

2015 Wyoming High School Mock Trial (Revised 10-29-15)



Jesse Platte v. Mountain Rangers of America and Corry Johnson

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Marguerite Herman and Traci Lacock
WHSMT Coordinators

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2015 Wyoming High School Mock Trial ***Jesse Platte vs. Mountain Rangers of America*** **Case Summary**



The annual camping trip to the Snowy Range had been a summer highlight for the members of Troop 307 of the Mountain Rangers of America for years, a week of fishing, hiking and learning culminating in a dawn climb up Medicine Bow Peak, where the new members of the troop took the oath and became full-fledged Mountain Rangers. Then after all the songs and stories at the summit came the descent, a wild slide down a snowfield to the camp below. That is how it had gone for years, a tradition passed on from one generation to the next. That was how it was supposed to have gone during the 2013 trip, but this time things did not go as planned and a young Ranger, Cameron Platte, ended up in the hospital.

On July 24, 2013, the troop assembled at the Lewis Lake trailhead under the leadership of Corry Johnson, an experienced Mountain Ranger leader who had been in charge of Troop 307 for the past 12 years. Corry Johnson was joined by another adult, Sydney Fremont, who was on his/her first trip to the Snowy Range. Together they would lead Troop 307 consisting of 20 children, ages 12-18, up Medicine Bow Peak, a 12,013 foot mountain. Mountain Rangers of America guidelines recommended a ratio of 1 adult for every 5 campers, but the same guidelines only specified a minimum of two adults to be present at all times during camping exercises. In 2013 several adults, who had originally signed up to accompany the troop on the trip, cancelled or had to leave unexpectedly. Corry Johnson and Sydney Fremont were the only adults in camp on the day of the hike.

Cameron Platte, age 12, was one of the youngest Mountain Rangers. Cameron had recently moved to Wyoming from Scranton, Pennsylvania, and this was the first time he had a chance to go camping in the Rocky Mountains. Cameron had never been mountain climbing before and was very excited at the prospect of climbing a 12,013-foot mountain. Cameron was the only child of Jesse Platte, a single parent. Jesse had been recruited by Corry Johnson to come on the trip to provide additional adult supervision, and initially Jesse had agreed to participate. But then Jesse called Corry Johnson to cancel because of a family emergency.

Kelly Sheridan, age 16, was another member of the Troop. Kelly had been on several prior camping trips and was a Mountain Ranger Cadet. As one of the older, more experienced members of the troop, Kelly was expected to help supervise the younger troop members, especially this year. However, on the night of July 23, Sydney Fremont caught Kelly and several of the other older Rangers hazing the younger members of the troop by making them run a gauntlet while lashing them with willow switches. Sydney reported this to Corry Johnson and Kelly was immediately stripped of his Cadet rank.

The climb up the mountain went well and without incident. The troop assembled at the trailhead at 8:00 am and made good time up the 2 mile trail to the peak. The first climbers arrived on the peak at 10:30 am and

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the last stragglers got there at 11:00 am. After a brief graduation ceremony for the youngest members of the troop to celebrate the completion of their camping exercise, preparations for the descent began. Corry Johnson explained the plans for descending to the snowfield, where the troop would reassemble and begin the long slide down to the valley below. The troop descended to the snowfield and reassembled. No one had any ice axes or crampons, but that did not concern Corry Johnson. Corry had made the descent with the troop successfully for years and had never needed any such equipment. Six of the Rangers chose to return to the trail and to walk down with Sydney Fremont. The other 14 Rangers, including Cameron Platte and Kelly Sheridan, stayed with Corry Johnson. Corry explained the procedure involved in sliding or glissading down the snowfield. Corry explained that they would walk out on the snowfield, sit down on their heels and began to slide. Care needed to be taken to stay on the east face and not to go over the north edge of the snowfield, since the north slope was much steeper and anyone going that route would quickly find themselves on the rocks below. The Rangers were told to team up in twos and to stay together during the slide. Kelly Sheridan teamed up with Cameron Platte. Corry Johnson brought up the rear.

Everything went smoothly, until Corry Johnson saw Kelly Sheridan and Cameron Platte stop about one third of the way down and near the lip of the north face. Cameron Platte was wearing a nylon windbreaker. There is a dispute about what happened next, but Cameron Platte ended up sliding over the edge of the north face and down to the rocks below, where Cameron suffered a serious traumatic brain injury. Cameron has traumatic amnesia and has no current memory of anything that happened on the camping trip.

Jesse Platte has filed suit against the Mountain Rangers of America and Corry Johnson. Jesse Platte is claiming damages on behalf of Cameron Platte for pain, suffering, disability and loss of earning capacity. Jesse Platte is also suing on his/her own behalf for the cost of medical expenses incurred to date.

Witnesses include Corry Johnson, Sydney Fremont, Kelly Weston, Jesse Platte, Parker Weston and Drew Lincoln. Parker Weston and Drew Lincoln are experts, who will testify regarding the proper standards to be observed by organizations and adults taking groups of young people on trips in the outdoors. As noted Cameron Platte has no memory due to his injuries and so he will not be able to testify.

Exhibits will include:

- Photo of the snowfield and the east and north faces
- Organizational guidelines from the Mountain Rangers of America
- Consent form for activities
- Informational handout for parents regarding plans for the 2013 campout
- Resumes of expert witnesses Weston and Lincoln

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Witnesses are assigned as follows:

- Sydney Fremont, Jesse Platte and Parker Weston will be called as plaintiff's witnesses.
- Kelly Sheridan, Corry Johnson and Drew Lincoln will be called as defendants' witnesses.

The trial has been bifurcated. The only issue for the first phase of trial will be liability. The nature, extent and value of any damages will be determined in a second phase, if the jury determines that the Defendants are liable for the injuries sustained by Cameron Platte.

As for the jury instructions: 1.2 is given to the jury at the beginning of the trial, before opening statements. The remainder of the instructions are given to the jury before closing arguments.

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STATE OF WYOMING)
)
COUNTY OF CARTER)
)
)
)

IN THE DISTRICT COURT
TENTH JUDICIAL DISTRICT

JESSE PLATTE, individually and as the)
parent and natural guardian of CAMERON)
PLATTE, a minor,)

Plaintiffs,)

vs.)

Civil Action No. 27805)

MOUNTAIN RANGERS OF AMERICA,)
INC., a corporation, and CORRY)
JOHNSON,)

Defendants.)

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, Jesse Platte, individually and as the parent and natural guardian of Cameron Platte, a minor, and hereby states and alleges as follows:

1. Jesse Platte and Cameron Platte are citizens and residents of Carter City in Carter County, Wyoming. Jesse Platte is the parent of Cameron Platte, a minor.

2. The Mountain Rangers of America, Inc., is a corporation organized and existing under the laws of the State of Delaware with its principal place of business in the State of New York.

3. Corry Johnson is a citizen and resident of Carter City in Carter, County, Wyoming.

4. The damages at issue satisfy the jurisdictional requirements of this Court and this Court has jurisdiction over the subject matter and over the person of all parties. This case is properly venued in this Court.

5. At all times relevant to this lawsuit Corry Johnson was the adult leader of Troop 307 of the Mountain Rangers of America, Inc., based in Carter City, Wyoming, and was acting within the scope of the duties and responsibilities assigned to him by the Mountain Rangers of America, Inc.

6. In 2013 Cameron Platte was twelve (12) years old and was a member of Troop 307 of the Mountain Rangers of America, Inc. (hereafter "Troop 307"), under the supervision of Corry Johnson.

7. On July 18, 2013 Troop 307 departed Carter City, Wyoming for its annual week-long campout in the Medicine Bow National Forest. When Troop 307 left town it included three (3) adult leaders and twenty (20) minors, one of whom was Cameron Platte.

8. While in camp, one (1) of the adult leaders had to leave unexpectedly for personal reasons, leaving only two (2) adults in charge of twenty (20) minors.

9. On July 24, 2013, Corry Johnson led Troop 307 on a hike up Medicine Bow Peak. Medicine Bow Peak is a 12,013-foot mountain with numerous, dangerous exposures, including steep, icy snowfields.

10. During the descent from the peak, Corry Johnson made the decision to lead Troop 307 off the marked trail and out onto one of the steep, icy snowfields on the east face of Medicine Bow Peak, where he encouraged and directed the members of Troop 307 to join him in sliding down the snowfield to the valley below.

11. Sydney Fremont, the other adult leader accompanying Troop 307, refused to join in this extrahazardous activity and, taking several member of the troop, returned to the marked and continued down the mountain.

12. Despite the fact that Corry Johnson was now the only adult in charge of a large number of children, who had no training, instruction, experience or safety equipment, Corry Johnson led the remaining members of Troop 307 further out onto the snowfield and continued to direct and encourage them to begin sliding down the snowfield.

13. While standing or sliding down the snow Cameron Platte slipped and fell. Due to the steepness of the slope Cameron Platte was unable to stop himself before he had slid a great distance at high speed and before he struck the rocks at the foot of the snowfield. Cameron Platte suffered severe, life-threatening injuries to his head and body.

COUNT ONE: NEGLIGENCE OF CORRY JOHNSON

14. Plaintiff realleges paragraphs 1 through 13.

15. Prior to the departure of Troop 307 to go on its camping trip, information about the trip was distributed to the members of the troop and to their parents. The trip was described as a chance for young boys and girls to introduce themselves to the Wyoming outdoors under the careful supervision of experienced, knowledgeable adults. There was no information suggesting that the children would be encouraged, much less

allowed, to engage in extrahazardous activities, such as sliding down a steep, icy snowfield without appropriate supervision and without any safety equipment.

16. Corry Johnson had a duty to provide reasonable direction and supervision to all of the children under his care, including Cameron Platte. Corry Johnson had a duty to maintain and observe appropriate and reasonable precautions for the safety and well-being of all the children of Troop 307.

17. Corry Johnson was negligent. Such negligence included, but may not be limited to:

- a) Failing to provide notice to the parents of Troop 307 regarding plans to engage in extrahazardous activities during the July 2013 camping trip;
- b) Failing to address the problem of providing appropriate supervision, when one of the adult leaders had to leave camp unexpectedly and thereby reduced the number of leaders below the level required by national standards;
- c) Failing to consider the concerns of the other adult leader and to adjust the plans for the descent of Medicine Bow Peak to account for the fact that the planned descent on the snowfield was extrahazardous under the best of circumstances and ultrahazardous in the absence of sufficient supervision, training and equipment.
- d) Encouraging and directing suggestible, minor children, such as Cameron Platte, to engage in extrahazardous activities under circumstances that did not allow or permit the children to understand the risks that they were taking.
- e) Failing to provide adequate and proper supervision, training, instruction and/or equipment necessary for the extrahazardous nature of the activity; and

f) Failing generally to adhere to and follow the instructions, directives and requirements of national standards, including but not limited to standards of the Mountain Rangers of America, Inc.; and

g) Other careless and unreasonable acts and omissions to be proven at trial.

18. As a proximate result of the negligence of Corry Johnson, Cameron Platte has suffered serious and life-threatening injuries, which have required and which will require medical treatment. The injuries of Cameron Platte have also resulted in temporary and permanent disability, pain, suffering, loss of enjoyment of life, loss of earning capacity and other damages.

19. As a proximate result of the negligence of Corry Johnson, Jesse Platte, the parent of Cameron Platte, has incurred the cost of medical expenses requires to save the life of Cameron Platte and to treat the injuries that he received.

COUNT TWO: NEGLIGENCE OF MOUNTAIN RANGERS OF AMERICA, INC.

20. Plaintiff realleges paragraphs 1 through 19.

21. At all times relevant to this action, Corry Johnson was the agent of Mountain Rangers of America, Inc. and was acting within the course and scope of his duties of his agency as the troop leader of Troop 307.

22. Mountain Rangers of America, Inc., is legally responsible for and vicariously liable for any and all damages that are the proximate result of the negligence of Corry Johnson, as alleged in this Complaint.

WHEREFORE Plaintiff prays that this Court enter judgment in favor of Plaintiff and against Defendant, that this Court award Plaintiff damages in an amount sufficient to fully and fairly compensate Plaintiff for the injuries alleged in this Complaint, that this

Court award Plaintiff costs incurred herein and that this Court award Plaintiff such other and further relief as may be just and proper in the premise.

DATED this _____ day of _____ 2015.

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify the foregoing pleading was served on this _____ day of _____ 2015, and that copies were served as follows:

Pamela Swift	<input type="checkbox"/>	U.S. Mail
Albert Taylor	<input type="checkbox"/>	Electronically
Taylor Swift Law Firm, PC	<input type="checkbox"/>	Fax
12 Denver Place	<input type="checkbox"/>	Hand Delivered
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STATE OF WYOMING)
)
COUNTY OF CARTER)
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IN THE DISTRICT COURT
TENTH JUDICIAL DISTRICT

JESSE PLATTE, individually and as the)
parent and natural guardian of CAMERON)
PLATTE, a minor,)

Plaintiffs,)

vs.)

Civil Action No. 27805)

MOUNTAIN RANGERS OF AMERICA,)
INC., a corporation, and CORRY)
JOHNSON,)

Defendants.)

DEFENDANTS' ANSWER TO COMPLAINT FOR DAMAGES

COMES NOW the Defendants, Mountain Rangers of America, Inc., and Corry Johnson, and hereby states and alleges as follows:

1. Defendants admit paragraph 1 of Plaintiff's Complaint.
2. Defendants admit paragraph 2 of Plaintiff's Complaint.
3. Defendants admit paragraph 3 of Plaintiff's Complaint.

4. Defendants admit paragraph 4 of Plaintiff's Complaint, but deny that Plaintiff is entitled to recover any damages.

5. Defendants admit paragraph 5 of Plaintiff's Complaint.

6. Defendants admit paragraph 6 of Plaintiff's Complaint.

7. Defendants admit paragraph 7 of Plaintiff's Complaint.

8. Defendants admit paragraph 8 of Plaintiff's Complaint.

9. Defendants admit that on July 24, 2013 Corry Johnson led Troop 307 on a hike up Medicine Bow Peak and that Medicine Bow Peak is a 12,013 foot mountain. Defendants deny the remaining allegations contained in paragraph 9 of Plaintiff's Complaint.

10. Defendants admit that during the descent from the peak, members of Troop 307 were allowed to participate voluntarily in a planned activity, which involved sliding down a snowfield. Defendants deny the remaining allegations contained in paragraph 10 of Plaintiff's Complaint.

11. Defendants admit that Sydney Fremont, the other adult leader accompanying Troop 307, accompanied those members of the troop, who did not wish to join in the planned slide, back to the trail and down off the mountain. Defendants deny the remaining allegations contained in paragraph 11 of Plaintiff's Complaint.

12. Defendants admit that Corry Johnson remained with the members of the troop that had elected to participate in the slide. Defendants deny the remaining allegations contained in paragraph 12 of Plaintiff's Complaint.

13. Defendants admit that Cameron Platte suffered injuries in the course of sliding down the snowfield, but otherwise deny the allegations contained in paragraph 13 of Plaintiff's Complaint

COUNT ONE: NEGLIGENCE OF CORRY JOHNSON

14. Defendants reallege paragraphs 1 through 13 of this Answer.

15. Defendants admit that prior to the departure of Troop 307 to go on its camping trip, information about the trip was distributed to the members of the troop and to their parents in the form of a flyer, which speaks for itself. Defendants deny the remaining allegations contained in paragraph 15 of Plaintiff's Complaint

16. Paragraph 16 of Plaintiff's Complaint states a legal conclusion to which no answer is required. Defendants further state that Corry Johnson met any and all legal duties at all times. Defendants deny the remaining allegations of paragraph 16 of Plaintiff's Complaint.

17. Defendants deny the allegations of paragraph 17 of Plaintiff's Complaint, including but not limited to sub-parts a) through g.

18. Defendants admit that Cameron Platte suffered injuries but deny that those injuries were caused by any negligence or fault on the part of Corry Johnson of anyone for whom these Defendants are responsible. Defendants are without information sufficient to respond to the remaining allegations in paragraph 18 of Plaintiff's Complaint and therefore deny all other allegations contained therein.

19. Defendants deny the allegations contained in paragraph 19 of Plaintiff's Complaint.

COUNT TWO: NEGLIGENCE OF MOUNTAIN RANGERS OF AMERICA, INC.

20. Defendants reallege paragraphs 1 through 19 of this Answer.

21. Defendants admit the allegations in paragraph 21 of Plaintiff's Complaint

22. Paragraph 22 of Plaintiff's Complaint states a legal conclusion to which no answer is required. Defendants deny any allegation that Corry Johnson was negligent or that Mountain Rangers of America, Inc., has any liability or responsibility for the injuries of Cameron Platte.

23. As a further affirmative defense, Defendants state and allege that Plaintiff's Complaint fails to state a cause of action upon which relief may be granted.

24. As a further affirmative defense, Defendants state and allege that Plaintiff's injuries are the result of acts and omissions of other parties for whom these Defendants are not responsible, including but not limited to the fault or negligence of Plaintiff and/or Cameron Platte, and that such fault bars Plaintiff's recovery in whole or in part.

25. As a further affirmative defense, Defendants state and allege that any fault or negligence on the part of Defendants must be compared to the fault or negligence of all other actors, pursuant to W.S. § 1-1-109.

26. As a further affirmative defense, Defendants state and allege that Plaintiff's claims are barred in whole or in part by Plaintiff's waiver of any claims against Defendants.

27. As a further affirmative defense, Defendants state and allege that Plaintiff's claims are barred by the assumption of risk inherent in the alleged recreational activities, pursuant to W.S. § 1-1-123.

WHEREFORE Defendants pray that this Court enter judgment in favor of Defendant and against Plaintiff, that this Court dismiss Plaintiff's Complaint with

prejudice, that this Court award Defendants costs incurred herein and that this Court award Defendants such other and further relief as may be just and proper in the premise.

DATED this _____ day of _____ 2015.

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Carter City, Wyoming 89999
Tel: (307)555-1234
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify the foregoing pleading was served on this _____ day of _____
2015, and that copies were served as follows:

Peter Bradshaw	<input type="checkbox"/>	U.S. Mail
Annabeth Shaw	<input type="checkbox"/>	Electronically
Shaw & Bradshaw, PC	<input type="checkbox"/>	Fax
1344 Proctor Street	<input type="checkbox"/>	Hand Delivered
Carter City, Wyoming 89999		

Pamela Swift

GENERAL INSTRUCTIONS BEFORE OPENING STATEMENT

As we begin, I want to tell you some things about the trial process and your role in it. At the end of the trial, I will read more detailed instructions on the law you must apply to this case and, at that time, you will be given written copies of all instructions.

There are a few general rules of conduct that you must follow:

First, keep an open and attentive mind throughout the trial. Do not make up your mind until you have heard all of the evidence, my instructions on the law, and the argument of counsel. Until the case is submitted to you for decision, do not discuss it, even among yourselves, and do not permit others to discuss it in your presence. Should anyone try to discuss the case with you, please tell a bailiff.

Second, do not talk to the attorneys, parties, or witnesses at all. Further, you shall not discuss this case with anyone, even your fellow jurors, family, and friends until you retire to deliberate. These restrictions apply not only in the courtroom, but in all places and at all times, because such a conversation, even if innocent and unrelated to this case, could affect the outcome of the trial. You must not use cell phones, Blackberries, the internet, and other tools of technology, [including but not limited to iPad, iPhone, text messaging, Twitter, any blog or website, any internet chat room, or any other social networking websites, including Facebook, My Space, LinkedIn, and YouTube] to communicate with anyone about this case. After you retire to deliberate, you may begin discussing the case with your fellow jurors, but you cannot communicate about the case with anyone else until you have returned a verdict and the case is at an end.

Third, avoid all news accounts of the trial in any media form.

Fourth, you must confine yourself to the evidence presented within the four walls of this courtroom so that the participants receive a fair trial. Do not conduct your own investigation. This means that during the trial you must not conduct any independent research about this case, the matters in the case, and the individuals or corporations involved in the case. In other words, you shall not consult dictionaries or reference materials; search the internet, including Google, Bing, other websites, search engines, or blogs; or use any other electronic tools to obtain information about this case or to help you decide the case. Not following these instructions may make a new trial necessary.

Finally, if you experience a personal problem, or are in doubt about your rights and duties, inform a bailiff who will tell me.

I have no doubt of your integrity. I tell you about these rules only to prevent unintentional acts that might require us to try this case again. Now I will turn to your role in the trial process.

The role of a jury is quite different from that of the judge. Your purpose in the trial is to determine the facts and, in our system, that duty is exclusively one for the jury. It is especially important that you are both diligent and conscientious in determining the facts because ordinarily there are no means to correct errors you might make in that regard. If, at any time, I make a comment regarding the facts or otherwise indicate how I might view the facts, it will be unintentional and you should totally disregard my comments or acts.

These instructions constitute the only law for your guidance in this case. You must accept and follow the law as instructed, even though you may disagree with it.

I want to return now to your fact-finding duties. You must determine the facts only from the evidence produced here in the courtroom. To do that, you may consider whatever I allow to be presented to you, for example:

1. the testimony of witnesses;
2. documents, photographs, charts, and other papers or things;
3. video or audio tape recordings; and
4. in-court demonstrations.

You must not decide this case upon information that you or other jurors may have received outside of the trial from any source, including but not limited, to radio, television, newspaper, internet, or third parties. However, in evaluating the evidence presented, you may rely upon your common sense and the general insights you have gained about human affairs as a result of your life experiences.

To save time, attorneys sometimes stipulate, that is agree, that certain things are true. You will be told of any stipulated facts and must accept them as proved. Also, if any party admits a fact to be true, you may consider that admission.

Occasionally, during the trial one party will object to evidence offered by another. I will then decide whether that evidence can be admitted for you to consider. I will admit lawful evidence but will exclude improper evidence. You are not to be concerned with the reasons for my rulings; whether evidence is admissible is a question of law. If I admit evidence over an objection, then you may consider it. But, by admitting it I do not determine the weight or value to be placed upon it - that is for you to decide. If I sustain an objection and refuse evidence, you must not guess as to what the evidence might have been or the reason for that objection. If a question is answered and I strike the answer, you must disregard the question and the answer and not consider them for any purpose. If, by a question, an attorney hints that certain things are or are not true, you should disregard that hint. A question is not evidence and should be considered only to the extent that it supplies meaning to the answer.

You will decide which witnesses you believe and how much weight you assign to testimony. A witness is any person, including a party, who testifies during the trial; it does not matter whether the testimony was in the courtroom or by deposition. In deciding what you

believe, you may consider anything about a witness which tends to prove or disprove truthfulness, including the following:

1. the conduct, attitude and manner of the witness while testifying;
2. the physical and mental capacity of the witness to have heard or seen that about which the testimony relates;
3. the ability of the witness to remember and tell you, here in court, what was heard or seen;
4. evidence, if any, of the reputation of the witness for honesty and truthfulness or for dishonesty and untruthfulness;
5. whether the witness has a bias, a prejudice, an interest in the outcome of the trial, or any other motive for not telling the truth; and,
6. whether the facts related are inherently believable or unbelievable.

In evaluating witness credibility, other facts are also important:

1. You should consider statements made by a witness at some other time or place that are either consistent or inconsistent with testimony given in this trial.
2. If a witness admits to untruthfulness at some other time, you may consider that admission but you should take into account all the circumstances surrounding it, for instance, whether it was sworn statement, whether it was made under pressure, whether it was self-serving, and whether it was an important or merely a minor misstatement.
3. If you conclude that a witness has willfully lied under oath about any material fact in this case, you may distrust all of the testimony of that witness. On the other hand, if you think the testimony, or some of it, is reliable, giving fair consideration to all the other evidence, you may accept what you find to be reliable.

Differences between one witness' testimony and that of others does not necessarily mean someone is untruthful. Two persons who witness an incident may see or hear it differently. In resolving differences in testimony, you should consider all the circumstances of the case and whether the discrepancy concerns an important fact or a trivial one.

You should not decide a fact based on the number of witnesses who testify about it. The testimony of one witness you believe, giving fair consideration to all of the other evidence, is sufficient to prove any fact.

You must listen attentively. You will not be provided a written transcript of the testimony. During your deliberations, you will be expected to rely upon your collective recollection of the testimony.

The attorneys will take an active role in the trial. They will make opening statements, question witnesses, make objections to evidence, and argue the case. It is through them that evidence is produced for your consideration. Their role is important in organizing evidence, presenting it in an orderly and logical manner, and in helping you understand their clients' positions. Remember, the attorneys are advocates; it is their duty to present their clients' cases. But the statements, questions and arguments of counsel are not evidence.

The attorneys will now make their opening statements. They will not argue their case at this time but will tell you their position and give you a summary of the evidence they expect to present so that you can keep the case in perspective as the evidence is presented.

1.02C

DIRECT AND CIRCUMSTANTIAL EVIDENCE

There are two types of evidence from which you may find the truth as to the facts of a case - direct evidence and circumstantial evidence. An example of direct evidence is the testimony of one who asserts actual knowledge of a fact, such as an eyewitness. Circumstantial evidence is the proof of facts or circumstances from which the existence or non-existence of other facts may be reasonably inferred. The law makes no distinction between the weight to be given to either direct or circumstantial evidence. Both direct evidence and circumstantial evidence are acceptable forms of proof and should be given the weight you feel is appropriate in light of all the evidence.

1.02D

EXPERT TESTIMONY

A person is qualified to testify as an expert if [he][she] has special knowledge, skill, experience, training, or education sufficient to qualify [him][her] as an expert on the subject about which [he][she] testifies.

An expert witness may offer opinions on questions regarding the issues in the case to assist you in deciding the issues. You are not bound to accept an expert's opinion as conclusive, but should give it the weight to which you feel it is entitled.

In determining the weight, if any, to be given to an opinion, you may consider the qualifications of the expert, the credibility of the expert, the information upon which the opinion is based, and the reason for the opinion.

1.02E

OPINION TESTIMONY BY LAY WITNESS

In determining the weight to be given to an opinion expressed by any witness [who did not testify as an expert witness], you should consider credibility, the extent of the witness's

opportunity to perceive the matters upon which the opinion is based, and the reasons, if any, given for it. You may disregard any opinion if you find it to be unreasonable or not adequately supported.

2.03

PREPONDERANCE OF EVIDENCE – DEFINITION

“A preponderance of the evidence” is defined as the amount of evidence, taken as a whole, that leads the jury to find that the existence of a disputed fact is more probable than not. You should understand that “a preponderance of the evidence” does not necessarily mean the greater number of witnesses or exhibits.

3.02

NEGLIGENCE AND ORDINARY CARE – DEFINED

When the word negligence is used in these instructions, it means the failure to use ordinary care. Ordinary care means the degree of care which should reasonably be expected of the ordinary careful person under the same or similar circumstances. The law does not say how such an ordinary careful person would act. That is for you to decide.

3.04

CAUSE – DEFINED

An injury or damage is caused by an act, or a failure to act, whenever it appears from the evidence that the act, or failure to act, played a substantial part in bringing about the injury or damage.

3.10

EFFECT OF VIOLATION OF DUTY

In the course of these instructions, the Court will define various specific duties with which the parties are charged. If you find from a preponderance of the evidence that a party has violated a duty, then that party is negligent. If you find one or more of the parties to have been negligent, the effect of such negligence must be evaluated on the basis of all other instructions.

3.05

MULTIPLE CAUSES

If more than one act or failure to act contributed to the claimed injury, then each act or failure to act may have been a “cause” of the injury within the meaning of these instructions. A cause does not have to be the only cause or the last or nearest cause. It is sufficient if the act or failure to act joins in a natural and probable way with some other act or failure to act to cause some or all of the claimed injury.

3.06

FORSEEABILITY

The negligence, if any, of the defendant is not a “cause” of any damages to the plaintiff unless injury to a person in the Plaintiff’s situation was a reasonably foreseeable consequence of that negligence. The exact or precise injury need not have been foreseeable, but the Defendant may be found to be a “cause” of the Plaintiff’s harm within the meaning of these instructions if a reasonably careful person, under similar or the same circumstances as the defendant, would have anticipated that injury to a person in the Plaintiff’s situation might result from the Defendant’s conduct.

ASSUMPTION OF RISK

Any person who takes part in any recreational opportunity assumes the inherent risks in that recreational opportunity, whether those risks are known or unknown, and is legally responsible for any and all damage and/or injury to himself that results from the inherent risks in that recreational activity.

A provider of any sport or recreational opportunity is not required to eliminate, alter or control the inherent risks within the particular recreational opportunity.

An “inherent risk” means those dangers or conditions which are characteristic of, intrinsic to, or an integral part of any recreational opportunity.

10.03

COMPARATIVE FAULT THEORY AND EFFECT – SINGLE PLAINTIFF – MULTIPLE DEFENDANTS (NEGLIGENCE THEORY ONLY AND WITHOUT A NON- PARTY CLAIMED TO BE AT FAULT)

Your verdict must be determined on the basis of comparative fault of the parties. In reaching your verdict, you need to know the meaning of the term “fault.” A party is at fault

when that party is negligent and that party's negligence is a cause of the injury or damages for which the claim is made. The terms "negligence" and "cause" are explained in other instructions.

Your findings as to fault will affect the plaintiff's recovery. The plaintiff's recovery is reduced by the percentage, if any, of fault that you find is attributable to the plaintiff. If you find that the plaintiff's fault exceeds fifty percent (50%), the plaintiff will not be entitled to recover any damages. Each defendant's liability for damages is limited by the percentage of fault, if any, that you find is attributable to that particular defendant.

The verdict form provided to you includes spaces for you to record your determination of the parties' comparative fault on a percentage basis. It also contains a space for you to record your determination of the total damages sustained.

If you find the plaintiff is fifty percent (50%) at fault or less, then you should fill in the total amount of damages, if any, on the verdict form. Do not reduce your determination of total damages by any percentage of fault you have attributed to the plaintiff or the defendants. The court, and not the jury, will reduce the total amount of damages by the percentage of fault you have attributed to the plaintiff.

In explaining the consequences of your verdict, the court has not meant to imply that any person is at fault. That is for you to decide in conformity with these instructions.

1.03

GENERAL INSTRUCTIONS BEFORE FINAL ARGUMENT

I will now read the last set of jury instructions to you; the instructions are the law you must apply. It is your duty to follow the law as stated in all of the instructions and to apply the law to the facts as you find them from the evidence presented during the trial.

The attorneys may refer to the law in their closing arguments and it is entirely fitting they do so. However, if there appears any difference between the law, as stated or implied by an attorney, and my instruction, you are to be governed by the instructions. You may not be concerned with the wisdom of any rule of law; regardless of your opinion as to what the law ought to be, you must apply the law as instructed.

It is your responsibility to evaluate the evidence and determine the facts of this case. In finding the facts, you must consider all of the evidence presented. You may not assume, suppose, speculate, or otherwise guess to find a fact; however, you may draw reasonable inferences and conclusions from the evidence based upon your general knowledge, observations, and experience in the affairs of life.

The parties rely on each of you to exercise sincere and sound judgment in your deliberation. You should not be governed by sentiment, conjecture, sympathy, passion,

prejudice, public opinion, or public feeling for or against any party. You must consider the evidence, apply the law as instructed, and reach a just verdict regardless of the consequences.

Your attitude as you begin deliberation is important. It is not useful for any juror to announce a firm decision upon entering the jury room. You should decide only after free and full discussion of the evidence and upon careful and thoughtful deliberation.

During deliberation, I would encourage each of you to state your position and explain your reasoning. You should consider the position and reasoning offered by others. In the course of discussions, do not hesitate to re-examine your views. You do not have to change your mind because others disagree, but you should keep an open mind.

When it comes time to vote, do so according to your best judgment, applying the law as instructed to the facts. Always keep in mind that you are not partisans or advocates, but jurors. Your verdict must represent the considered judgment of each juror. In order to return a verdict, it is necessary that each juror agree thereto. Your verdict must be unanimous.

I have not intentionally emphasized any part of these instructions, even though I may have stated some of them in varying ways. You are not to single out a certain instruction or part of an instruction and ignore the rest. You must consider all the instructions as a whole and regard each in the light of all others. The order in which the instructions are given has no significance.

When you retire to the jury room, you first will select one of your numbers to act as Jury Foreperson, who will preside over your deliberations and who will sign the verdict to which you agree. When you have selected a Jury Foreperson, you will proceed to discuss the case and deliberate. When you have reached your verdict, your Jury Foreperson should sign the Verdict Form and give it to the Bailiff.

STATE OF WYOMING)
)
COUNTY OF CARTER s
 s
)

IN THE DISTRICT COURT

TENTH JUDICIAL DISTRICT

JESSE PLATTE, individually and as the)
parent and natural guardian of CAMERON)
PLATTE, a minor,)

Plaintiffs,)

vs.)

Civil Action No. 27805

MOUNTAIN RANGERS OF AMERICA,)
INC., a corporation, and CORRY)
JOHNSON,)

Defendants.)

ORDER ON FINAL PRETRIAL CONFERENCE

THIS MATTER CAME BEFORE THE Court for Final Pretrial Conference pursuant to notice. Plaintiff and defendants appeared by and through their respective attorneys. The Court conferred with the attorneys of record regarding their Joint Pretrial Memorandum and considered their arguments.

IT IS ORDERED as follows:

1. The plaintiff will call the following witnesses:

Jesse Platte

Sydney Fremont

Dr. Parker Weston, Ph.D.

2. The defendants will call the following witnesses:

Kelly Sheridan

Drew Lincoln

Corry Johnson

3. The exhibits that may be used at trial are pre-marked as follows:

Exhibit 1: Mountain Rangers of America Leader Guide

Exhibit 2: Information for the Rangers' Camping Trip to Medicine Bow Peak

Exhibit 3: Resume of Drew Lincoln

Exhibit 4: Parker Weston, PhD, Curriculum Vitae

Exhibit 5: Parental Consent Form

Exhibit 6: Photograph of snowfield on Medicine Bow Peak

4. The parties have stipulated to the authenticity of all exhibits. However, foundation (i.e. identification) will have to be established at trial and all other objections to exhibits under the Rules of Evidence are reserved.
5. The parties have stipulated that Exhibit 6 is a photograph of Medicine Bow Peak, which was taken in 2015. Corry Johnson made marks on the photo to indicate various features relating to the snowfield. He has outlined the snowfield itself. The steeper north face is indicated by the diagonal lines. The dot shows approximately where Corey Johnson was standing, when he saw Cameron Platte and Kelly Sheridan standing by the edge of the north face. The x is approximately where Cameron Platte and Kelly Sheridan were standing, before Cameron Platte began to slide and fall over the north face.
6. Jesse Platte signed the Parental Consent Form, Exhibit 5. Under Wyoming law this type of pre-event release is enforceable and can bar claims for subsequent negligence, but it will not bar claims for subsequent willful or intentional misconduct. Also this type of release

will not bar the claims of Cameron Platte, who is a minor and is not bound by the terms of the document.

7. Jesse Platte has filed suit in two capacities and is making two claims. As the parent of Cameron Platte, Jesse Platte is responsible for Cameron Platte's medical expenses and filed suit in the individual capacity to recover these expenses and the cost of future medical expenses. Also Jesse Platte has also filed suit in the capacity as the parent and representative of Cameron Platte to recover damages for his pain and suffering, disability, loss of earning capacity and loss of enjoyment of life.
8. All witness affidavits were signed prior to trial. Each witness has reviewed his/her affidavit for accuracy, and no changes were made. Each exhibit or affidavit that bears a signature block was signed on the date indicated on the exhibit or affidavit.
9. The parties stipulate that Corry Johnson was acting within the scope of his duties as a leader for the Mountain Rangers of America at all relevant times. Mountain Rangers of American is responsible for any fault that may be assessed against Corry Johnson.
10. Trial has been bifurcated. The issue at trial is liability. In the event the jury returns a verdict assessing liability against any defendant, there will be a second trial to establish the amount of damages, if any.
11. Cameron Platte is not available to testify due to the injuries that he sustained. Cameron sustained a serious head injury, which has left him with amnesia and has also developed severe aphasia, which renders him unable to communicate verbally. .
12. Attorneys will not tender expert witnesses to the Court. Once a party has laid the foundation to establish the expert witness's qualification, the expert may challenge the

expert's qualifications and foundation as well as the admissibility of any opinion by lodging objections under the Rules of Evidence.

13. The attached jury instructions and special verdict form are approved.

Dated this ____ day of _____, 2015.

Roy Bean
District Judge

Peter Bradshaw #10-367
Annabeth Shaw #10-062
Shaw & Bradshaw, PC
1344 Proctor St
Carter City, Wyoming 89999
(307)555-6771
(307)555-6772 facsimile
Attorneys for Plaintiffs

STATE OF WYOMING)
)
COUNTY OF CARTER)
)
)
)

IN THE DISTRICT COURT

TENTH JUDICIAL DISTRICT

JESSE PLATTE, individually and as the)
parent and natural guardian of CAMERON)
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Civil Action No. 27805)

MOUNTAIN RANGERS OF AMERICA,)
INC., a corporation, and CORRY)
JOHNSON,)

Defendants.)

VERDICT FORM

WE, THE JURY, having been duly empanelled and sworn, do hereby unanimously answer the questions present to us as follows:

Question 1. Was Corry Johnson negligent?

Answer: _____
Yes No

If you answered this question "yes," please answer Question 2. If you answered this question "no," please go to Question 3.

Question 5. What percentage of fault is attributable to any of the following persons?
(The total must equal 100%.)

Corry Johnson _____ %

Cameron Platte _____ %

Jesse Platte _____ %

Total 100 %

Dated this _____ day of November 2015.

Foreperson of the Jury

Affidavit of Jesse Platte

1 Please excuse me, it may take me a while to get through this. I hate having to recall and relive this
2 horrible event. As a parent, it is excruciating to have a child get hurt. It is a nightmare to know that
3 my only child, Cameron, will never be the same because of an injury that should have never happened.
4 Cameron still suffers from headaches, memory loss, blurred vision and partial paralysis of his left arm.
5 He can walk with assistance and gets special help at school, but a day does not go by without reminding
6 me of just how much we have both lost.

7
8 I am very angry with Corry Johnson and the Mountain Ranger of America program for allowing
9 Cameron to get seriously injured on this camping trip. Now looking back on it, maybe I should not have
10 let him go on that trip. If he had not gone up that mountain that day, I would have never let him go out
11 on that snowfield and I would still have my sweet, cheerful Cameron.

12
13 I am 37 years old and a single parent. It was just Cameron and me after my spouse Lee died seven years
14 ago. It has been hard not to have Lee, but Cameron was such a lovable and easy kid we made it work.

15
16 In 2013 years after Lee passed away, Cameron and I moved to Carter City, Wyoming, where I got a
17 job as an administrative assistant at the Hi-Tech super computer facility. I was happy to get back out
18 West, where I had grown up, although Cameron wasn't so sure at first. We had been living in Scranton,
19 Pennsylvania, since he was a baby, and it was all new for him. We moved in May of 2013 and he
20 finished the last four weeks of fifth grade in Carter City. Boy, there was nothing in Pennsylvania like the
21 mountains that we have here in Wyoming. Back there, Cameron and I used to go sliding down hills at a
22 nearby golf course. We didn't have much money after Lee died, but I did what I could. We didn't have a
23 sled, but we would slide down the hills on our backs, using a slippery jacket or plastic sheet. We went as
24 fast as we could and had a great time.

25
26 One day, one of Cameron's friends gave him a flyer from the Mountain Rangers of America, and he
27 showed it to me. Included with the flyer was a registration form that included a consent and release for
28 Cameron to go on the camping trip in the Medicine Bow National Forest. That was in June of 2013.

Affidavit of Jesse Platte

29 Cameron was excited from the start about going on the camping trip, but he was most excited for the
30 last hike up Medicine Bow Peak. That hike was described in the brochure. I did not see anything in the
31 flyer about any plans to slide down an alpine snowfield. I did not even know that there was a snowfield
32 on the top of Medicine Bow Peak.

33 Ever since Lee died, I tried to encourage Cameron to experience as much as he wanted to. I admit that
34 I have always had a hard time telling Cameron “no.” I was impressed by the outline of the trip and
35 I appreciated the invitation for parents to come on the trip. That is the other thing that is difficult for
36 me after Lee passed, is letting Cameron do things alone. So I called Corry Johnson and volunteered to
37 be one of the adult leaders. I explained that I really did not have any experience mountaineering, but
38 Corry told me that was not a problem, because they had been taking troops of Rangers of all ages up that
39 mountain for years. Based on Corry’s enthusiastic assurances I had no concerns and signed both of us up
40 for the trip with the Rangers. Cameron went to the two weeks of basic information Ranger classes about
41 having fun but being safe in the mountains. We were both excited to go. We were all packed and ready
42 to go two days early. I had spoken to Corry Johnson a couple of times about the details of the trip and
43 what we needed to pack. We did not have the hiking boots that Corry recommended, but I was not going
44 to spend \$250 dollars to buy a pair for Cameron, because his feet were growing so fast. Also Corry had
45 assured me that sneakers would be fine.

46
47 The night before we were going to leave Carter City, I got a call from my cousin’s wife, Sue Carbon, in
48 Laramie. She said that my cousin, Bob,, had just gotten a big promotion and wanted to invite Cameron
49 and me to take a trip with his family to the Black Hills. Bob and I grew up just down the street from
50 each other and we were always very close. Sue explained that Bob felt bad that we had not been able to
51 do much together since I had moved out to Wyoming and really wanted to make the most of this chance.
52 When I spoke to Cameron and explained that I really wanted to see Bob, Sue and the family, he made it
53 clear that he wanted to go the mountains with the Rangers. I could not talk him out of it.

54
55 So I made the difficult decision to let Cameron go by himself. I called the head leader Corry Johnson to
56 say I would not be coming. I felt badly and even a bit ashamed about letting the Troop down, so I told
57 Corry that the reason for my cancellation was a sudden family emergency involving my cousin Bob. I

Affidavit of Jesse Platte

58 might have said something about a heart attack, but I am just not sure. Corry told me not to worry, that
59 Cameron would be fine. Corry said that there were plenty of other adults to supervise the kids. So I
60 gave Corry Johnson my cousin's contact information and several phone numbers in case something
61 came up and they needed to reach me in an emergency. I was anxious about letting Cameron go, but he
62 was just too excited for me not to let him go. I also felt reassured by Corry Johnson. I knew Corry had
63 so much experience with this group and the outdoors. That gave me a lot of comfort.

64 Well, I went to see Bob and Sue and we had a great time. We went to Mount Rushmore, the Reptile
65 Gardens, the Cave of the Winds and just about every casino in Deadwood. Bob had rented a cabin on a
66 lake in the back woods and it was just heaven. I do not think that I had so much fun since Lee died. Of
67 course, the cell service was horrible the whole time, but that was just fine.

68 I didn't even know Cameron was hurt until Bob and Sue came back from a trip to town the evening of
69 July 24 to tell me that Corry had been trying to reach me all afternoon because there was an accident
70 involving Cameron. My heart nearly stopped, when they told me that. We immediately got to a place
71 where there was cell service and I called Corry Johnson to find out what had happened.

72
73 All Corry told me was that Cameron had slid down the snowfield and, because he was wearing a slick
74 jacket, he got going too fast and fell off the side of the mountain into some rocks. Corry told me where
75 they had taken Cameron. As fast as I could, I traveled to Laramie and met Corry and the others at the
76 hospital. It was almost midnight by the time I got there. I rushed to Cameron's bed in the Intensive Care
77 Unit. I was frantic and talked to the ER doctors who treated my boy to learn how bad it was. I couldn't
78 understand a lot of what the doctors said. All I saw was Cameron with a bandaged head and tubes
79 everywhere.

80
81 Cameron suffered severe head trauma and will never be the same. He will require my care for the rest of
82 his life. He will likely never be able to live on his own.

83
84 I wasn't satisfied with Corry Johnson's vague description of how this could have happened, so I called
85 the other leader, Sydney Fremont. I work with Sydney at Hi-Tech Inc., and since he wasn't taking my
86 calls I cornered Sydney at work and asked about what had happened. I could tell it was hard for Sydney

Affidavit of Jesse Platte

87 to level with me. Sydney said, “When I walked out on that snowfield, I could see that the idea of sliding
88 was a bad one. That snowfield was not safe and, if I had my way, I would not have let the kids slide
89 down. The risk was huge, in my opinion.” Sydney said that there was just no way to talk sense to Corry,
90 who kept minimizing the risk and said the kids would be fine – they’re always fine.
100 I was devastated when Sydney told me this. It still makes me angry to think that my sweet Cameron
101 was crippled because of the poor decisions that Corry Johnson made that day and on that trip.


Jesse Platte

September 10, 2013

Affidavit of Drew Lincoln

1 I am 75 years old and I have been blessed to spend the majority of my life living, working and playing in
2 the mountains of Wyoming. I was not born here, but once I got here in 1958 I knew enough to stay and
3 I have never regretted it. I can still remember the first day I heard an elk bugling up on Libby Flats. It
4 struck a chord with a part of my soul that has never faded away.

5
6 I was not entirely sure what I was going to make of myself when I enrolled at the University of
7 Wyoming, but the biology and wildlife programs really got my juices flowing. In my time, they said
8 I was quite an academic scholar with a bright future. My advisers all said that I should keep after it
9 and get that doctorate degree, but after seven years of living in the shadow of the mountains, attending
10 classes and only being able to get away on weekends, I had had enough. So I said good-bye to the
11 books and put on the red shirt of a warden with the Wyoming Game and Fish. For the first time my
12 office was the mountains and I swore that I was never going to give that up. Of course getting a regular
13 paycheck did not hurt my feelings either.

14
15 After 30 years of working with the state of Wyoming and later with the federal government, I decided it
16 was time to go to work for myself. I figured outfitting would make sense. After all, by that time I was on
17 a first name basis with just about every major trophy animal in the state. Obviously I had my experience
18 to rely upon, but I also figured that I needed some additional training and so I signed up for a couple of
19 programs. The Rocky Mountain Guide program is probably the best program of its kind in the country,
20 if not the world. They teach you how to safely and properly take people of varying degrees of skill
21 and experience into wilderness area and bring them out in one piece. It is a very rigorous program and
22 requires recertification every five years. When I did it for the last time in 2010, they told me I was the
23 oldest person ever to complete the course. I believe it and I do not think I am going to try to improve my
24 record. The last session almost did me in, but the emphasis that the Rocky Mountain Guide folk put on
25 practical lessons and hands-on instruction in the field is something that you just cannot get out of a book.

26
27 One of the other things that I really like and respect about their program is that they also emphasize
28 a philosophy that the wilderness is a place, where people learn about themselves by doing things,

Affidavit of Drew Lincoln

29 sometimes successfully and sometimes not successfully. It is also supposed to be a place to have fun.
30 I mean so many of the so-called “safety” courses out there preach that we need to sanitize the natural
31 world and eliminate all risk. They forget that the mountains are an inherently risky place. You wonder
32 sometimes whether those guys put on a football helmet before they step into a shower because they are
33 afraid of slipping on the tile. Don’t they know that one of the reasons most folks find the mountains so
34 attractive and want to come back is that it is one environment, where you really get to know what you
35 are made of? That’s something we all get to discover for ourselves and, believe me, you are never too
36 old to learn something new. I am not saying that no one is responsible for safety. Of course the folks
37 with experience are responsible to impart reasonable instruction and provide reasonable supervision to
38 those under their guidance. But you cannot tie a rope on everyone all the time and expect them to learn
39 how to take care of themselves.

40

41 I have been asked to review this matter and to offer my opinions about whether or not the Mountain
42 Rangers of America acted properly during their 2013 camping trip in the Medicine Bow Mountains. I
43 have read the affidavits of the other witnesses and reviewed the exhibits. I am charging the Defendants
44 \$275 an hour for my time, which is a pretty good bargain compared to what that Parker Weston charges,
45 but then again I probably have less overhead. I would estimate that I have put in about 15 hours
46 preparing my opinions.

47

48 Based on my experience, training and education, I believe that the Mountain Rangers of America have
49 adopted practices and procedures, which are practical, appropriate and reasonable. I also believe that
50 the decisions that Corry Johnson made are consistent with those practices and with good standards of
51 practice in the field. The accident involving Cameron Platte was just that, an accident.

52 The Mountain Rangers of America are a well-known and well-respected group. They do good work
53 with young men and women, who have an interest in getting to know the natural world. While I have
54 never been involved with them myself, I have a pretty good idea generally about what it is like to
55 supervise young people from my own work with the Medicine Bow Youth Nature Camp. We had a
56 permanent base camp with buildings and other facilities, so we did not have to work out of a temporary
57 campsite, like the Mountain Rangers. We also had a permanent staff that would sign on for the season

Affidavit of Drew Lincoln

58 to organize and run our programs. It cost a bunch more, but it was sure nice to get out from under the
59 headaches of trying to run a program using amateur volunteers, who always seem to find ways to cut
60 short their commitments when you most need them. But our program included most, if not all, of the
61 same activities that the Mountain Rangers feature in their programs. And yes, we took groups of young
62 people, some as young as 11 years old, up and down just about every mountain in the Snowy Range as
63 well as the Sierra Madre, including Medicine Bow Peak.

64

65 I have seen the photographs and drawing of the snowfield that have been marked as evidence and I
66 can tell you that they are fair representations of the snowfield up there on Medicine Bow Peak. I have
67 been on that snowfield and I have taken groups out there, which included young men and women like
68 Cameron Platte. The first time you walk out there, it is a bit nerve-racking, but each time you do it
69 you get more comfortable. If you stay on that east face and keep your wits about you, there is nothing
70 to worry about. The slope is steep enough to slide or what we mountain folk call glissade, which is a
71 fancy way to describe descending while sliding on your heels or your rear end. When we did it with our
72 kids, we made sure that everyone had an ice ax and knew how to do a self-arrest to stop themselves, but
73 honestly that was an extra precaution that was above and beyond necessary. All you really need on that
74 slope is the ability to sit down, a good pair of gloves and some common sense.

75

76 Now that north face, where this accident occurred, that is a whole different kettle of fish. That slope is
77 not somewhere that I would ever want anyone to go – not anyone who didn't have the experience and
78 equipment to handle it. For one thing the slope is about twice as steep as the east face. For another,
79 because the face has a northern exposure, it does not get the sun that the east face gets. As a result the
80 crust is a lot harder and in places is nothing but a sheet of ice. Anyone that would send someone out on
81 that slope without crampons and a good ice ax is just looking for trouble.

82

83 I know the guidelines adopted by the Mountain Rangers of America suggest that they should have
84 had more adults along that day, but that is not a hard and fast rule. The Troop had just completed a
85 weeklong exercise with lots of hiking and other strenuous activities. Those kids were in shape and
86 more than competent to take on Medicine Bow Peak. Walking up is just a matter of pacing yourself and

Affidavit of Drew Lincoln

87 keeping one foot in front of the other. There is nothing to suggest that this was an unreasonable activity.
88 Besides one of the things that the Mountain Rangers emphasizes is the discretion of the leaders to adapt
89 to circumstances, a skill that is probably as important as anything when you are in the mountains.

90

100 I know what the textbooks say about safety and taking precautions when you take young people out
101 into the mountains. I agree you have to take precautions, but there's a good balance to strike. You can't
102 eliminate all risk of danger – not when you're out in nature and you want these young people to have a
103 genuine adventure. Anyone who leaves the comfort and safety of their home and goes into nature should
104 know you can't control for every possible event. Nature is unpredictable. Nature throws things at you.
105 You take reasonable precautions, and that's what Corry did.

106

107 When the time came to go sliding, Corry Johnson again showed good judgment in assigning
108 experienced Rangers to help the less experienced ones. Kelly Park knew what needed to be done
109 and was the right person to assign to help Cameron. Everything was going smoothly. Then Cameron
110 apparently decided he needed a little more of an adrenalin rush and wanted to go faster. This was not
111 the result of any failure on the part of Corry Johnson to explain the risks and procedures involved in
112 sliding down the snowfield. Those were more than adequately addressed during Corry's talks with the
113 Rangers at the top of the snowfield, and Cameron well knew the importance of doing what he was told.
114 If Cameron had followed instructions from the adult Leaders and the guidance of Kelly Park, it would
115 have been fine.

116

117 Unfortunately sometimes people just don't do what they are told, but you don't fault the instructor.
118 When you choose to do what you want and not what you have been told to do, then you're the one
119 making the bad decision. That is the way it was when I was a greenhorn and that is the way it is today.
120 You can sit at home safe on your couch playing video games, but you don't learn anything from that.

121

DREW LINCOLN

122

Drew Lincoln

123

January 30, 2014

Affidavit of Sydney Fremont

1 I am 38 years of age and was born and raised in New Town, Iowa. New Town is a city of approximately
2 750,000 people. I graduated from New Town Public High School. There were approximately 3,000
3 people in my high school grades 9-12. I graduated from New Town University with a Bachelor of
4 Science in Computer Science with honors and then worked in New Town as a computer programmer for
5 an Internet search engine company, Boogle, Inc., for about 10 years.

6
7 I have always loved the West, so when I was presented with an opportunity to work at Hi-Tech
8 Incorporated's new atmospheric super computer facility near Carter City, Wyoming, I applied. I was
9 offered the job and moved from Iowa to Carter City, Wyoming, approximately five years ago. It was in
10 Carter City that I finally settled down, got married and started a family. I have two kids, ages 3 and 1.
11 I met Corry Johnson in 2012 at a social gathering at a mutual friend's house. Corry Johnson explained
12 all about the Ranger program. Corry had been involved in the program as a leader for many years. The
13 program helped kids experience the wilderness and teach them about the outdoors. The local Troop took
14 multiple trips during the year. They were scheduled to go on the Medicine Bow National Forest camping
15 trip in the summer of 2013. Corry made it all sound like fun. As a new parent, I began looking forward
16 to the day when I could introduce my children to the program.

17
18 Over the course of the next few months, Corry Johnson and I became close friends. Corry had such a
19 vast amount of experience about the outdoors. I always used Corry as a resource for any questions about
20 the mountains and outdoors. I was a novice, but Corry always had the answer to any questions I had.
21 Typically, I am a person that strictly relies on books to learn about a new subject. I have plenty of books
22 about camping, hiking and orienteering, but I always relied on Corry's expertise – his knowledge and
23 experience -- as the final authority for any question regarding the outdoors.

24
25 Corry approached me about becoming a leader for the Rangers and coming along on the 2013 trip to
26 Medicine Bow National Forest with a group of approximately 20 kids ranging in age from 12 to 17.
27 Corry said that they were planning on having four adult leaders on the trip. I had just completed the
28 Mountain Rangers of America training modules and was qualified to go as a Leader on the trip, but the

Affidavit of Sydney Fremont

29 fact is that I had never been on a camping trip like this with the Rangers before.

30

31 To be qualified to become a Leader for the Rangers, I had to complete a written test of 200 questions,
32 closed book. I had to study the Ranger manuals for a couple of weeks prior to taking the test. I have
33 always done well with multiple choice exams. I passed with a 95%.

34

35 Shortly after getting the results from my exam, we left for the Snowy Range. There were three leaders:
36 myself, Corry Johnson and Sammy Sublette. Jesse Platte was a parent volunteer and was supposed
37 to be our fourth adult, but Jesse got called away at the last minute. Corry said Jesse had told him that
38 there was a family emergency or some such thing. There was also a Ranger Cadet, Kelly Sheridan.
39 Ranger Cadets have been through the Ranger program but have not yet graduated high school. I believe
40 Kelly Sheridan was around 16-17 years old. When we got to the meeting place to leave for the trip, I
41 recognized Cameron Platte, because I knew Jesse Platte, his parent, from work.

42

43 The trip started off just fine. We had good weather and the kids were completing exercises and
44 qualifying for merit badges every day. The only snag we encountered was when Sammy Sublette got
45 called back because of a problem at work. That left just Corry and me as the only adults in camp, but
46 we also had our Ranger Cadet, Kelly Sheridan, who helped take up the slack.

47

48 We had a great camping trip until the next to last night. I was returning from a late night visit to the
49 latrine, when I heard some yell "Ouch." I could not figure who would be up and out of their tent at that
50 hour, so I went to look. I found a bunch of the Rangers off by themselves. The older Rangers were
51 making the younger ones run down a line, while the older ones lashed at them with willow wands. I was
52 shocked to see Kelly Sheridan egging everyone on. As a Ranger Cadet, Kelly was well aware that there
53 was a strict no hazing policy. I went and broke it up. Then I went to tell Corry what had happened. I
54 felt we had to do something to show our disapproval, and Corry agreed. We decided to demote Kelly
55 right there as an example to everyone.

56 The next day was when we hiked up the Medicine Bow Peak. Corry had told me prior to the trip that
57 every year they hiked up the Medicine Bow Peak. At the summit there is a big snowfield. There is a

Affidavit of Sydney Fremont

58 trail that runs along the side of the snowfield. The trail is well marked and easy to navigate. Corry had
59 told me before the trip that in the years past, he would lead the Troop and take the kids sliding down the
60 snowfield. So I understood that if you stay on the east face, it's an easy slide down the snowfield. It
61 was explained to me that typically this is the best part of the trip for the youngsters. He made is sound
62 easy and safe.

63
64 I had never been on a hike of such magnitude. Medicine Bow Peak is 12,013 feet tall and we climbed
65 to the top. We reached the summit, had a break and started back down to the snowfield. When I saw
66 the snowfield, I immediately decided that I was not going to take our group of kids down that slope. It
67 was huge and it was steep. I tried to talk Corry out of the plan to go sliding by pointing out that under
68 the guidelines of the Mountain Rangers we needed more adults, but Corry said that it was no big deal.
69 I trusted Corry, and if Corry said it was safe, I was not about to second-guess that decision. But there
70 was no way I was going to slide down the snowfield, so I told Corry and the rest of the Troop that I was
71 going to walk down the trail and invited anyone else who wanted to do so to join me. We broke off into
72 different groups. I took six Rangers and returned to the trail. Kelly said he could handle the rest and
73 went off with the other 14.

74
75 I got my group up off the snowfield and back on the trail. We stopped for a moment and I looked back
76 down at the snowfield and the Rangers with Corry. The Troop had started sliding down and had gotten
77 pretty separated into small groups. I could see Kelly Sheridan and Cameron Platte standing over to one
78 side near what Corry had described as the north slope. Kelly seemed agitated and was waving his arms.
79 Then I saw Cameron flop over onto his back and start sliding down the snowfield. It was very steep over
80 there. He was wearing a nylon windbreaker and he was flying down the snow. In an instant, Cameron
81 went over that north edge and disappeared from view.

82
83 I was too frightened to go over to that side of the snowfield, so I stayed with the group of kids on the
84 trail. Corry ran and slid over to Kelly as fast as he could. Everyone down there was too far away for
85 me to hear what was being said, but later Corry called me on my cell phone and told me that he had
86 instructed the other Rangers to climb back up to the trail to join me. He stayed with Cameron until

Affidavit of Sydney Fremont

87 the rescue team arrived. I got the Rangers assembled on the trail and walked everyone back to camp
88 without any further incident. All we could think about was what had happened to Cameron.
89 Corry yelled at me to stay on the trail and get the other boys and girls down to the parking lot, so
90 that's what I did. We stayed at the bottom about an hour until Corry, Kelly and some of the older
100 Rangers showed up carrying Cameron on a litter. They had stabilized his neck and head. Cameron
101 was completely unresponsive, and I was scared. We had cell service there, and Corry called the county
102 search and rescue team and stayed with Cameron on the trip to the hospital. Kelly and I got the rest
103 of the kids back to camp. We packed up and drove to Laramie, where we regrouped with Corry at the
104 hospital before returning to Carter City.

105
106 I got a call from Jesse Platte after getting home. Jesse accused Corry Johnson, of not telling the truth
107 about what happened. I ducked that call, but Jesse cornered me at work and demanded to know why I
108 had not gone down the snowfield. I told Jesse I just did not have the nerve. I never said that Corry did
109 anything wrong. Corry had so much more experience than I did. I trusted him. I don't really know what
110 happened out there. Was Cameron pushed? Did he intentionally lie down on his back? Did he stumble
111 and fall? I don't know. I don't think Corry was careless with those kids, but then again I can see how
112 some people might think it was not the brightest idea to take a bunch of kids out there. All I know is
113 that, after I saw how big and steep that snowfield was, I knew I was not going to go down.

114
115 Where I work, we talk about risk-benefit analysis. I wonder if Corry miscalculated the risk that day. Of
116 course, hindsight is 20-20.

117
118 I still see Jesse at work and I ask about Cameron. I know this whole thing has been very hard on Jesse,
119 but I don't think Jesse should try to tear down the whole Mountain Ranger organization because of one
120 accident. I have told Jesse I am so sorry this happened. I never imagined such an accident could happen.

121
122
123

Sydney Fremont
Sydney Fremont

November 15, 2013

Affidavit of Corry Johnson

1 Let me just say this right up front, I am really sorry about what happened to Cameron Platte. That day
2 was a bad one for me and for all of the other members of Troop 307. Two of the things we had worked
3 on during our camp out that year were mountain rescue techniques and first aid. I just never thought that
4 we would have the need to put those lessons to the test quite that soon.

5 I am 54 years old, married and the parent of two children, a boy and a girl. I have lived in Carter County
6 all my life. I attended Carter County Community College and I have an associate's degree in criminal
7 justice. For the past ten (10) years I have been employed as the security manager for the Carter County
8 Memorial Hospital.

9
10 I have been associated with the Mountain Rangers of America for about as long as I can
11 remember. I became a Mountain Ranger the day after my twelfth birthday and I stayed in until I hit
12 age 19. I was elected to serve as the Mountain Ranger Cadet for our Troop. Serving as the Mountain
13 Ranger Cadet was a special honor reserved for only the most advanced Mountain Rangers. In my day
14 you had to complete all the required courses and pass a special written and oral test to earn that honor.
15 Anyone wearing the Mountain Ranger Cadet sash back then really had to know their way around a
16 mountain, if you know what I mean. Today, although I still believe in the organization and feel that it
17 fills a special need for today's youth, the standards just are not the same. When I was selected to be the
18 Mountain Ranger Cadet, I was selected by the adult leaders on the basis of my objectively proven ability.
19 Today everything is different. The election of the Mountain Ranger Cadet has just become a popularity
20 contest with the selection being made by a vote of the members of the Troop. Oh, I suppose that the
21 adult leaders of the Troop could veto the selection of anyone that was totally unfit, but I honestly cannot
22 recall that ever happening.

23
24 I have served as an adult leader of Troop 307 for the past 20 years. I got back involved with the Troop,
25 when my oldest kid joined. I loved it. Although some things had changed the basic mission of the
26 organization remained intact. We take young men and women, introduce them to the outdoors and
27 teach them how to overcome obstacles and fear through training, teamwork and grit. The motto of the
28 Mountain Rangers, "Prepare, ascend and succeed," is the pole star around which the program is built.

Affidavit of Corry Johnson

29 One tradition that Troop 307 has kept up is the annual trip to the Snowy Range. Every summer without
30 fail, the members of Troop 307 pack up and drive up into the mountains for a week of exercises and
31 training. For the older members of the Troop it is a chance to show off their hard-earned skills and to
32 mentor the younger members of the Troop. For the youngsters, it is often the first time they have found
33 themselves in a remote camp without mommy and daddy to run to for help. Let me just say that over
34 the years I have seen a lot of tears and heard a lot of fears from our younger Rangers, but almost without
35 exception by the time we come to the end of the week everyone has bought into the program and had the
36 time of their lives. I have seen a lot of kids grow up into responsible young adults right before my eyes
37 during those trips.

38
39 The capstone of the trip is the annual climb up Medicine Bow Peak. Generally we climb up from the
40 Lewis Lake trailhead. It is a well-marked trail to the summit with most of the climbing coming in the
41 second half of the trek. No, Medicine Bow Peak is not the Grand Teton, but it is a 12,013-foot mountain
42 and the highest peak in this neighborhood. You do not need ropes or other special mountaineering gear,
43 but you do have to treat the mountain with respect. The weather can change from sunshine to hail in a
44 matter of minutes and nobody wants to ride out a thunderstorm on the highest piece of rock in the area.
45 The climb up is spectacular with tremendous views of the cliffs that line the east face of the mountain,
46 but the fun really starts on the descent. There is a huge snowfield that lies just off the trail. I honestly
47 do not know how big that snowfield is. It varies year to year, but most years you can climb out onto that
48 snowfield and slide down to the saddle between Medicine Bow and Sugarloaf. The vertical drop has to
49 be 700 to 800 feet on a slope that averages between 50 percent and 60 percent I have seen some folks
50 out there with ice axes and crampons, but you do not really need special equipment, if you just keep
51 your wits about you. You just lean back, put your weight on your heels and glissade off down the hill.
52 Nothing to it.

53
54 The camping trip in 2013 started like all the other trips. We began organizing in March for the trip in
55 July. One of the first things you need to do is line up your adult leaders and chaperons. As the Troop
56 leader, there was never any question about the fact that I was going to be there. The same was true for
57 Sydney Fremont, our assistant Troop leader, although this was going to be Sydney's first camping trip

Affidavit of Corry Johnson

58 and first time up the mountain. We lined up two other parents, Jesse Platte and Sammy Sublette, who
59 volunteered to join us for the trip. That gave us four adults to ride herd on the twenty members of the
60 Troop. We got information sheets out to the families, collected the parental consent forms and prepared
61 to push off at dawn on July 18. We ran into a small snag on July 16, when Jesse Platte told us that
62 something had come up. Jesse said something about a cousin having had a heart attack. While Cameron
63 could still go on the camping trip, Jesse had to leave town and would not be able to join us. We did not
64 have time to find a replacement, but Sydney, Sammy and I figured we could take care of the kids and
65 still have a good experience, so we went ahead.

66
67 Things went well in camp after we arrived. We had a good mix of kids. There were 20 of them: two
68 aged 12, six aged 13, six aged 14, three aged 15, two aged 16 and one 17-year-old. Thirteen of them
69 had experience from the previous year's camping trip. The first night there were the usual complaints
70 from some of the newbies and more than one camper wanted to go home, but nothing that we could
71 not handle. I recall that Cameron was a little upset that Jesse did not make the trip. I seem to recall
72 something he said about how unfair it was for Jesse to go off without him, but I never understood what
73 he was upset about. Who wants to trade a camping trip for a trip to see a relative in the hospital? We
74 ran into a small snag on July 23, when Sammy Sublette got a call telling Sammy that there had been a
75 problem at work and they needed Sammy to return to town immediately. That meant that we were down
76 to two adults in camp and frankly that concerned me. I knew that the Mountain Rangers recommended
77 no more than five Rangers for every leader in camp. But the camp was established and we were getting
78 ready for the big climb the next day. I could not disappoint the Troop and scrub the climb. Instead I
79 talked it over with Sydney and we decided that we would talk to the Troop. Our older Rangers and
80 especially our Mountain Ranger Cadet, Kelly Sheridan, were just going to have to step up and assume
81 more responsibility. I talked to Kelly myself. Kelly told me, "I understand and I won't let you down."
82 So I felt okay and assured Sydney that we had ourselves covered.

83
84 Cameron had come a long way and was feeling like a real Ranger. He learned a lot during that week,
85 and not just about nature. He also seemed to be more confident, interested in learning, working with the
86 other Rangers as a real team member. I let him use my knife to trim aspen branches to use for roasting

Affidavit of Corry Johnson

87 marshmallows, and I think he appreciated the responsibility. He was turning into a real Ranger.
88 Well, the last night before the big climb was always a pretty big time in camp. Our bonfires were
89 always a bit bigger and the stories told around the camp fire were always a bit louder. It was not
90 unusual for the older Rangers to tell the younger Rangers some tall tales and engage in some “snipe-
100 hunting” before lights out. I was just getting ready to turn in, when Sydney pulled me aside and
101 reported that some of the older campers had been hazing the young campers. Sydney described finding
102 them off away from camp, where the older campers were making the youngsters run a gauntlet while
103 hitting them with willow switches. No one was hurt, but Sydney felt that we had to do something,
104 particularly because the ringleader seemed to be Kelly Sheridan. I tried to assure Sydney that kids
105 would be kids and even told some stories about what we had done to the rookie Rangers in my day, but
106 Sydney insisted that we had to do something or else Sydney was going to pull up stakes and shut down
107 the camp. So I called Kelly in and explained that I was very disappointed to hear what had happened.
108 Frankly the hardest thing was not laughing, when I was trying to sound stern. But to keep Sydney
109 happy, I had to tell Kelly that I was going to have to take away the Mountain Ranger Cadet sash. That
110 seemed to be the end of it, but I recall hearing Kelly say, “If you don’t think you can trust me now, then
111 you better watch out tomorrow. You just better hope the other kids are up to the job.”

112
113 We left camp the next morning and got to the trailhead at 8:00 am. I went over the plan for the day with
114 everyone. We decided that Sydney would take the lead and I would ride drag on the end. We started up
115 at 8:15 am. The climb went off without any snag, despite the fact that some of the Rangers did not have
116 proper footwear. Some of them, like Cameron, had on sneakers and let me tell you a canvas shoe is
117 no substitute for a good Vibram soled boot. We arrived on top at about 10:30 am, where we had a little
118 ceremony at the top to welcome the new Rangers into the Troop. After an hour or so of pictures, snacks
119 and rest, we were ready to head down. Sydney took the lead again. When we got to the place where the
120 snowfield was closest to the trail, Sydney and the Troop stopped. We scrambled down a short way over
121 the rocks to the snowfield and I gave everyone more instructions. I told them, “Stay on your feet and, if
122 you get going too fast, sit down on your butt and dig in with your hands.” I made sure to point out that
123 the snowfield had an east face, which was steep but not too steep for sliding and a north face, which has a
124 slope closer to 90 percent to 100 percent and was much too steep for safety. I told everyone to stay away

Affidavit of Corry Johnson

125 from the edge of the north slope. It was pretty cool that day with temperatures in the 60s and the crust
126 on the east slope seemed harder that other times, when I had been there, but I felt comfortable. Before
127 we got started, Sydney took me aside and said that this was not a good idea. Sydney had never done
128 anything like this and said it made him uncomfortable. As soon as Sydney began talking, several of the
129 younger Rangers began to chime in as well, saying that they were not willing to go along with the plan.
130 At that point, I had had enough. I said, “Anyone who wants to walk down the trail can climb back up
131 and do so. I came here to slide and that is what any real Mountain Ranger should want to do.” In the
132 end six of the Rangers and Sydney headed off to the trail and I got ready to go sliding with the other 14.

133
134 I broke the Troop into seven pairs, matching an older, experienced Ranger with each of the new Rangers.
135 Kelly paired off with Cameron. I explained what to do again. It is not rocket science. You simply face
136 down the slope, sit back on your heels and let gravity do the rest. If you get going too fast, you can
137 angle off to the side or just sit down and dig your hands in to stop. I knew that this was the first time for
138 a bunch of the kids, but everyone said they understood. We set off and once again I was in the rear. I
139 had urged everyone to stay more or less together, but inevitably each group had a slightly different pace
140 and route. Kelly and Cameron were the northernmost group and were closest to the place where the east
141 slope met the steeper north slope. I noticed that they had stopped about one-third of the way down and
142 maybe twenty feet from the edge of the north slope. I was about 150 yards away, too far away to hear
143 what they were saying, but I thought they were too close to that north slope and I wanted to get them
144 away from that edge. So I started waving and yelling in their direction. From where I stood it looked like
145 they were talking and then suddenly I saw arms flying and heard voices yelling. I decided I’d better get
146 over there to find out what was happening. Just then I saw Cameron on his back and sliding down the
147 snowfield. He had a nylon windbreaker on and was quickly picking up speed. Suddenly he seemed to
148 turn toward the edge of the north face. He zipped over the edge and the last thing I saw was his feet up
149 in the air, as he went over the edge.

150
151 I ran and slid over to Kelly and said, “What happened?” Kelly said something about Cameron saying
152 that they were going too slow and he knew how to go faster, but I really did not stop to talk. I went
153 to the edge and saw Cameron lying down on the rocks below. He was not moving and he did not

Affidavit of Corry Johnson

154 respond when I called. I yelled back up at Sydney to take the rest of the Rangers back down to camp.
155 Meanwhile, Kelly and I made a litter with a tarp from his pack and some branches. We tried to stabilize
156 Cameron's neck and then we carried him the rest of the way down to the parking lot at the trail head. I
157 got enough of a cell signal to call Carter County Search and Rescue. They showed up in a few minutes
158 and I rode with Cameron to the hospital.

159
160 Kelly and Sydney got all the rest of the Rangers back to camp. The Troop packed up and followed into
161 Laramie. I also had to call Jesse Platte to report the accident and establish a contact between Jesse and
162 the doctors caring for Cameron. I was really surprised, when Jesse picked up and I learned that Jesse
163 was up in the Black Hills at a cabin. I told Jesse that I was sorry about the accident. I remember that,
164 when I told Jesse about what I had seen as Cameron was sliding out of control down the snowfield on
165 his back, I heard Jesse gasp and then say, "That is the way we used to go sliding back in Scranton."
166 I feel horrible about all this. But I do not feel that I did anything wrong. We had done similar climbs
167 and slides in the past without any problem. Heck, the national office even sent out a team to investigate
168 the accident and they concluded that this was just a freak accident. I would do it again, but after this
169 incident we never were able to get enough parents to let us take their kids up to the mountains for
170 another summer camp.

Corry Johnson

Corry Johnson

October 19, 2013

Affidavit of Parker Weston

1 I am Dr. Parker Weston, PhD, and I am here to testify on behalf of the plaintiffs in this litigation. I was
2 hired because I am an expert in the field of assessing risk in outdoor adventure activities, in developing
3 strategies to limit that risk and in accident reconstruction and analysis. .
4

5 I am 45 years old. I have a doctorate degree from Denver University in Outdoor Recreation and
6 Education. I also have an MBA from DU and a Bachelor's degree in communications. These three
7 degrees make me uniquely qualified to evaluate risk for the benefit of the business client and the patron
8 and also to communicate effectively with both.
9

10 I was hired by Jesse Platte to study the tragic accident that is the subject of this lawsuit and to render
11 my expert opinion on the causes of the accident and the adequacy of the Mountain Rangers policies and
12 performance on July 24, 2013. I also was asked to render my opinions as to whether those policies and
13 performances were responsible for the injuries to Cameron. I am being paid \$500 an hour, a charge for
14 my expert services commensurate with the complexity of the case.
15

16 Before I get into the particulars, I want the court to appreciate the services I render with my business,
17 Outdoor Risk Management Institute. I founded ORMI in 2007 and am considered a leader in the field of
18 controlling risk in an outdoor setting that is full of risks. One of the most important services of ORMI
19 is a Risk Management Review, which reduces the risk of harm to staff and participants, improves
20 emergency response, reduces legal exposure and enhances the confidence of the organization and the
21 public that the activities are well-managed. And all that contributes to a healthy business profile.
22

23 Some of my clients have questioned some of my recommendations. For example, the A-Bar-X dude
24 ranch refused to follow my advice, when I urged them to eliminate trail rides. Horses are dangerous
25 creatures and unpredictable under the best of conditions. When you couple that with the fact the patrons
26 often had little or no experience, you have a very bad combination of factors that cannot be managed.
27 Someone is going to get hurt, and it's my job as a safety professional to identify the risk. The folks at
28 A-Bar-X disregarded my advice and insisted that horses were an essential part of their business, and they

Affidavit of Parker Weston

29 said they would accept the risk. I understand the desire of a business to provide a fun, genuine Western
30 experience, but that has to come after the risk of injury and a devastating lawsuit. I may not be able to
31 get the risk down to zero, but I get as close as I can.

32
33 My approach to risk management focuses on the business aspect of things and the bottom line.
34 Controlled risk saves money in operations and wasted resources. Also, lawsuits, whether they settle or
35 go to trial, are both costly and damaging to the reputation of the business. Of course, my clients care
36 about the welfare of their employees and participants, too. The Mountain Rangers of America clearly did
37 a poor job of assessing the risk of sliding down the snowfield under those conditions. They could have
38 used a professional service such as mine.

39
40 I understand there is a dispute about what caused Cameron to actually fall down the ice field. I have
41 no opinion about that. It really does not matter whether he slipped, was pushed or launched himself
42 down that hill, because he had no business being there in the first place. My opinion is focused on the
43 Mountain Rangers of America and how they conducted that descent of Medicine Bow Peak on July
44 24, 2013. I have examined their policy and instructions contained in the Mountain Rangers of America
45 Guide for Leaders, and I have reviewed the events leading up to Cameron's injuries, as described in the
46 affidavit.

47
48 My conclusion is that the policies and guidelines for Leaders are too lax and leave a great deal to their
49 discretion. A bad situation was made worse when the Mountain Rangers Leaders failed even these very
50 minimal cautions. Cameron's injuries are a direct result of the lax policies of the Mountain Rangers and
51 the failure of leaders, such as Corry Johnson, to exercise reasonable judgment under those policies on
52 July 24, 2013.

53
54 Specifically, the Guide for Leaders tells leaders to arrange for adult supervision for activities and to take
55 into consideration the nature of the activities, experience level of the rangers and the location, among
56 other factors. The guide suggests a ratio of one adult to 6-8 rangers for moderate activity in a remote
57 area. I would have required an even stricter guide for heavy activity in remote area, one adult for 4-6

Affidavit of Parker Weston

58 rangers. But the leaders in this case failed to employ even that more lenient standard.

59

60 Let's take a look at the activity and conditions. You can make an argument that Leader Corry Johnson
61 was correct to remove Ranger Kelly Park from the rank of Cadet and from a supervisory role. However,
62 that action left two adults in the party to supervise 20 Rangers on the climb and subsequent descent of
63 Medicine Bow Peak. Further, Corry Johnson made a serious mistake when he determined that descending
64 the mountain by sliding down the snowfield was a tradition and worth the risk of the activity. Corry
65 Johnson knew about the Mountain Ranger of America rules and regulations. Just because they call
66 them guidelines does not mean that Corry Johnson had a license to ignore them. Frankly Corry Johnson
67 should have called off the trip the minute Sammy Sublette was called away. The activities for the Troop
68 could have been adjusted and adapted to accommodate the lack of adult leadership, but Corry Johnson
69 let his experience lull him into making a bad choice.

70

71 Next, let's consider the snowfield. It was summer, and the warm days of melting and the cool nights
72 resulted in a surface that was icy. The incline on the east face was quite steep with a slope of 50 percent
73 to 60 percent. Just standing on that slope posed an unacceptable risk. That much was obviously
74 apparent to Sydney Fremont, who had the good sense to get himself and six of the Rangers off that
75 slope. Corry Johnson's plan to glissade down a snowfield posed an extreme and unnecessary risk of
76 accident and injury in itself, but that risk was heightened by the lack of even the most basic equipment
77 for crossing an icy surface and controlling a slide -- crampons and ice axes. Some mountaineers try to
78 dig in their heels to slow down, but young Cameron was inexperienced with sliding down snowfields
79 and wouldn't know this. No one even gave him a stick or rock to use. Some of my clients may take
80 participants down snowy slopes, if there is a long run-out area at the bottom. I don't like it, but I advise
81 them to make sure staff and participants understand the "self arrest," which they carry out by digging
82 their hands and feet into the snow. They raise their body above the snow surface (as in doing a pushup).
83 Participants should be wearing gloves.

84

85 Finally, Cameron was wearing sneakers and a windbreaker. No one should ever go up a mountain like
86 Medicine Bow Peak without proper footwear, much less try sliding down a snowfield in slick bottomed

Affidavit of Parker Weston

87 shoes. When you couple that with a windbreaker which provides no friction on a snowy and icy surface,
88 you have a formula for disaster. Anyone in those circumstances who happens to lose his balance and
89 fall over will never be able to control himself safely. When Cameron started his descent, the risk to the
90 child was unreasonable and unacceptable. When he fell and hit the snow, serious injury was a virtual
100 certainty and all too sadly predictable. As we know, Cameron built up so much speed, as he slid down
101 the snowfield, that when he hit rocks at the bottom of the incline he “jackknifed” and tumbled another
102 35 feet across the talus suffering terrible injuries to his head.

103
104 I have been criticized that my approach to outdoor activities takes the fun out of being in the great
105 outdoors, but if you want to stay in business you have to eliminate – or at least reduce – exposure to
106 unnecessary risk. That doesn’t mean it’s all about the money, though. In fact, it was an experience as a
107 river rafter that ultimately led me to this profession. I saw a 15-year-old boy on another guide’s raft fall
108 out and drown in the Arkansas River, because he was not wearing a life jacket. The guide wasn’t strict
109 about enforcing the life jacket rule, and a young man paid the price. Our employer paid the price, too, in
110 a huge settlement to the boy’s family and a huge increase in the guide’s insurance rates.

111
112 While it is true that I have had many clients tell me that my plans and programs are expensive and
113 would price them out of the business, I tell them that they cannot compromise when it comes to safety.
114 If they will not make what I feel are necessary investments to avoid danger, then we probably need
115 to terminate our relationship. Certainly nothing was worth the risk that young Cameron Platte was
116 exposed to. Corry Johnson’s dedication to tradition and the record of no past injuries cannot be used to
117 justify the extreme danger that Troop 307 faced, when they walked out onto that snowfield.

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119
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121
122
123
124

Parker Weston

Parker Weston

February 18, 2014

Affidavit of Kelly Sheridan

1 My name is Kelly Sheridan. I am 20 years old and a sophomore at Carter County Community College. I
2 have been asked to tell what I know about what happened on the day that Cameron Platte slid down that
3 snowfield and was hurt so bad. That was July 24, 2013. I will be as honest as a can be and tell everything
4 I know.

5
6 I feel so bad about Cameron. I really liked that little guy and enjoyed helping him along on this camping
7 trip and his first time on Medicine Bow Peak. I remembered my first time up in those mountains and
8 wanted him to have as much fun as I did back then. What happened that day was an accident and
9 nobody's fault. As bad as I feel about Cameron, I am moving on with my life. In fact, I plan to major
10 in outdoor environmental education so I can take young people out for adventures that really test their
11 abilities.

12
13 That's one of the best things about the Mountain Rangers of America – how they take kids out of their
14 comfort zones and really challenge them. It's educational, for sure. I joined the MRA the first chance I
15 got, the summer I turned 12 years old. Actually I was still 11 when I enrolled, but you had to be 12 to
16 join, so I “adjusted” my birth date on the application a little and I was in. I had heard about the Mountain
17 Rangers for years from my cousins and big brothers, about how they taught kids to be honest and true,
18 to take care of each other, to get outdoors and into the mountains to test their character and endurance.
19 I like the way the MRA encourages adventure and having fun but makes sure the kids are safe and not
20 taking crazy risks. They strike a good balance. If you try to make everything completely safe, the kids
21 don't learn anything and they miss out on the fun. I loved all their activities, but I really looked forward
22 to the camping and orienteering and mountain climbing. I especially liked Leader Johnson, who knew
23 how to let the Rangers have fun adventures but still kept everyone safe. I can remember Leader Johnson
24 saying, “If you take all the risk out of these camping trips, we might as well stay at home.”

25
26 Before we went out camping or climbing we spent a couple of weeks talking about responsible behavior
27 and what to do if you got lost. We learned how to survive overnight with just a knife, a tarp and matches.
28 We learned how to use a compass and how to dress appropriately for the conditions. One of the most

Affidavit of Kelly Sheridan

29 important lessons was to listen to our adult leaders and the cadets and do what they said. I had advanced
30 up through the ranks of the Mountain Rangers and had become a “Cadet” when I was 16. I enjoyed the
31 role of mentor and taking responsibility to guide the younger rangers. They respected the rules – and me
32 – and I think the adult leaders had a lot of confidence in me. I was very proud of that.

33
34 Cameron joined the MRA in time for the 2013 survival and safety program. He was young and not used
35 to being outdoors and at first had an “attitude.” Cameron said that he thought the whole training thing
36 was a waste of time. He let us all know that he was from the big city back East and that whatever we
37 could do he could look it up on the Internet and figure out himself how to do it better. He used to say,
38 “There was nothing in the woods that was half as scary as being back in Scranton.” I did not pay any
39 attention to his bragging and figured that when he got out with the troop, he would come to understand
40 all the talk about being responsible and safe and listening to me and the leaders. When I was assigned to
41 mentor Cameron, I thought I could help him through this first outing. He was a good kid, just not aware
42 of all the dangers if you didn’t pay attention and listen to leaders. I had a feeling he didn’t get a lot of
43 supervision and attention at home. Sometimes you can tell that. I knew he was going to miss that smart
44 phone once we got in the mountains with no cell service.

45
46 The trip in July 2013 had kind of a rough start for Cameron. He didn’t have the right kind of shoes,
47 warm clothes or sleeping bag, even though Leaders Fremont and Johnson had talked about that plenty
48 before the trip. But, true to the MRA principles, everyone pitched in from their own supplies and made
49 sure Cameron was warm and dry that night. He had some lightweight nylon windbreaker, which would
50 be okay for the daytime. He was wearing some fancy sneakers instead of good hiking boots, so his
51 feet got cold and wet, and he slipped on the trail a lot, when we went out into the field. There wasn’t
52 much we could do about that, but I tried to stay with him to make sure he was okay. He sure looked
53 like he was having a good time. He stopped complaining about being tired and bored and joined in our
54 orienteering exercises. He helped collect firewood and prepare aspen twigs for roasting marshmallows,
55 and he joined in singing around the campfire.

56
57 That next to last night of that trip, after the campfire, is a painful memory for me. I was very proud of

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58 being a Mountain Ranger and for earning my Cadet ranking and doing a good job at it, too. Looking
59 back, I can see why the Leaders did what they did, but I thought they were being unfair at the time. It
60 was a tradition to welcome new kids into the Rangers with some “tests.” They were harmless and silly,
61 but they were important to us kids as a kind of test of courage and trust. Sometimes the new kids had
62 to eat a worm. Other times they had to go swimming in one of those ice-cold lakes in the middle of the
63 night. Just about every year they had to run past a line of the rest of the Rangers and be hit by switches
64 – not hard, but they did sting.

65
66 Cameron was the one of the new kids on this trip, and he and the other two “newbies” seemed okay
67 with it. We were outside the fire ring and back by the tents, and the Leaders heard Cameron yell out,
68 “Hey, that hurt!” There is a strict rule at MRA against hazing, even the mild stuff we were doing. I had
69 heard stories that some kid had gotten hurt down in Colorado, when his Ranger troop decided to try
70 fire-walking, but we never gave it a thought, because, to us, this was a way to build connections to our
71 team. Still I knew the MRA policy and I knew we were in trouble, when Leader Fremont came over and
72 yelled at all of us. The next thing I knew Leader Johnson also took away my Cadet sash. I can’t tell you
73 how crushed I was. I talked with Leader Johnson afterwards, and he said he thought I could earn it back
74 after a few months. But for the time being I was just going to have to be a regular Ranger. At first I was
75 mad, because I was the only one punished. I told Leader Johnson that he better not look to me for more
76 help on that trip. I was particularly mad at Cameron for crying out and getting us in trouble to start with.
77 Later I just decided to make the best out of the rest of the trip. I used to have a temper, I admit, but the
78 Rangers helped me learn to manage my emotions.

79
80 By the next morning, I was okay and was ready to make the climb of Medicine Bow Peak. I was on my
81 best behavior to show the Leaders that I realized my error in judgment and was ready to start working
82 my way back to being a Cadet. As far as I was concerned, the whole hazing thing was history.

83
84 The next day was a good one for Cameron. He was even helping the other rangers his age with crossing
85 streams and cleaning up after meals. He stayed up with the rest of us, mostly, as we climbed Medicine
86 Bow Peak and did some pretty good scrambling on rocky parts of the trail. You could see him gaining

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87 confidence at every step despite those street shoes. I remember that Leader Johnson took Cameron aside
88 and told him that he had really better get the right shoes, if he wanted to go out on real Mountain Ranger
89 adventures. Anyway, Cameron seemed to really listen when the Leaders or I gave him directions. You
90 could see a real change in his attitude by the time we got to the top and he kept it up on the way down
100 until we got to the snowfield.

101
102 The snowfield. That was always the highlight of these outings. Everyone talked about it all year long.
103 You are hot and tired and happy. You are on top of the world and everyone is excited. When we get
104 to that point of the descent down Medicine Bow Peak, the rangers can decide if they want to continue
105 down the trail or take a shortcut and slide down the snowfield. Most years everyone wants to slide.
106 Other years, some folks choose to walk down the trail, but, if they do, we tease them about not being
107 “real Rangers.” Since I wasn’t a Cadet any more, we had just two supervisors with us – the two adult
108 leaders. Leader Fremont said the snowfield looked too steep and too icy this year and offered to take
109 anyone who wanted to walk back to the trail. We had a lot of young kids 12 or 13 years old with us that
110 trip, and some of them wanted to go with Leader Fremont. Leader Johnson made sure that the rest of us
111 wanted to do the famous snowfield slide. Adult leaders usually don’t argue in front of the Rangers, but
112 I recall that Leaders Fremont and Johnson had some heated words about whether the snowfield was too
113 icy or the kids were too tired or they all needed to stick together to keep the required ratio of leaders to
114 kids. Leader Fremont kept saying that the snowfield looked too dangerous and that taking a bunch of
115 kids down that hill was just an accident waiting to happen. While they were “talking,” the Rangers were
116 starting to break into two groups – one for the trail and one for the slide.

117
118 Cameron was in the sliding group and he was getting close to the northern edge of the snowfield. Maybe
119 to get a good look at it? I don’t know. I wasn’t a Cadet any more, but I was still wanted to take care of
120 Cameron. He had those sneakers on and was getting dangerously close to the edge. I ran over to catch
121 up with him and tell him to back up. At first he agreed and together we began sliding down as a team.
122 But soon he was moving over toward that north slope again. I told him to stop and get away from that
123 edge. I looked around and Leader Johnson was off taking care of some of the other Rangers. Then
124 Cameron said, “This is no fun. This is how you do it when you’re from Scranton.” I told him to stop

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125 again and reached out for him. That is when he turned around to face me and stuck out his arms. I'm
126 not sure if he was trying to catch himself from slipping or trying to grab me or even trying to push me
127 away. Anyway, at that point, I saw him flip onto his back headfirst down the slope and begin sliding
128 down that snowfield. There was nothing to slow him down. That windbreaker just skimmed the
129 surface. I watched him go faster and faster until he disappeared over the lip of the north edge. I heard
130 him hit some rocks at the bottom of the snowfield. By the time I could get to where I could see him
131 again, he had slid into the rock. He looked like a broken doll and when I called his name he didn't
132 even move.

133
134 By that time Leader Johnson was there and started down to reach Cameron. Leader Johnson told
135 me to stay with the rest of the troop and make sure everyone stayed together. We made a litter out
136 of branches and a tarp, just like we learned in our first aid class, and Leader Johnson and three older
137 Rangers carried Cameron off the mountain. At the bottom, they were able to use their phones and call
138 Carter County Search and Rescue to take Cameron to the hospital. I ended up taking the rest of the
139 troop back up to the trail, where we met up with Leader Fremont and walked down the trail to camp.

140
141 I don't know what happened to make Cameron flip onto his back. If that had not happened, I'm pretty
142 sure everything would have been okay. Maybe he just didn't understand the danger he was making
143 for himself. Maybe he slipped with those stupid sneakers. Some people say I pushed him, but I know
144 that did not happen. It is a shame, and I feel bad for him. But Cameron is not the only one that paid
145 a price for what happened on that trip. Leader Johnson never did restore me to the rank of Ranger
146 Cadet, after we got back to town – not sure if he couldn't or just didn't want to. As a result of my
147 demotion I lost my chance for a Mountain Ranger scholarship that would have allowed me to enroll at
148 Rocky Mountain College and not get stuck here at Carter County Community College. I'm trying to
149 make the best of it, and I will try to transfer to Rocky Mountain College after this year.

150
151
152

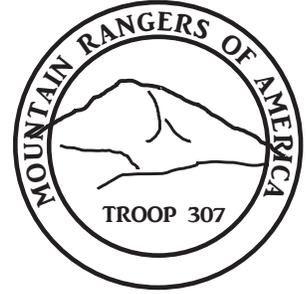
Kelly Sheridan

Kelly Sheridan

December 1,, 2013

EXHIBIT 1

MOUNTAIN RANGERS OF AMERICA GUIDE FOR LEADERS



Section 23.0 Staffing Outdoor Activities

- 23.1 When planning an outdoor activity, be sure to arrange for sufficient adult supervision. The MRA recommend that careful consideration be given to evaluate the relevant factors, such as the nature of the activity, the experience level of the rangers, the location of the activity and similar matters, and to take these factors into consideration in planning any activity. The following recommended guidelines are not intended to be a standard or a requirement. Responsibility for proper staffing rests with the leaders planning and executing the exercise.

- 23.1.1 The following ratios of leaders to rangers are only intended to be used as a general guide for discussion. The actual ratios may be adjusted as needed to meet the needs of your troop, the conditions encountered and the resources available to you.

Light activity in a developed area: 1 adult: 10-12 rangers

Moderate activity in a developed area: 1 adult: 8-10 rangers

Heavy activity in a developed area: 1 adult: 8-10 rangers

Light activity in remote area: 1 adult: 8-10 rangers

Moderate activity in remote area: 1 adult: 6-8 rangers

Heavy activity in remote area: 1 adult: 4-6 rangers

- 23.1.2 Leaders may in appropriate circumstances rely upon and use qualified Ranger Cadets to provide supplemental supervision consistent with their training, experience and demonstrated sense of responsibility, if necessary.

- 23.1.3 Always have a minimum of 2 adults present at all times during any field exercises regardless of the number of Rangers and regardless of the activity level.

- 23.2 Even the best planning cannot anticipate all contingencies. Leaders should be prepared to evaluate and re-evaluate all planned activities based upon the actual conditions and circumstances encountered. Leaders must remember that they are responsible to exercise judgment at all times and should not be reluctant to change plans to adapt to conditions. Leaders must always consider and balance the safety of the rangers under their supervision against the goals of the exercise before proceeding in the face of unexpected events.

DISCLAIMER

This handbook contains general statements and recommendations of Mountain Rangers of America, Inc., intended for the information, consideration and use of individual Troop leaders in the exercise of individual judgment under such circumstances as may arise. Because of this, these policies are simply guidelines, not directives or orders of specific ways to handle specific situations. Our guidelines are subject to change without prior notice, at our discretion. All decisions regarding the application or interpretation of these guidelines are the responsibility of the individual Troop leaders.

EXHIBIT 2

MOUNTAIN RANGERS OF AMERICA TROOP 307 2013 ANNUAL CAMPING TRIP INFORMATION



Troop 307 will leave Carter City at 7:00 am on July 18, 2013, for its annual camping trip and mountaineering exercise in the Medicine Bow Mountains. The Troop will be in the field for one week, returning on July 25. A parental consent form is attached to this sheet. This form must be signed and returned by July 11, 2013, to Troop Leader Corry Johnson. All participants must submit a completed consent form in order to go on the trip.

Rangers will have the chance to participate in wilderness survival training, identification of native plants and animals, swimming, cooking, hiking, mountaineering, orienteering, star navigation and other activities consistent with the guidelines and goals of the Mountain Rangers of America. Plans include a climb up Medicine Bow Peak (elev. 12,012 ft.), the highest point in southern Wyoming.

Rangers will be responsible to provide their own bedding, cloths, shoes (sturdy hiking boots strongly recommended) and personal items. A list of suggested items is available upon request. The Troop will provide tents, food, cooking equipment and any other special equipment necessary for the planned activities. If there are any special needs that may be necessary, please be sure to let the leaders know.

Any questions about this trip can be addressed to Troop Leader Corry Johnson (307-555-1234) or Assistant Troop Leader Sydney Freemont (307-555-1266), who will be in charge of the trip. In addition to these leaders, adult volunteer Sammy Sublette will also be accompanying the troop.

EXHIBIT 3

RESUME OF DREW LINCOLN

Drew Lincoln
22 Route 216
Centennial, WY 82055
307-555-1999

Date of Birth: February 28, 1940

Education:

BA Biology University of Wyoming 1962

MA Wildlife Management University of Wyoming 1965

Thesis: "Impacts of Prior Mining and Other Human Activities on Elk and Deer Herds in the French Creek Drainages of the Medicine Bow Mountains."

Academic Honors:

Phi Beta Kappa 1962

Outstanding Graduate Student in Wildlife Program 1965

Employment:

Wyoming Game & Fish Department 1965-1975

United States Fish and Wildlife Service 1975-1995

Outfitter and Guide (part-time)

- Snowy Range Elk Camp 1996-2012

Other Activities

Albany County Search and Rescue 1960-present (currently on inactive reserve)

Friends of the Bow 1970-present

- Secretary 1982-1986

- President 1986-1988

Rocky Mountain Elk Foundation 1970-present

Medicine Bow Youth Nature Camp

- intern 1963-1964

- instructor 1998-2008

Training and Certifications:

EMT II 1963-2010

Wilderness First Aid Certification 2010

Wilderness Leadership Skills

- Rocky Mountain Guide Program 1995, 2000, 2005, 2010

- American Mountaineering Assn. 1993

EXHIBIT 4



Outdoor Management Risk Institute

"Getting the risk down to zero."

P.O. Box 3205 Denver, CO 80201
303-555-5280
www.OMRI.com

Dr. Parker Weston is the founder and director of **Outdoor Risk Management Institute**, a recognized leader in the field of outdoor safety, an expert in risk management systems and a consultant to top organizations in review of outdoor incidents.

Education:

BA in Journalism from Oregon State University 1990
MBA from Denver University 2001
PhD in Outdoor Recreation and Education from Denver University 2006

Experience:

Boulder Sentinel, weekly newspaper, courthouse beat 1990-1996
Guide with Rivers Wild Rafter, Canon City, Colorado 1996-1999
Risk assessment consultant to Outward Bound programs in Colorado 2001-2004
Outdoor Risk Management Institute 2007 to present
Westland College (Westland, Colorado) Associate Professor of Outdoor Education 2008 to present

Publications & Presentations

"Manage Your Risk for a Successful Business," article in Rocky Mountain Business Journal
"What To Do When You Get Sued," article in Outdoor Adventures Monthly
"Write a Good Release Form," workshop at Professional Outdoor Guides annual conference
"Making Mountaineering Fun and Safe," booklet
"Standards of Outdoor Recreation Industry," Webinar for OMRI clients
"Designing Safe Outdoor Education Programs," PhD thesis, *Colorado Business Review*, 2006

Awards

Consultant of the Year, 2010, by the Professional Risk Managers Association
Eagle Scout, Boy Scouts of America, 1986
Phi Beta Kappa, 1990

Services to our ORMI Clients

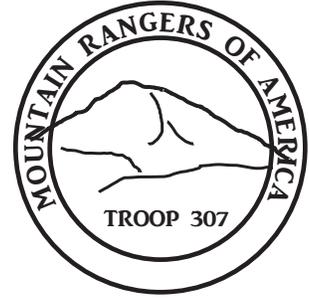
Review of your risk management plan, including assessment of the safety and liability exposures
Investigation and analysis of accidents
Expert witness in litigation, for depositions and at trial
Workshops and seminars for business owners, risk managers and employees
Consultation on writing brochures and release forms for your adventure enterprise

Rates

ORMI is an award-winning consultant in the business of helping outdoor adventure enterprises cut their risks to succeed in today's competitive market. Hourly rates depend on the size, complexity and extreme nature of the activity. Rates start at \$150 an hour.

EXHIBIT 5

MOUNTAIN RANGERS OF AMERICA TROOP 307 2013 ANNUAL CAMPING TRIP PARENTAL CONSENT FORM



NAME OF RANGER: Cameron Platte
DATE OF BIRTH: March 10, 2001
NAME OF PARENT(S): Jesse Platte
ADDRESS: STREET 10013 Horseshoe Court
CITY, STATE, ZIP Carter City, WY 82345
TELEPHONE 307-555-9401
E-MAIL ADDRESS awesomecam@gmail.com or jesseplatte@gmail.com
ALTERNATE CONTACT Robert Carbon
PHONE 307-555-1468

I, Jesse Platte, am the parent of Cameron Platte and hereby give my consent to allow my child to attend the 2013 Annual Camping Trip of Troop 307 of the Mountain Rangers of America and to participate in the activities of the Troop. I do so understanding that the camping trip will involve camping in an unimproved area and a number of outdoor activities, including but not limited to hiking, swimming and mountaineering, which involve additional inherent risks that cannot be completely eliminated despite the exercise of reasonable care. These risks include exposure to conditions that pose risk of sickness, injury and even death. I hereby waive any claims that I may have against the Mountain Rangers of America Inc., Troop 307 and the adult leaders, who will be accompanying the Troop on this trip that may arise out of any bodily injury or property damage that my child may suffer as a result of participating in this exercise, including any claim for negligence, strict liability or breach of warranty. I also give my consent to allow the leaders of Troop 307 to authorize and obtain any necessary medical care that my child may require during the course of the exercise and that I will be responsible to reimburse the Troop for any expenses incurred in connection with such treatment.

Health/Medical Insurance Information:

Name of Insurer: Pathfinder Insurance
Named Insured: Jesse Platte
Policy Number AZ123456-H

Special Needs/Allergies/Etc. None

Dated this 28 day of June 2013.

Signature Jesse R. Platte

(Print) Jesse Platte

EXHIBIT 6

Medicine Bow Peak with snowfield indicated

