

Dakota Stark v Springs Park - Defense Witnesses

Sidney Wilson Affidavit

- (1) Sidney Wilson owns three Springs Park locations.
- (6-8) Loves kids and has four of his own
- (11-15) Previous job-OSHA & DHEC involved following rules & regulations “We would not want to do anything to pollute our town.”
- (20) Purchased old Walmart on West Maple Drive - opened 2015
- (25-27) A lot goes into operating a trampoline pk research into equip. To buy, type and thickness of mats, maximize space, follow regs.
- (28) “I am big on following the rules.”
- (29-30) No regulations in US for trampoline pks. Joined IATP in 2014
- (34-35) “I have followed every IATP guideline in running Springs Pk”
- (36) Business exploded from moment opened doors - 3 locations - 2015, 2017, 2021
- (43-48) Discussion of how trampoline pks maximize space and are usually in old box stores - benefits to the community
- (50-51) All locations look like Ex 6 - easier for customers and employees - likes to shuffle employees around - to know where things are.
- (55-56) Setting up crawl space was easy
- (58) Biggest draw is trampoline Dodgeball Zones
- (59) Each dodgeball room has 8 (16x16) mats that hold 6 per mat
- (60-61) JB has lobbied for 4th park - wants to be a partner
- (63-66) JB a great leader at West Maple location, “I never worry about West Maple because Jordan is in charge”
- (67- 71) “I visit each location every single day” - checking every park daily is physically demanding.
- (71-72) It is important to know what is going on at each location and to have on-on-one interaction with staff and customers
- (75) All mats and springs purchased are the best quality on market
- (77) Upgraded protective mats at the edge of the jump surface

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Sidney Wilson Affidavit - Cont'd

- (78) Standard - half-inch thick pads, one-inch overlap onto jump surface per IATP requirements - covers all springs an 1” onto jump area
- (80-83) “As an extra precaution” Springs park has 1” thick pads that cover 4” of jump area - decreases chance of injury - twice rec. thickness
- (85) Min of 14 staff members working at each park - all the time
- (86) IATP rec. At least one staff per jump zone - one floater
- (89) Monthly trainings on how to spot dangerous behaviors
- (90-91) New employees shadow for 40 hrs and then spends 20 hrs of additional training per employee \$300 per year per employee for training
- (94) “The cost is worth it to make a safer environment for our guests”
- (96) All good trampoline pks have a color-coded wristband system
- (101-102) Different areas of the park - designated by color - “good way to make sure that younger guests do not get trampled on by the older ones”
- (103-104) Staff reminds/removes people from area not matching wristband
- (105) IATP recommends posted rules, signed waivers and adequate staffing
- (106) Park safety rules - Ex 2 posted at each location
- (108) SP liability waiver form marked as Ex 3
- (111-115) Waivers were once on paper and initialed - now they are on ipads and stored on server - can use paper if needed
- (116-118) Waiver drafted by an attorney, submitted to IATP, no one objected, “if the attorney did the waiver, everything in it should be legal”
- (119) Never had injury that led to lawsuit prior to WS
- (124) Most common cause - when people crash into each other in air.
- (125-26) Bumps, bruises, bloody nose, sprained ankles, dislocated fingers
- (127) Always staff members trained in First Aid
- (128) Keep injury log, Ex 1
- (132) Number and types of injuries, except for WS death, is average for IATP members.
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Sidney Wilson Affidavit cont'd

- (134) Daily checks of all equipment at all locations; mats covering springs and other hard objects, Daily Checklist for April 22 is Ex 9
- (139-41) Not at West Maple location on date of accident, all information comes from JB -followed every protocol
- (144) “Jordan’s handling of such a horrible accident was exemplary”
- (146) In morning i-pads, display boards, and digital servers were working.
- (147) “Had I known the equipment was down, I would have instructed staff to curtail number of people coming in the door”
- (148) Would have sent people over to get waivers properly read and signed.
- (149-51) Told after the fact that two staff members short that day - no floater for room to room, no staff to get waivers properly read and signed
- (152-53) JB was the floater, liked his willingness to pitch in
- (155) Do not know how or why WS in jump zone with incorrect wristband
- (156) Has discussed with JB the importance of people being in correct zone
- (157) WS could have been concealing wristband, height made him look older, if hiding wristband, would not have stood out
- (160) Located WS waiver form, called parents found out WS died, expressed condolences, called attorney
- (163-64) “ I knew with a death, even though we were not in the wrong, I would need to be sure they were informed.”
- (169 - 174) Contacted Bailey Parker to assess West Maple, Came on April 24, walked through the chain of events, everything complied with IATP.
- (179) I think injury at JV soccer game contributed to his fall and death
- (181) Mats of correct thickness and in the right place
- (182) Mats have not needed replacing since Springs Park opened
- (183) Everything checked in Ex 9
- (184-6) Mills Barton visited , talked to JB and SW, inspected 13-up Dodgeball Zone, saw signage
- (187) Believes it was an accident, if any blame it would be at WS’s feet for violating rules and being in wrong jump zone.

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Jordan Banner Affidavit

- (2-3) 25, Facility manager at Springs Park - West Maple location
- (3) Business degree - Univ of Utopia - worked with SW since 16
- (5) Always loved going to Springs Park
- (7) SW remembered seeing JB there, hiring was easy decision
- (9) SW allowed JB to schedule as many hours as possible in high school and college, went to full time after college
- (15) Wants to eventually own and operate trampoline park
- (17-18) Safety rules on digital display boards as well as posters located in hallways, vending areas, and seating areas - Ex 2
- (20) Liability forms are Ex 3, on paper and i-Pads.
- (21-22) Everyone must initial & sign the waiver, digital or hard copy, before jumping, assume all are truthful, do not verify ages unless apparent issue.
- (26- 28) Experience with waivers, being watcher, roaming supervisor,
- (29) Roam supervisor covers crowded rooms & provides break for watchers
- (30-31) Lot of long hours as facility manager
- (38) Being a watcher is more important than most would realize
- (39 - 40) Watcher keeps eye on total number of people - fire code and IATP rules - SW serious about following these rules
- (44) Capacity is 6 per trampoline, 8 trampolines in a room
- (45-46) Watchers have to be sure only people with the right color wristband and in the correct room; young kids try to sneak into older zones
- (48- 50) First offense, kids escorted to appropriate room/verbal warning, 2nd Offense, asked to leave park.
- (51-52) Watchers must engage with guests, encourage participants to be mindful of rules - JB has pulled misbehaving guests out of room.
- (56) After lawsuit, SW wants to open 4th location, JB wants to be owner
- (61) Was facility manager at West Maple day of accident
- (62) Layout of facility - Ex 6
- (65) Started day with brief staff meeting that SW attended, SW visits every location every day and April 22 was the same

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- (68) Arrives early to conduct safety inspection of jump rooms every day
- (69-72) Everything was in working order, inspection in lighted crawl space for visual checks, Ex 9 safety checklist, everything in working order
- (75-76) SW left 30 min before opening at 11 am, noticed they were short a couple of people five minutes before opening.
- (77-78) Roamers were sent to work individual rooms as watchers, JB would work up front with waivers and serve as floater for the day
- (79-81) TV displays and i-Pads went down at noon, server that controls front end waivers went down, Monitors in seating and vending area worked
- (82-86) Grabbed loaded clipboards for waivers, Ex 3, does not remember telling anyone they did not have to read it form before signing
- (87) It would be irresponsible to sign a liability waiver without reading it.
- (91) Encouraged everyone to play harder -in a friendly way - made two walk-throughs of the building before WS accident
- (94-98) On 3rd walk-through at a few minutes after 4 pm, heard Robin Hill's voice calling for help and ran to 13-up Dodgeball
- (99) Saw WS lying on mats that cover springs and framing
- (100-106) WS lying at odd angle, started safety protocol, everyone carefully moved to side of room, checked WS's pulse and saw red wristband
- (107-110) WS had weak pulse, called 911, Ex4 is the transcript of 911 call, Dakota came into room while JB was calling and knelt by WS
- (111-115) Closed SP as soon as EMS left, made sure all guests were out, went over what happened, checked out room where MS accident happened.
- (116) Nothing could be done differently, nothing on safety re-inspection.
- (117 - 121) Called SW, talked to staff, JB did not see fall or what led up to fall
- (121 -125) Video cameras do not record, real time for parents watching, no one came forward with cell phone video or photos
- (127- 130) SW and JB rechecked mats and hardware for a second time, everything in good operating order, mats were secured
- (131) Completed injury form, Ex 1
- (132- 34) Does not know how WS got in 13-up Dodgeball zone, staff is careful to watch for correct wristbands, accident could have happened in any Dodgeball zone, accident never happened before

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Bailey Parker Affidavit

- (2-3) Last ten years, independent safety consultant for Safety Defense Risk Management (SDRM)
- (5- 9) Educational and training qualifications
- (10) Worked with an insurance company while in college and stayed with them, Sweetgrass Insurance Company (SIC) until started SDRM
- (16) Certified as insurance agent at age 21
- (17-23) Discussion of experience as insurance agent
- (25-26) SDRM - help business owners assess potential areas of exposure and educate them on maintaining a safe environment in facilities across US
- (29) Joined Utopia Loss Prevention Trade Association.
- (31-32) Hired to provide expert recommendations at two IATP meetings, talked about recommendations for operating facilities and trampoline cases
- (35-38) Met SW at IATP conference, SW eager to learn more about safety at trampoline pks, had a meal, safety was priority for SW at Springs Park
- (40-43) Visited Springs Park from time-to-time, SW proud of safety record, showed all safety and risk measures, safety records, on top of all IATP recs.
- (44-45) With 4th Springs Park, BP may be hired by SW in a regular consulting role, expect to happen after case resolved
- (48-49) Night of accident, got a call from a devastated SW because WS had died at a Springs Park facility, and asked SDRM to investigate.
- (50-51) Springs Park hired SDRM to investigate the incident and provide expert assessment
- (52-53) Wish all clients were as organized as SP, up-to-date on everything, appropriate signs and rules posted, Ex 2
- (55) BP did informal assessment of Springs Park during earlier visit
- (57) Ex 6 - diagram
- (62) Wish he had a Springs Park near his house to take his grandchild
- (63) Having safety rules important
- (65-68) SW goes above and beyond, attends IATP conferences, staff at Springs Park conducts daily safety checks, EX 9, as well as injury report

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- (73) Ex 1 - injury record, very helpful to BP to assess likelihood of injuries, prior to this lawsuit, had never had a suit filed against them.
- (74) No one at Springs Park has every been hurt bad enough to require 911 assistance, prior to WS
- (75-77) IATP requires signed and initialed liability waivers, Ex 3,
- (78-81) Discussion of what is on the form - waiver, indemnification, attorney fees, photo release, Utopia laws
- (83-86) SW called on April 22 and was worried a claim against Springs Park was likely, asked BP to work as an independent investigator at West Maple
- (88 - 91) Park closed 2 days, arrived on 4- 24 to investigate, examined 13-up Dodgeball zone, equipment underpinning bounce surfaces, Checklist, Ex 9
- (92-94) Room where WS died had been checked with daily checklist by staff, re-checked by JB, and re-checked by SW, no problems found
- (96-98) Waiver form, Ex 3, looked in order, DS claimed not to have read form, signed by DS, no one should sign waiver form without reading it
- (99) Assumed DS read the form
- (102) Reviewed Ex 4, 911 transcript, JB did a good job conveying info
- (106-07) Advised SW that based on information provided to SDRM, including waiver, fault not with Springs Park, but with WS and DS
- (108) WS was in area he was not supposed to be
- (109) “Perhaps the staff on duty should have been more careful to recognize he was in a place he did not belong, but people in general need to take far more responsibility for their actions”
- (111) Not every accident is someone’s fault, Not every injury can be prevented
- (112- 114) Could the same injury have occurred if WS was in the correct area? Absolutely; Did being in the wrong room increase the risk of injury? Absolutely; Did Dakota Stark sign a waiver absolving Springs Park of liability? Absolutely
- (115-16) Springs Park not responsible to compensate Stark family, Springs Park not at fault