

AVALANCHE FATALITY IN THE CHUTES AT MT. ROSE FROM THE ACCIDENT THROUGH THE TRIAL

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ABSTRACT: On December 10th of 2016, a customer entered the closed Chutes area at Mt. Rose Ski-Tahoe and triggered a large avalanche that took his life. A 911 call from the victim's ski partner triggered a large multi-agency rescue response that stretched into a second day before the victim was found. Within days of the accident, Mt. Rose was made aware that a wrongful death lawsuit would be filed against the resort. In the fall of 2018, a three-week civil jury trial resulted in a verdict in favor of Mt. Rose. This paper will review the accident, rescue, and recovery efforts. In addition, the paper will examine the events leading up to trial, the trial, and the factors that resulted in the verdict for the resort.

KEYWORDS: Fatality, Chutes, Trial

1. INTRODUCTION

The 2016-17 season at Mt. Rose Ski-Tahoe ended up being the year of the atmospheric rivers (AR). Mt. Rose ended up having over 800" of snowfall which was the highest snowfall total in the United States for that season. Mt. Rose opened for the season on limited terrain on November 18th, 2016, after the first AR event of the season. This was followed by one of the only weather lulls of the season until the second AR arrived early in the morning of December 10, 2016. On December 10th, Mt. Rose was open only on the Mt. Rose side of the resort and the main lift that accesses the summit of the mountain was on wind hold. The primary lift that was operating was the Lakeview chairlift. At 10:18am the Mt. Rose dispatcher received a call from the 911 operator informing the resort that a 911 call had been received by a man saying his friend had been swept away in an avalanche somewhere under the Lakeview chair. This call initiated a rescue response and a series of events that would culminate in a wrongful death civil trial that began on September 24, 2018, and ended with a verdict in favor of Mt. Rose on October 10, 2018. The following paper will follow this event from the steps leading up to the accident through the verdict at trial to include lessons learned and changes made to reduce the chances of a similar incident occurring in the future.

2. THE CHUTES AND THE AVALANCHE FATALITY HISTORY OF THE AREA

The Chutes refers to a 200-acre area that lies at 9,280' on the north face of Slide Mountain, Nevada between what historically was the Mt. Rose ski area, which opened in 1964, to the west and the Slide Mountain ski area, which opened in 1953, to the east. The two ski areas have been combined as Mt. Rose Ski-Tahoe since 1987. In the winter of 2004-05 The Chutes were opened for the first time as part of a developed ski area. Mt. Rose is located in the Carson Range near the north end of Lake Tahoe. The Chutes can be seen prominently from Reno on any clear day. The Chutes consist of a series of spines, gullies and narrow paths separated by rocks and trees that historically are frequent producers of avalanches. Depending how you break up the area, there are 13-15 main avalanche paths with numerous other minor paths. These avalanche paths can cross Nevada SR 431 and the Slide Access Highway.

The Mount Rose region has a long history when it comes to snow and snow sports. It was in the winter 1905 on Mt. Rose at elevation 10,776 just to the northwest of Slide Mountain that "The Father of Snow Surveying" Dr. Frank Church began recording snow and weather conditions for the National Weather Service. Church often said something that still holds true today, "Nature tells you things if you but question her and open your eyes". He went on to develop the Mount Rose Snow Sampler and along with another Nevada professor the complex mathematical formula by which snowpack measurements are still converted into water runoff forecasts today.

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Prior to the fatality that occurred on December 10th, 2016, there were three other people who lost their lives in avalanche events in The Chutes. The first two fatalities occurred on January 29th, 1972. The day dawned clear and windy after a four-day storm brought over 2 feet of new, wind deposited snow. At around 3pm, seven young men, mostly teenagers, were around the old Northwest tower 9. Three boys were in The Chutes and four were standing on the cornice above them. As one of the three made a few turns, the slope released beneath the skis of the group on the cornice. All seven were caught. The initial slide triggered a larger avalanche on the adjacent slope to the south. The deposition was 20 feet deep where the two slides overlap. Witnessed from the chair, the patrol was on scene initiating a rescue within 10 minutes for the three boys that were completely buried. Rhys Wilson, 23, buried head down, survives a 6-foot, 30-minute burial when rescuers dug below his ski pole and found his hand still holding the handle at 3 feet. Steve Brown 16, and Richard Lyon, 15, are not so lucky. They were found within an hour of Rhys Wilson's rescue. Close to a hundred people assisted in the rescue. A full account of this accident is documented as No. 72-7 in Snowy Torrents.

The third fatality occurred on December 15, 2002. The morning of the 15th started with over a foot of new snow overnight and two feet for the storm with wind forecast all day and snow returning in the evening. This snow fell on early season snow that had faceted. The Slide side was not open for the season due to a lack of snow and the Northwest chairlift was on a wind closure. A minimum of control work was performed with plans for full routes the morning of the 16th. At around 2:30pm, 3 snowboarders, one a current mountain employee, went under a closure at the top of the open Lakeview chairlift and hiked up a traverse to the top of The Chutes where they went under a second line. After riding down part of Slide Mountain, they jumped into the Horner's Nest chute and triggered an avalanche. Clint Sappenfield, 26, was buried in a Class 2 soft slab avalanche with a crown of 12-16" that ran 600 vertical feet and released on a glazed crust. His two companions made their way to SR431 and flagged down a Nevada Department of Transportation plow driver who transported them to the Rose lodge and notified the patrol.

With limited manpower, snow starting to fall, and hazard increasing, patrol initiated a rescue. At the height of the rescue effort, seven people and two rescue dogs searched. After four hours as the group was halting rescue efforts due to the increasing hazard, a rescue dog located Mr. Sappenfield three feet under the snow in a cluster of small saplings. There were lots of lessons learned. A more detailed account of this accident can be found in The Snowy Torrents 1996-2004.

3. THE ACCIDENT

Mt. Rose opened for the 2016-17 ski season on November 18, 2016 on limited terrain only on the Mt. Rose side on man-made snow supplemented by a couple of feet of natural snow that fell at the end of the first AR event of the season. On December 9th, myself and another patroller where able to ride the Northwest chairlift to do an assessment which resulted in us putting the lifts on a wind closure due to increasing winds. On our ride up the lift, we were able to observe that under the Northwest chair there was insufficient snow to erect a roped boundary to accompany the existing sign line, to safely ski or to safely access the starting zones of The Chute terrain adjacent to the lift without a couple more feet of snow.

On the morning of December 10th, 2016, the Mt. Rose Avalanche forecaster at the time, Andrew Hennigh, rated the hazard for the day as Considerable. We had received 8-12" of new snow and close to 2" of water overnight. A discussion was had regarding to do or not do control work. The resulting decision was to not do any control work due to the lack of snow to safely access the starting zones and the hope the snow would stabilize on its own based on the forecast temperatures. Hennigh did make note in his forecast that, "While all of our avalanche terrain is closed to the public, with the storm cycle we're currently in combined with a persistent weak layer it is time to start thinking about our travel around the mountain in the event of a low likelihood/high risk situation in our avalanche terrain." This statement in the daily hazard forecast would end up being prophetic.

Dr. Thomas Barker, the victim, and his friend Mr. Richard Van Stolk, the witness, both in their 60's, decided to ski at Mt. Rose on December 10th, 2016. They were both

experienced resort skiers who had also done some backcountry trips. The two men typically skied together at Alpine Meadows but due to the warm winter storm and the fact it was raining at the bottom of Alpine, they decided to ski at Mt. Rose because of the higher elevation. They had both skied at Mt. Rose previously a couple of times. They brought along their avalanche safety gear in the event they changed their mind and decided to ski in the backcountry area off the Mt. Rose highway summit.

The two friends arrived at Mt. Rose just prior to the 9am opening and booted up and headed out to the Lakeview chairlift which was the highest lift operating. The pair loaded their first chair shortly after opening. Mr. Van Stolk indicated he felt they were skiing about a foot of fresh snow on the runs. After their first run they started to work their way further to the skier's right (NE) each run. On their fourth or fifth run they ended up near the top of the Cardiac Ridge area of The Chutes. Dr. Barker was in the lead, and he dropped into the area between Cardiac Ridge and the Jackpot chute. From the witnesses' testimony he followed the victim and upon dropping in noticed that the victim was caught in a "small sluff". When the sluff Dr. Barker was in came to rest in the middle of the Jackpot area, the witness testified he heard a loud crack and then felt the air rush by as the slopes above them released the avalanche that buried and killed Dr. Barker. The witness described seeing his partner and friend being swept away out of site. The avalanche was classified as a HS/SS-AS-R3-D3-O.

4. THE RESCUE EFFORT

After the avalanche occurred, the witness called 911 for the first time around 10:15. He told the operator that his friend had been swept away in an avalanche and that they were to the right of the Lakeview chair. The witness got disconnected from the 911 operator prior to providing all his information. The 911 operator then called Mt. Rose and eventually got in contact with our dispatcher and relayed the initial information. The dispatcher pulled me out of a meeting to inform me of what was going on and we proceeded to make a radio call to get people on the hill to begin checking the runs to the skier's right of the Lakeview chairlift and to also get a team of two to hike up the traverse

to reach the top of the Chutes as that seemed a more likely area for an avalanche than the initial report. At 10:20, patrollers Alex Coleman and Blaine Kelly reached the top of The Chute area above jackpot and reported that they could see crowns in the top of the El Cap area and down toward Jackpot. Right about this time, the witness called 911 back and indicated they had cut under the closed Northwest Passage chair and that a "large chute had given way." The 911 operator asked the witness to stay where they were, and that help was on the way.

In the meantime, patrol supervisor Kevin Devine had traversed from the top of Lakeview lift towards the Chutes to check if an avalanche had occurred where the witness initially reported. At this time a determination was made by Coleman, Kelly, and I that they could enter the slide path to begin searching without having to do any avalanche mitigation. At 10:27, Devine makes a radio call that he has found a track entering the Chutes and shortly after that indicates he has made voice contact with the witness. Within minutes the team of two made visual contact with the witness and then Devine makes physical contact with the witness and verifies he is not injured and that his friend is missing and presumed buried.

Dispatch and I have pulled out the avalanche rescue plan and have begun making all the necessary calls to mobilize a full-scale rescue. This includes a direct call to the Squaw Valley patrol to get additional dog teams on the way. The patrollers on scene decided that any additional rescuers need to come in from the bottom of the Chute area due to hazardous skiing conditions, potential hang-fire, and unreleased avalanche paths. Forecaster Hennigh and his dog Tremper are dispatched with a snow-cat operator to cut a route into the bottom of the Jackpot area. Public rescuers begin to show up and a staging area is set-up in the parking lot and a command center is set-up in the employee locker room. Assistant Patrol Director Nick Giger fills the role of rescue leader and Alex Coleman fills the role of Accident Site Commander. By about 11:00, Hennigh and Tremper are on scene searching and an additional snowcat has been dispatched to transport rescuers to the search area. Over the course of the next three hours over 50 additional rescuers and 3 additional

dog teams from Squaw, Alpine and Sugar Bowl are transported to the scene and join the search.

While the search is going on it has continued to snow, the wind has continued to blow, and the temperature has risen. At around noon, a group of us that included two Sierra Avalanche Center forecasters got transported to the top of the mountain to evaluate the weather and the rising hazard level and to be staged in the event avalanche mitigation was needed. Shortly after noon, the precipitation transitions to rain in the search area. At 14:00 the hazard above the search area has risen to the point that everyone is transported off the site so that control work can be done to protect the rescuers. A control route is run above the accident site with additional avalanches being triggered that run into the search area. Once complete, three dog teams are transported back to the site to search until dark. Over the course of the search there are a couple of dog indications on the bottom left flank of the debris field. With the weather re-intensifying the search is called off for the night and all rescuers are off the scene by 17:15. A plan is made to deploy dog teams in the morning after additional control work is completed.

Overnight the temperature drops and an additional 6" – 12" of snow has fallen and the sky is clear. At the NRCS SNOTEL site located on the ski area at 8801' the SWE amount has gone from 5.3" to 10.3" and the snow depth has gone from 23" to 49" by the morning of December 11th. The Washoe County Search and Rescue sheriff takes over as the Rescue Leader. Control work is performed at daybreak with minimal results. Eight dog teams are deployed to the search area from various resorts. The search occurs as the rest of the resort opens. The wife and the son of the victim arrive at the resort, and I meet with them and designate a liaison to communicate with them as the search continues.

All the dogs alerted in the same general area. A probe team comprised of the Washoe County Hasty team using Mt. Rose 300cm two-stage steel probes searched through the area and about midday the victim is located 280 cm deep. He was excavated and pronounced deceased by a representative of the Washoe County Coroner's office. The wife and son of the victim were notified and at their

request were transported to the victim. The search area was then cleared, and all personnel were accounted for and released.

On the day of the accident and the day after, forecasters from the Sierra Avalanche Center were on scene and documented the snow conditions. A short and long form USFS Avalanche Incident Report were submitted.

5. LITIGATION HISTORY TO TRIAL

Any time a serious accident or fatality occurs at a ski resort in the USA there is always the potential for litigation. There were indications from the wife and son on December 11th that they felt the accident was the fault of the ski resort. The son of the victim skied on the mountain that morning and videoed and tried to interview a few employees including a patroller who had just finished installing a section of boundary rope where the snow was now deep enough to establish. In addition, just prior to the victim being found, the son asked the patrol liaison a series of what she felt like were scripted questions. When the liaison described the interaction to me, I got a bad feeling and asked her if she thought she was being recorded. She was not sure but thought it was a possibility.

Because of the serious nature of the incident, the ski area's insurance company was immediately notified on December 10th and our insurance representative came to the resort and was on scene for the duration of the search. In these kinds of occurrences, the insurance company starts a claim. All other potential stakeholders in the event were also contacted to include the USFS, the avalanche and search all occurred on Mt. Rose private property.

On December 13th, 2016, I was emailed and then followed up with a phone call by a person I consider a friend and mentor who does expert witness work in ski area cases. He informed me that he had been approached by a Colorado lawyer who is frequently involved in cases against resorts. He was asked to be an expert against Mt. Rose in a case that was likely to be filed. He further informed me that he had declined the offer and told the lawyer that he thought we were a good organization and that he had a personnel relationship with me.

Regardless of the revelation that a Colorado lawyer was involved, the ski area and insurance company moved forward with the understanding that a wrongful death litigation was almost certain. This meant that we began the process of doing a full internal investigation of the incident and began gathering all the documents that we thought may be asked for in the Discovery phase of legal proceedings. In addition, Ray Gates, a seasoned litigator, and member of the Association of Ski Defense Attorneys was hired to handle the case. The initial steps involved Mr. Gates interviewing all the resort personnel involved and reviewing all the material that had been compiled.

In February of 2017, we were contacted by a Nevada plaintiff's attorney who was working with the Colorado lawyer to do a site visit with their experts as they were considering filing a case against the resort. This was a very professional courtesy on their part. We agreed to the visit and accompanied them to the areas that they wanted to observe. On March 30, 2017, a wrongful death civil lawsuit against Mt. Rose was filed in Washoe County District Court.

Discovery for the case officially began on July 6, 2017, when Mt. Rose was served with the first of many sets of Interrogatories and Request for Production of Documents. At about the same time, we received from the plaintiff's attorney's discovery material that included a videotaped interview that the son of the victim did with the witness the night of the avalanche at their home in Alpine Meadows, pictures and videos taken by the son on December 11th, 2016, of employees and patrollers, and a recording the son had made when he interviewed the liaison. One of the keys and surprising themes of this case for me, was how different a given piece of evidence can be interpreted depending on your perspective. Ultimately, these pieces of evidence, thought by the plaintiff to be extremely damning to the resort, ended up being critical components to the verdict in favor of the resort.

A trial date was set for September 24, 2018. The first witness for the case was deposed on October 16, 2017. The first Mt. Rose employee was deposed on February 12, 2018. In total, 27 people were deposed in this case, including Mt. Rose employees, family

members of the victim, the witness, and experts. As the Mt. Rose representative or party to the case, I attended 12 depositions, mostly as support for my employees. I was also deposed and spent close to nine hours testifying. The primary purpose of a deposition is to obtain testimony under oath prior to a trial. If a witness changes their testimony at trial, it allows lawyers to use deposition testimony to impeach or discredit a witness. In addition to depositions, all the experts produce a report of their findings and then the experts from each side write rebuttals to those reports.

In the weeks before the trial was set to begin, 7 Mt. Rose employees, including myself, received subpoenas. The purpose of the subpoenas was to obligate us to be available and to testify as part of the plaintiff's case if called. This would allow the plaintiff's attorneys to question those subpoenaed first before our attorney if they wanted. In the end, only three of the subpoenas were executed.

In the week before the trial, the insurance company held a mock trial to get a feel for how potential jurors would view the evidence and to help them determine if they wanted to go all the way through the trial. In addition, there were hearings with the presiding judge to work through some issues and to rule on certain pieces of evidence as to whether they would be allowed or if they could only be used for impeachment purposes. At this point, the pre-preparation was done, and we were set to go to trial.

6. THE TRIAL

The trial began on September 24, 2018, as scheduled. Because I was the ski area's representative, I was at the table with our lawyers from the beginning of the trial until the end. As in all jury trials, the first step is to choose a jury. This involves the judge asking the potential jurors some basic questions such as do any of them know anyone involved with the case to exclude some of the pool and then the attorneys from both sides asking additional questions focused on people's beliefs as it relates to the issues in the case. The process is called Voir Dire which is French and means to speak the truth. Each lawyer is given a certain number of challenges and through the process of elimination the jury and two alternates are selected. As was the case

throughout the trial, no one side always gets what or who they want. One of the most interesting things about the jury selection was that I felt the plaintiff's attorneys' lines of questioning were beneficial to us. Their questions involved the juror's perspective on personal responsibility, inherent risk, and assumption of risk and many of the jurors who were selected had opinions that, to me, seemed favorable to us. It took about half a day to seat the jury and then the Plaintiff's began their case.

The plaintiff's case lasted 8 and a half days. During that time, they called 14 witnesses. This included family members, the witness, 3 Mt. Rose employees and 4 experts. They elected not to call me to testify during their case. Their main positions were that the trail map was inaccurate, the visibility was poor, there should have been a roped boundary, the chute that released looked like all the other runs, and the boundary signs were obscured due to riming. In addition, they tried to make the point that Mt. Rose did not follow our USFS Operating Plan and was operating differently on private property compared to the USFS permitted property. It is important to note that at no point was there any charge for an insufficient rescue effort. The four experts that they called were a forensic pathologist, an economist, Dick Penniman, as a ski area expert, and Patrick Kelly, as a systems and ski area expert. The forensic pathologist was to establish that the victim had suffered horribly, and the economist was to establish how much the victims' future earnings and basically life was worth. Both were professional expert testifiers but, in the end, neither had ever been as vigorously cross examined as they were in this trial. Mr. Kelly's expertise was questioned as to how a Professional Engineer is qualified to be a systems and ski area expert.

Mr. Penniman was also a professional expert witness with ski area expertise with a clear historical record of his past testimony. He testified that control work should have been done, a boundary rope should have been in place regardless of snow depth and that at other resorts in the Tahoe area such as Alpine Meadows in similar situations there is always a rope. In one of the highest moments of courtroom theatrics, Mr. Penniman was discredited by Mr. Gates on cross examination as he pulled court file after court file out and

asked Mr. Penniman about previous cases to which he had testified. Penniman answered repeatedly that he could not recall any details and he forgot about a case once it was over. After each answer the court case file was dropped on the floor until there was a large pile of files on the ground.

Probably the most critical witness in the entire case was the victim's ski partner and friend Mr. Van Stolk. He testified that visibility was not an issue. He testified that they had no intention of going in the Chute terrain and there was no way for them to know they were entering avalanche terrain. He also testified in his deposition that he never entered the Chute area until he tied in with Patroller Devine. Some of the witness's testimony was called into question by his calls to 911. In his calls to 911 he uses the word chutes on numerous occasions and says he is half-way down the avalanche chute. The rest of his testimony ends up being called into question by the video the son of the victim took of him on the night of the accident. Although the plaintiff's lawyers ask to have the video excluded from the trial, the judge allows it to be used to impeach the witness if our defense lawyer can get him to answer a question differently in court than he answers in the video. This happens and clips of the video where he answers differently in court than what he says the night of the accident are played after each wrong answer. In the video the witness makes multiple admissions as to his and the victim's personal responsibility in the accident. In addition, it comes to light that the expert report of Patrick Kelly was shared with the witness which may have tainted his testimony. I firmly believe that the witness came within inches of also dying in the avalanche that killed his friend and a clear recollection of the events may have been difficult. By the time of trial, it seemed he had been coached to the point that what actually happened, what the plaintiff's attorneys wanted him to testify, and what the expert's theory was where a jumbled mess in his head.

After the 8 plus days of their case it is our turn. Our case takes 3 and a half days. 10 witnesses are called including 6 Mt. Rose employees, including me, and four expert witnesses. Our position was that the signage and different methods of warning people that The Chute terrain was closed was sufficient,

there was insufficient snow along the ridge where the boundary rope would have gone, accessing the starting zones of the Chutes was dangerous and problematic, that we were not obligated to do control work in closed terrain during the early season, that we operated the same on private property as on USFS property, and that the resort had discretion in risk management issues based on conditions.

All three of the initial patrol rescuers as well as our dispatcher testified. One of our best witnesses was Blaine Kelly. One would think that during the 8 plus days of an avalanche fatality trial the plaintiff's lawyers would have educated the jury on what an avalanche was. Blaine Kelly was the one through a systematic set off questioning educated the jury on all things avalanche and to the specifics of this avalanche accident. In addition, he was very clear on cross examination that he was upset that he had to put his life at risk in this situation because of what he felt were the victim and witnesses bad decisions. Patroller Kevin Devine established where the track was that entered the Chute area and the fact that there was an "Avalanche Area-Enter Through Gates" sign within feet of the entry point.

Our four expert witnesses were Dr. Nichols who is a forensic pathologist, Brian Brill who is a forensic animator and accident recreation specialist, Ken Bokelund who is a ski area expert and was the Patrol Director at Alpine Meadows, and Paul Baugher who is a well-known ski area expert. Dr. Nichols countered the other forensic pathologist's testimony in that he said it was impossible to determine how long and to what extent the victim suffered. Brian Brill did forensic animations that demonstrated the warning information and signage as well as the victim's route to his entry point. His animations as well as his testimony demonstrated that where the victim dropped into the Chutes could not be mistaken for the other ski runs they had taken that morning. Ken Bokelund countered Dick Penniman's assertions about boundary lines at Alpine Meadows and reenforced that boundaries and other warnings at ski resorts evolve with the snowpack. Paul Baugher debunked all of the plaintiff's ski area experts' theories and was critical in demonstrating that the victim and witness had numerous decision points and opportunities to not enter the

Chutes. He was also able to explain how the witness ended up in the Chute terrain based on the witness's description of feeling the air blast but did not get caught due to where he was in the terrain and the initial sluff triggered by the victim.

I was the next to last to testify before Paul Baugher. I had been able to see all of the evidence and the interpretation of that evidence prior to taking the stand. I was able to tell my side of what happened on direct examination and was able to stick to my positions and not get too rattled on cross examination.

On the last day of the trial, both sides presented their closing arguments. Mr. Gates walked the jury through all our positions in a very professional multi-media presentation that included the 911 calls, and the witness's interview by the victim's son. The Colorado lawyer did the Plaintiff's closing and after he laid out what dollar amount they should award the family, the most memorable thing he said was that Mt. Rose should lose the case because their main expert had a checklist and a clipboard. When the jury had been given their instructions and left the court room.

The jury deliberated for 3 hours and then came back with a verdict unanimously in favor of the ski resort.

7. THE KEYS TO THE VERDICT

There were several key factors that resulted in the verdict in favor of the resort. Ultimately the jury believed in personal responsibility and that when you engage in an activity that has risk you assume the consequences of that risk. Their main witness's story changed. Their expert witnesses were discredited or had their opinions called into question. Their sequence of witnesses allowed us to learn through their case and to use much of their "strongest" evidence against them. Our expert witness's testimony stood up to cross examination. Mt. Rose's testimony was credible and consistent. Lastly, Mt. Rose's lawyers were dynamic, thought on their feet, were seasoned in the courtroom and were incredible cross examiners.

8. CONCLUSION

Sentinel events such as this have costs. There are the financial costs. When it was

said and done over a million dollars was spent on this case. More importantly are the emotional costs. Everyone involved in this avalanche fatality from the accident to the rescue through the trial had their lives changed. One man lost his life, and another man watched his best friend swept away to his death. A wife lost a husband, and three children lost their father. A ski resort and its personnel and a whole host of community rescuers had to try and rescue a victim in dangerous conditions. One of the things I am most grateful for is that no one else died during this event. Once the victim was found the stress and emotions of litigation began for all involved.

Ultimately the goal is for something like this to not happen again. Awareness that events like this are possible and vigilance are important for moving forward. Thank you to all involved in this incident from the rescue through the trial.

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