

Negligence Hypo

Matt, who lives in rural Georgia, is a thirteen-year-old boy who has trouble paying attention in school. He is, however, ambitious and eager to make money. One of Matt's chores is to mow his lawn with the family's John Deere riding mower. He decides that his neighbors might pay to have him do the same for them and asks around. Within a short period of time, three neighbors have agreed to have Matt mow their lawn for \$20 each week.

Matt mows the lawn for the Grady family, his next-door neighbors. Matt's best friend, Tom, lives there along with his parents and seven-year-old sister, Meg. One Saturday, Matt drove over to mow the Grady's yard. Tom told him that his parents were not home, but that Meg was in the house with a babysitter (who was 25). Unconcerned, Matt began to mow the front yard. Tom, bored, decided to chase Matt while he was working. Matt, laughing, drove in a random pattern in order to avoid being caught. To confuse Tom, he at one point put the mower in reverse. After moving a few feet, Matt felt a bump and heard a scream.

Matt quickly shut off the tractor and discovered, to his horror, that he had run over Meg's foot. Meg had come outside after he started mowing, and he didn't see her because she was laying on the ground reading a book. The babysitter, who was inside making lunch for the children, ran outside, yelling "Oh my goodness Meg! You said you were going out in the backyard, not the front yard!" An ambulance was called. Fortunately, because of skilled medical care, Meg only lost her little toe as a result of the accident.

Meg's parents are understandably furious about the accident. They consult with you, a local lawyer, to determine who (other than their own family members) they can sue and whether they have a good chance of winning. Assess the merits of any existing claims.