published by the National Federation of State High School Associations, any athlete who exhibits signs, symptoms, or behaviors consistent with a concussion shall be immediately removed from the practice or contest and shall not return to play until an appropriate health care professional has determined that no concussion has occurred. (NOTE: An appropriate health care professional may include licensed physician (MD/DO) or another licensed individual under the supervision of a licensed physician, such as a nurse practitioner, physician assistant, or certified athletic trainer who has received training in concussion evaluation and management.

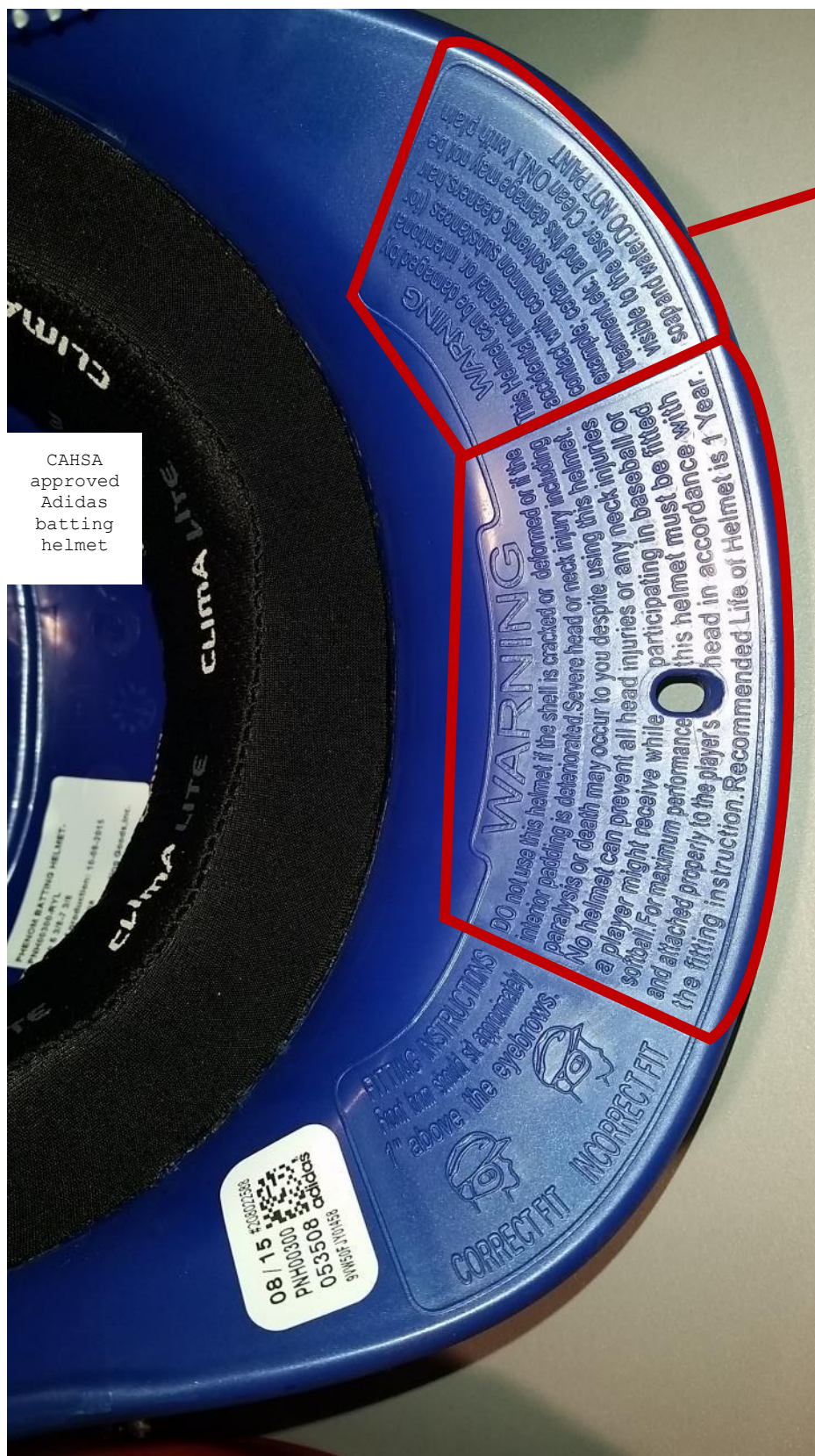
- a) No athlete is allowed to return to a game or a practice on the same day that a concussion (a) has been diagnosed, OR (b) cannot be ruled out.
- b) Any athlete diagnosed with a concussion shall be cleared medically by an appropriate health care professional prior to resuming participation in any future practice or contest. The formulation of a gradual return to play protocol shall be a part of the medical clearance.
- c) It is mandatory that every coach in each CAHSA sport participate in a free, online course on concussion management prepared by the NFHS and available at www.nfhslearn.com at least every two years—beginning with the 2013-2014 school year.
- d) Each school will be responsible for monitoring the participation of its coaches in the concussion management course, and shall keep a record of those who participate.

I HAVE READ THIS FORM AND I UNDERSTAND THE FACTS PRESENTED IN IT.

Signed: _____
(Student) (Parent/Guardian)

Date: _____





CAHSA
approved
Adidas
batting
helmet

WARNING
This Helmet can be damaged by accidental, incidental, or intentional contact with common substances (for example: certain solvents, cleaners, hair treatment, etc.) and this damage may not be visible to the user. Clean ONLY with plain soap and water. DO NOT PAINT.

WARNING
Do not use this helmet if the shell is cracked or deformed or if the interior padding is deteriorated. Severe head or neck injury including paralysis or death may occur to you despite using this helmet.

No helmet can prevent all head injuries or any neck injuries a player might receive while participating in baseball or softball. For maximum performance this helmet must be fitted and attached properly to the player's head in accordance with the fitting instruction.

Recommended Life of Helmet is 1 Year.

HARTFORD COUNTY HIGH SCHOOL V. FAIRFIELD COUNTY HIGH SCHOOL

April 25, 2025

CAHSA Baseball Playoffs—Semi-Finals

NUTMEGGERS

STARTING		POS	SUBSTITUTE
1	~~Roy Hobbs~~	1B	Chipper Freeman
2	Sarah Fleming	2B	
3	Bryce Schmidt	LF	
4	Babe Jeter	CF	
5	Betty “Spaghetti” Yastrzemski	RF	
6	Cal/Callie Robinson	SS	
7	Millie Deegan	P	
8	Joe Hodges	3B	
9	Yogi Piazza	C	

RED ROBINS

STARTING		POS	SUBSTITUTE
1	~~Amanda Whurlitzer~~	P	Natalie Barker
2	Murphy Horner	LF	
3	Kit Keller	1B	
4	Rose Peña	C	
5	Chase Katz	SS	
6	Phil Wrigley	CF	
7	Jan Levinson	RF	
8	Carlos Wright	3B	
9	Angel Stilwell	2B	

AVAILABLE SUBSTITUTES

Shoes Jackson	Alan McClendon
~~Chipper Freeman~~	Kelsie Whitmore

AVAILABLE SUBSTITUTES

Lizzie Arrington	Manny Garciparra
~~Natalie Barker~~	Michael Palledorous

COACHES

Joe Torre, Head Coach
Annie Kinsella, 1 st Base
Max Mercy, 3 rd Base

COACHES

Trisha Ford, Head Coach
Pop Fisher, 1 st Base
Terry Valentine, 3 rd Base

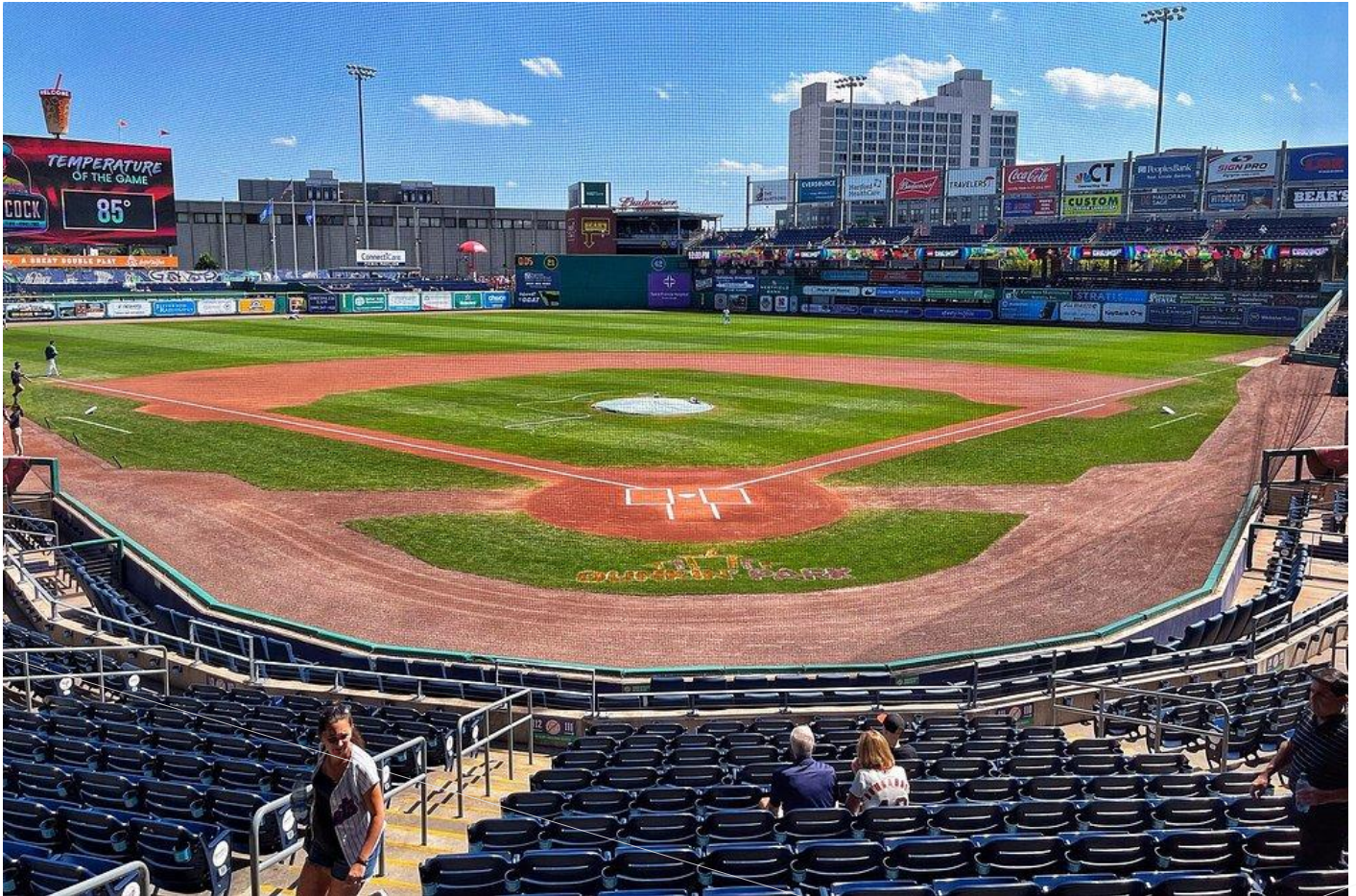


EXHIBIT 9



EXHIBIT 10

