

TEXAS SPORTS NATION//ASTROS

## Astros reach settlement with family of young girl hit by foul ball

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*A man carries a small child up the aisle after she was hit by a foul ball of the bat of Chicago Cubs center fielder Albert Almora Jr. during the fourth inning of a major league baseball game against the Houston Astros at Minute Maid Park on Wednesday, May 29, 2019, in Houston.*

*-Brett Coomer, Houston Chronicle / Staff photographer*



The family of a girl struck by a foul ball at Minute Maid Park during the 2019 season has reached a confidential settlement with the Astros, the family's attorney said Friday afternoon.

Because the settlement involves a minor, it must receive court approval, leading to a lawsuit filed Thursday night in Harris County Court. Plaintiffs Jonathan David Scott and Alexandra Colchado are described as the "natural parents and next friends" for the minor, whom the lawsuit does not identify.

"This is the initiation of that process," attorney Richard Mithoff said Friday. "The matter has been resolved and we are now seeking court approval of that settlement, which we are required to do under the law."

The case is assigned to Judge Michael Gomez in 129th district court. The court will appoint a guardian "ad litem" on the minor's behalf that will make a recommendation about the settlement.

The girl was 2½ when a foul ball hit by then-Chicago Cubs outfielder Albert Almora struck her in the head during a May 29 game against the Astros. Mithoff told the Chronicle last January she sustained a skull fracture and a permanent brain injury that left her at risk for seizures.

"She's doing pretty well," Mithoff said Friday. "Her

anti-seizure medication has been gradually reduced over the last two years and so she has been seizure-free for 22 months. We anticipate she will continue to improve and they can continue to reduce the anti-seizure medications. She seems to be doing well. The family is obviously very hopeful about the future."

Mithoff said terms of the family's settlement with the ballclub will remain confidential. The Astros declined comment Friday.

The girl was seated above the third-base dugout around section 111 when Almora's line drive struck her in the head. At the time, the seats were not protected by netting.

Three months after the incident, the Astros extended netting at Minute Maid Park more than 150 feet down both foul lines. That December, Major League Baseball announced all 30 teams would have extended netting during the 2020 season.

"The family remains very grateful that, I think, virtually every ballpark now has put in the enhanced netting that goes all the way to the foul pole," Mithoff said. "I think they are very pleased that has come about, even though it took this very unfortunate event to bring it about."

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