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How to file a lawsuit against a public entity

To file a lawsuit against a public entity, a person must first file a tort claim notice. *Miguel Fernandez and Stephanie Noda, NorthJersey.com*

The family of a Sussex County girl struck and killed by a badminton racket two years ago is suing the manufacturer of the racket, claiming the company's negligence caused the girl's death.

The lawsuit, filed Aug. 17 in Maine Superior Court, alleges Franklin Sports is responsible for the death of 6-year-old Lucy Morgan, who was hit in the head by a piece of the racket that had dislodged from the handle while on vacation with her family June 1, 2024. Lucy was rushed to the hospital and died of her injuries four days later.

The suit states the racket, which was provided by the rental cottage where the family was staying, was defective and "unreasonably dangerous" at the time it was being used. It further alleges Franklin "negligently designed,

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manufactured, marketed, and/or sold" the racket, and failed to warn users of defects such as insufficient adhesive and lack of a restraint securing the metal stem to the handle.



Lucy Morgan, 6, smiles while on vacation in Maine with her family. Lucy died on June 5, 2024 following a freak accident involving a badminton racket. *Provided By Jesse Morgan*

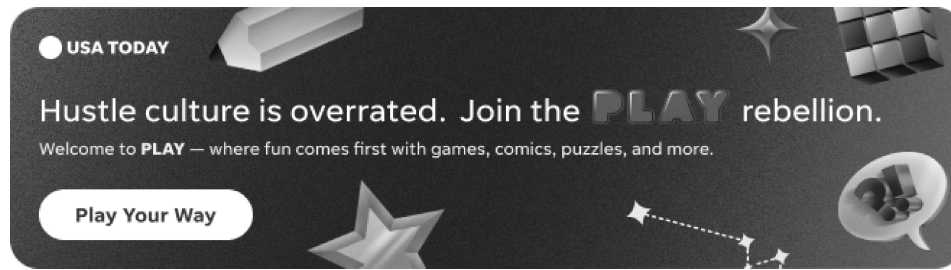
"This case represents a parent's worst nightmare," said Travis M. Brennan, an attorney representing the Morgan family. "We are committed to obtaining justice for Lucy by holding Franklin Sports accountable. We want to ensure these rackets are manufactured in a way where this type of tragedy never occurs again."

Franklin Sports did not respond to a request for comment.

The Morgan family — Lucy's parents and their four children ranging in age from 10 to 4 — were enjoying their last vacation day at a lake house in Limerick, Maine, the day the incident occurred, according to the lawsuit. Lucy was watching her two older siblings play badminton when the metal neck of one racket dislodged mid-swing and struck her in the temple.

Lucy began screaming and pulled the piece of racket out before collapsing, the suit states. The family called 911 and tried to arouse Lucy, who was taken by helicopter to Maine Medical Center.

"Despite the heroic efforts of the first responders and, later, the MMC medical team, Lucy could not be saved," the suit stated. "Providers at MMC advised Mr. and Mrs. Morgan there was no choice but to withdraw support."



The lawsuit contends that Lucy's father, Jesse Morgan, along with her mother and three siblings, each suffered severe emotional distress as the result of her death. The family is seeking damages under Maine law that include funeral expenses and loss of comfort, society and companionship.

The family is represented by Brennan and Charles P. Hehmeyer of the Maine-based law firm Berman & Simmons.

Lucy's death prompted an outpouring of support in and around the Stockholm section of Hardyston where she lived, and the Green Pond Bible Chapel in Rockaway Township, where Jesse Morgan served as a pastor at the time. A GoFundMe page raised more than \$153,000 to support the family.



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