

## Football helmet maker named in California brain injury suit

A California high school football player who says he became partially paralyzed after taking a hit during a game is suing helmet manufacturer Riddell Sports for his injuries.

**Acuna et al. v. Riddell Sports Inc. et al., No. LC090924, complaint filed (Cal. Super Ct., L.A. County Aug. 24, 2010).**

In a multi-count negligence and breach-of-warranty action, Edward Acuna says Riddell and parent RBG Holdings Corp. fell short of their duties to “properly and carefully” design, manufacture and test the helmet he wore.

The suit, filed in the Los Angeles County Superior Court, says Acuna’s injury occurred Oct. 16, 2009, as he was playing for his Pomona high school. After taking a direct hit on the front of his helmet, Acuna fell down and then stumbled to the sideline, where he collapsed and lost consciousness, the suit says.

Acuna was airlifted to a local hospital, where he had an emergency procedure to

counter brain hemorrhaging and swelling, according to the complaint. He says the incident caused him permanent brain and nervous system injuries.

Acuna claims Riddell knew of problems with the performance of the pad in the front of its Revolution model helmets since at least 2000 but refused to implement a low-cost, alternate design that would fix the problem.

During that time, Riddell also knew that helmets with the same type of front pads were deficient and would lead to head injuries, the suit says.

Acuna’s injuries left him partially paralyzed in one arm and part of his face and reduced his ability to engage in a “usual occupation,” reducing his future earning capacity, he says.

Acuna also has suffered a sharp reduction in his cognitive capacity, ability to walk

---

The suit claims Riddell knew of problems with the pad in the front of its helmets since 2000 but has refused to use an alternate design that would fix the problem.

---

and motor coordination, according to **Ilyas Akbari** of **Baum, Hedlund, Aristei & Goldman**, one of his attorneys.

“This was a smart kid who loved problem solving [who] has the cognitive capacity of an elementary school kid now,” Akbari said.

The complaint says punitive damages are warranted because Riddell willfully and consciously disregarded the safety of consumers and failed to acquire adequate product safety information through “tests, inspections, or post-marketing safety monitoring.”

The suit also names the Pomona Unified School District, claiming that it failed to properly train athletic department personnel on how to recognize serious head injuries.

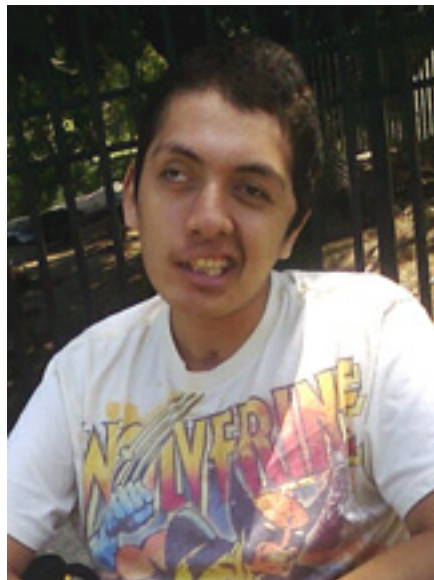
Acuna says the district negligently failed to implement a plan to promptly transport injured athletes to the hospital and deceived the public with a false sense of security by having emergency responders at sporting events who were allegedly “unable and/or unauthorized to provide medical assistance or transportation.” **WJ**

**Attorneys:**

*Plaintiff:* Ronald L.M. Goldman and Ilyas Akbari, Baum, Hedlund, Aristei & Goldman, Los Angeles

**Related Court Document:**

Complaint: 2010 WL 3536779



Photos courtesy of Baum, Hedlund, Aristei & Goldman

**Edward Acuna, shown in his football uniform in September 2009 (left) and last spring after his injury (right), says a Riddell helmet failed to protect him, leaving him with permanent brain and nervous system injuries.**