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Internet headline:

Ex-Bluefish catcher awarded \$940K in bat attack

Print edition headline:

Jury: Offerman off base in lawsuit

By John Burgeson



Johnathan Nathans, center, a former Bridgeport Bluefish player, leaves Federal Court in Bridgeport, Conn. after receiving a favorable verdict in his lawsuit against Jose Offerman, a former Long Island Ducks player who charged the pitcher's mound swinging a bat during a 2007 game. Nathans, a catcher for the Bluefish, said that he was injured in the incident, and was awarded \$940,000. He is seen here with his wife, Kate Lawrence, and attorneys Josh Koskoff, far left, and Craig Smith. Photo: Ned

GerardThe jury in the bat-attack civil trial of [Jose Offerman](#) has awarded the plaintiff, former Bridgeport Bluefish catcher [Johnathan Nathans](#), \$940,000 in damages.

The verdict in the federal case was returned at about 4 p.m. Tuesday, after the jury of seven deliberated for about five hours.

Nathans had been seeking \$4.8 million for his injuries. He testified during the two-week trial that the attack on Aug. 14, 2007, left him permanently disabled with daily bouts of vertigo, splitting headaches, nausea and other problems.

In professional sports, cases of one player suing another for damages from on-field incidents are rare.

Offerman charged the mound, armed with his bat, after getting hit by a pitch in the second inning of an Atlantic League game between the Bluefish and the visiting Long Island Ducks. Nathans, the catcher, followed him there and tried to protect his pitcher, [Matt Beech](#).

In the fracas that followed, Beech sustained a broken finger on his right, non-pitching hand, and Nathans, according to his testimony, was smacked in the back right side of the head with Offerman's bat.

Nathans never played professional baseball again after that game. He lives now in Portland, Maine, and is a lawyer.

Offerman's team, the Ducks, were not found to be culpable, the jury said. Nathans had sued both Offerman and the Ducks.

Offerman's attorney, [Frank Riccio II](#), said he would appeal.

"It was a curious verdict," Riccio said. "On the one hand, the jury found my client guilty of assault, but not of battery -- meaning that his bat didn't strike Mr. Nathans."

Riccio also noted that the award was considerably less than what Nathans asked.

"We're pleased that, after all of these years, Mr. Offerman will have to account for what he did," said [Josh Koskoff](#), one of Nathans' attorneys. "But at the same time, we would have liked to have seen Mr. Offerman's team, the Long Island Ducks, take some responsibility. Obviously, they threw their player under the bus. Employers must stand by their employees."

After the jury of five men and two women read the verdict, U.S. District Court Judge [Warren W. Eginton](#) thanked them for remaining attentive during the often ponderous testimony.

"I'm very pleased with what you did," the 90-year-old judge said to the jury, with a knowing smile of someone who has seen his share of plaintiffs and defendants. "Your verdict makes a great deal of sense to me, and I'd like to personally thank you."

Eginton was in pain during the trial; he had broken his hip two weeks earlier. He presided from a table not much larger than a night stand because he could no longer manage the three steps up to his bench.

Despite this, Eginton often chided the lawyers for dragging their feet and offering into evidence too many complex documents that had little relevance.

The jury had 10 members when the trial began. Two left for personal reasons and a woman on the panel was dismissed on Friday for activities that Nathans' legal team found disturbing.

All along, Nathans maintained that he "didn't get to leave baseball on my own terms." But the defense lawyers -- Riccio for Offerman and [Eileen Becker](#) for the Ducks -- argued that Nathans had been in the winter of his baseball career. They also questioned whether Nathans was hit by a bat at all, noting that there's no record of any injury on Nathans' head.

After three years in the [Red Sox farm organization](#), Nathans was let go by Boston in January 2005. He played for various independent league teams -- the North Shore Spirit, the Lancaster Barnstormers, the Newark Bears and finally the Bridgeport Bluefish.

The defense lawyers also hammered home the point that Nathans was hardly an invalid after the bat attack. He completed four marathons and several other road races in recent years, went to law school and became a trial lawyer.

The switch-hitting Offerman, who lives in the Dominican Republic, is a retired, 15-year veteran of the major leagues who played in All-Star games in 1995 and 1999. He played for the Dodgers, Royals, [Red Sox](#), Mariners, Twins, Phillies and Mets.

"Baseball, along with other sports, is becoming much more violent than it was," Koskoff said. He said he hoped "as a result of this verdict, players will think twice before doing something like this."

Offerman, Koskoff said, never took any blame for his actions.

"That's why we're here. There was never an acknowledgement of fault," he said.

Offerman was arrested by Bridgeport police immediately after the attack. Charges were later dropped after he applied for accelerated rehabilitation and spent two years on probation.

As for the game on that night in 2007: The Ducks won, 13-12.