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## Kings herald injury suit settlement

Sacramento Business Journal by Kelly Johnson, Staff Writer and Social-Media Strategist

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The **Sacramento Kings** and Kings forward-guard [Francisco Garcia](#) have settled a lawsuit against the maker and distributors of a workout ball that failed in 2009, injuring Garcia.

"The matter has been resolved in an extremely favorable manner for the Sacramento Kings franchise and [Francisco Garcia](#)," said [Roger Dreyer](#), an attorney with Dreyer Babich Buccola Wood Campora LLP, in a news release late Tuesday. Dreyer and [Brian Panish](#) of Panish Shea & Boyle LLP represented the Kings and Garcia.

"We are very pleased with the outcome," Dreyer said, "and look forward to a stringent policy informing consumers of the potential danger of utilizing weights when working out with the Gymnic fit ball."

The Sacramento Kings [sued the companies that make, distribute and market the exercise ball](#) after it allegedly burst in October 2009 as Garcia was laying on it while lifting weights. Garcia broke his arm.

At the time, the Kings organization said the injury cost it more than \$4 million, based on what the team had to pay in salary, wages, benefits and medical expenses to Garcia.

In December 2010 the Kings and Garcia filed a product liability lawsuit against M-F Athletic Co. Inc., a Rhode Island company that does business as Perform Better and distributes the Gymnic "Burst Resistant" Plus Stability Ball, and Ball Dynamics International LLC in Colorado and Italian manufacturer Ledraplastic S.p.a.

The Kings organization banned the exercise ball from the training room after the incident. The franchise also contended that the ball should have been made thicker, and that it was not misused before it exploded.

The case was scheduled to go to trial on Jan. 29 of next year.

Financial terms of the settlement were kept confidential. Ledraplastic agreed, however, to circulate a letter to distributors of the ball that it should not be used in combination with weights. The manufacturer also will ask distributors to share the letter with customers.

"It was critical to the Sacramento Kings and the Maloof family that users were informed of the potential dangers of utilizing weights with this product, and doing so could lead to a devastating injury such as what happened to [Francisco Garcia](#)," Dreyer said in the release.

"It was apparent through the course of the litigation that distributors of this product were aware of the failures of these balls when used with weights, yet the distributors, M-F Athletics and Ball Dynamics, had repeatedly failed to provide notice to any of its customers of these prior problems," Dreyer said.

Kelly Johnson covers retail, insurance, media, marketing and sports business for the Sacramento Business Journal.

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