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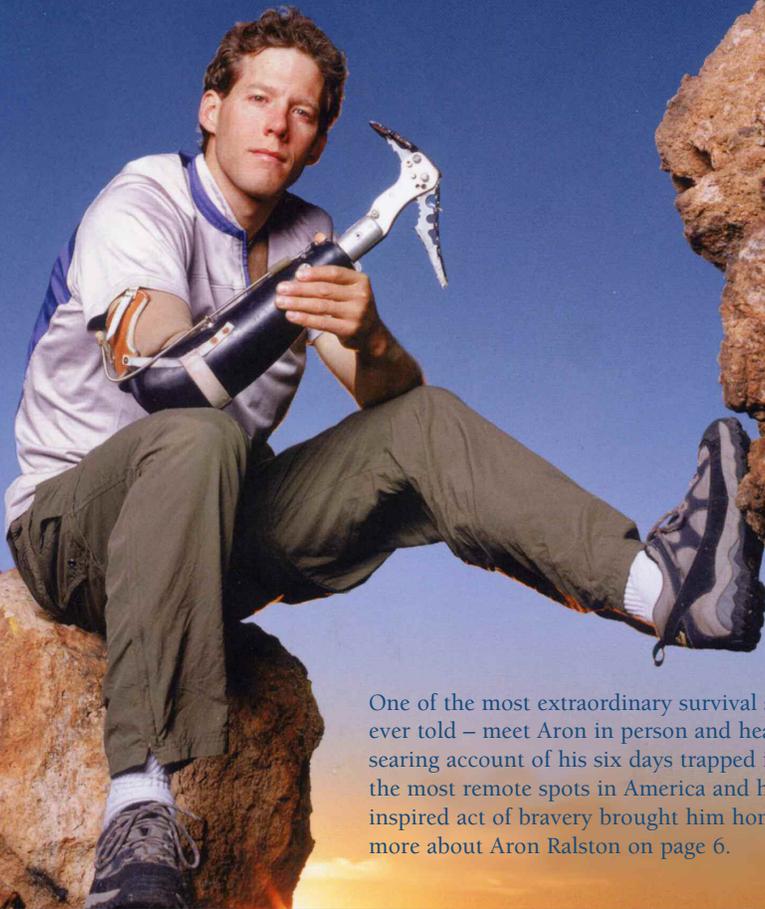
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EXPEDITION

Winter, 2006

Join Us For An Unforgettable Evening With Aron Ralston— Courageous Outdoorsman and Miraculous Survivor



One of the most extraordinary survival stories ever told – meet Aron in person and hear his searing account of his six days trapped in one of the most remote spots in America and how one inspired act of bravery brought him home. Read more about Aron Ralston on page 6.

From Ellen and Frank

How can we have survived four years without our beloved daughter Kate? We still ask each other — how did this happen to our family? The establishment of this Foundation to carry out Kate's dreams and plans is what helps our family survive this tragic loss.

We believe in the good works of this Foundation. We smile when we are at a pizza party at Community Academy of Philadelphia and meet the recipients of our scholarships. We beam with pride when we hear how their lives have been changed because of their experience at North Carolina Outward Bound. We laugh and cry when we go to the website at www.katesvitekmemorial.org and read the personal stories from friends and the people whose lives were touched by Kate. These antics that we read and re-read, help keep her spirit alive for us. We feel the warmth of her campers' recollections and we are proud knowing what a great leader she was.

If you never knew Kate, please go to the website and spend some time reading and you will get the essence of Kate and realize the magnitude of our loss.

Thanks for your generous support because without you, the Foundation couldn't exist!

Sunday, March 26, 2006 7:00 pm

Wissahickon High School auditorium, 521 Houston Road, Ambler PA

For Tickets and Reservations

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

tickets needed

- _____ Students \$6
- _____ Adults \$10
- _____ Adult (with autographed book) \$25
- _____ VIP (reserved seats, autographed book, pre-event supper with Aron Ralston) \$50

Please send me _____ tickets at a total cost of \$ _____.

I am enclosing a check made out to the *Kate Svitek Memorial Foundation*, P.O. Box 104, Ambler, PA 19002-0104

Reservations are required. For further information, call 215-643-6210

I am unable to attend but please accept the enclosed donation.

Reserve Your Tickets

GOLF TEAM CHALLENGE SCORES AGAIN

In Spring 2002, Frank Svitek conceived the idea of an insurance industry golf event with proceeds benefitting the newly formed Kate Svitek Memorial Foundation. The first Insurance Industry Golf Team Challenge held at Talamore Country Club in Horsham on September 3, 2002 raised approximately \$30,000 thanks to a sell out crowd and perfect weather.

The following year, the event moved to Commonwealth National Golf Club and the concept of corporate sponsors helped raise \$42,000 for the Foundation. Despite uncooperative weather, with more hot chocolate than soft drinks, the event was a great success.

In 2004, back at Commonwealth, 26 foursomes from national and regional insurance companies and local brokers raised almost \$46,000.

The fourth annual Insurance Golf Team Challenge held on September 6, 2005 at Commonwealth National Golf Club was a perfect day. The weather was exquisite, the course was in spectacular condition and 27 foursomes and corporate sponsors helped the Foundation raise over \$50,000; a new record

for participation and fundraising. The Foundation would like to thank our event sponsor - First Insurance Funding Corporation, lunch sponsor – Belfor USA, cart sponsor – Wilson Elsher, and flag sponsor – Young Adjustment Company. Competing insurance teams included ACE USA, Addis Group, American International Group (NY), American International Group (PA), Argonaut Insurance Company, CBIZ Benefits and Insurance Services, Chubb Group, Citizens Clair Insurance, CNA, Commerce, ECBM, Fireman's Fund, The Graham Company, Hartford Insurance Company (two teams), Hilb, Rogal and Hamilton, Johnson Kendall and Johnson, McKee Risk Management Inc., Penn-America Insurance, PMA Insurance Company, Privett Special Risk, Selective Insurance Company, St. Paul Travelers Insurance, Stewart Smith East, Triester Rossman and Associates, US Liability Insurance Group, Zenith Insurance Company and Zurich Insurance Company.

After cocktails and dinner, the attendees watched a short film clip of an interview with Kate while she was in college.

The Foundation thanks the players, sponsors and many volunteers who helped make this event the best ever.



Commonwealth National Golf Club's Club House



Golfers take a swing at lunch.



Dave Hill accepts his winning trophy



Golfers enjoy lunch before meeting the challenge.



Maury Alsher, Dave Trudnak, Jim Gannon, and Tim Kraft from the Citizens Clair team



2005 Winners

1st Place Low Gross ACE
 2nd Place Low Gross St. Paul Travelers
 3rd Place Low Gross CBIZ
 4th Place Low Gross Chubb

1st Place Low Net Triester Rossman
 2nd Place Low Net Stewart Smith East
 3rd Place Low Net Penn America
 4th Place Low Net McKee Risk Management

More Golf Winners For The Foundation

Four golfers from Citizens Clair Insurance participated in the Fifth Annual "Chubb Charity Challenge" golf tournament at Bulle Rock in Havre De Grace, MD. They won \$2,000 for the Kate Svitek Memorial Foundation. Thanks to Frank Svitek, Drew Guinan, Dave Trudnak and Chris Missett!

We wish the Citizens Clair team even greater success next year as the winning regional foursome gets to compete for the top prize of \$50,000 at a national tournament.



Frank Svitek, Drew Guinan, Dave Trudnak and Chris Missett



Motown Memories

On June 25, 2005, over 200 Motown lovers and Kate Svitek Memorial Foundation supporters traveled back in time for an electrifying evening of Motown music. The evening's first class musical entertainment was provided by the Wallers, a family based group from Richmond, Virginia. They are comprised of a lead and 2 back-up vocalists who are highly choreographed, beautifully costumed show stoppers.

The energized crowd danced to music from the 50's, 60's and 70's with hits from the Supremes, Spinners, Temptations, Stevie Wonder, Four Tops, Gladys Knight and many other entertainers from that great era.

The clear tent with tiny bee lighting added the special effect of dancing under the stars. More than \$80,000 dollars was raised by the Motown Memories Event and Calendar Ad Book — a direct result of the tireless effort of the event committee, adeptly chaired by Marsha and Steve Milakofsky. We extend our heartfelt thanks to the committee members, Culinary Concepts which delivered fabulous food and elegant service and Jill Anderson from Anderson Graphics who outdid herself with this year's ad book.

We hope to see another great crowd of Foundation supporters at the next Annual Un-Black Tie Event scheduled for **June 24, 2006**. Please be sure to peruse the photos below for a better look at the perfect evening.



The Wallers



Kathy Elias, Lauren Quaile, Mike Svitek, Sam Milakofsky and Deb Harris



Andi Drucker and Ellen Svitek



Jess Weisbein, Deb Harris, Kathy Elias and Lynne Garbose



Bill and Beryl Kahan



Owen and Marcie Leshner and Cricket Snearing

Mama Mia!!

Have we got an event planned for you!!

SATURDAY JUNE 24, 2006 SAVE THE DATE!!!

INVITATION TO FOLLOW

The University of Vermont – Letters from the recipients of the Kate Svitek Memorial Scholarships

Dear Mr. and Mrs. Svitek,

I would like to take this moment to thank you very much for the opportunity to put so much time into this internship. During the Spring of '05 I was looking into applying for several internships for this past summer. After applying for and receiving the Kate Svitek Memorial Scholarship, I realized that my hope of doing a great internship had become a reality. ECHO at the Leahy Center for Lake Champlain is a non-profit, premier museum and science center which focuses on the Ecology, Culture, History and Opportunities for Stewardship (ECHO) in the Lake Champlain Basin. Located on the Burlington Waterfront, on the shores of Lake Champlain, it was the perfect place to continue my studies in environmental education and wildlife conservation.



At ECHO, I was one of three education interns who had a plethora of tasks and goals set before us for this summer. Working in the education department I was involved in the first ever ECHO “Eyes on Earth” Summer Day Camp, which partnered with the Flynn Center for the Performing Arts. The camp had two separate sections, week 1 was 6-8 year olds, and week 2

was 8-10 year olds. These two weeks were full of fun and science exploration.

The rest of my summer was spent educating the public on some of the threatened species that live in the Lake Champlain Basin. I presented daily animal demos using our animal ambassadors, mainly the painted turtle and the wood turtle. I also helped to interpret and present exhibits to the public and summer camp groups. These exhibits included the Champlain Sea saltwater touch tank, and other various exhibits around the museum. I also worked to develop and implement ECHO Encounters which are educational and fun activities for kids to do while at ECHO.

My main project for the summer was to develop a new set of ‘ECHO Treks’. These are scavenger hunts that school children use to explore the museum by finding the answers. I wrote twelve ECHO Treks in total, 4 for each of the grade ranges (2-4, 4-6, 6-8). Each trek had a theme which goes along with ECHO’s slogan; Ecology, Culture, History and Opportunities for Stewardship.



I want to thank you again for this amazing opportunity. I feel that I have made a positive impact on the visitors and shown them what positive things they can do to make the Lake Champlain Basin a better place for all living creatures.

Sincerely,
Gwendolyn Lyons
Rubenstein School of Environment and Natural Resources

Dear Svitek Family,

My internship in Colorado was one of the most rewarding experiences since my enrollment at the University of Vermont. With your generous scholarship, I was able to live in Lake City, Colorado and work for the Bureau of Land Management (BLM). Because of my position as an intern as opposed to a full time employee, I was given very little money for living expenses and would not have been able to accept the position without your help.

I have always considered Burlington, Vermont the perfect place to live because it is located near the mountains and has a population of only 40,000. I was taken aback when I first arrived in Lake City, not only because the sign read, “Population 375,” but because of the five 14,000 foot peaks that surrounded the rustic mining town.



Through the BLM, I took a position as a Recreation Intern and had responsibilities similar to that of a Park Ranger. I patrolled and cleaned campsites; hiked and maintained back-country trails, and surveyed wilderness areas monitoring visitor impact. Through work and free time, I saw a great variety of wildlife such as bear, elk, bighorn sheep and moose. I was also able to snowboard in July at 13,000 ft. and I was able to fly fish many amazing trout streams.

This summer, I met a wide variety of people and learned many things about private and public outdoor recreation. Because of my focus and determination with the BLM, I have a clearer vision of my future goals and have made connections that will help in almost any path I choose to take.

I am so appreciative of the scholarship I received and I am glad that this same opportunity has been given to other students. This generosity will last long after my internship and I will always be grateful.



much.

Sincerely,



Community Academy of Philadelphia – More Of Your Donations At Work...

Dear Scholarship Committee,

I would like to thank you for all your support in allowing me to go on this amazing journey over the summer. Because of the scholarship you granted me, I was able to experience things out of my comfort zone and realize it was all worth it. Several days before the trip, I was worried I was not going to make it. However, the group members encouraged me and I got through it with pride. The first night of arrival everyone got along. It was like we knew each other for years. We all felt so comfortable around each other that we ended up telling our life stories. In the beginning of the course every activity was very hard to complete, but I never gave up. As the days went by, I got better at the hiking, eating unusual foods and working together as a group. This trip taught me to have patience and compassion. I always had compassion but I never really knew how to show it until now. This improvement pushed me to try harder. Soon I was the first to try everything. My instructors noticed my improvement and decided to make me the permanent leader in hiking. This trip helped me in so many ways. One way is that I am not shy or scared to be myself any more. I cherish this trip and now with pride, I say yes, whenever someone asks me if I went to Outward Bound. Once again, thank you. I will never forget you or this experience.

Sincerely,
Cecilia Cardona

To the Scholarship Committee:

My name is Vanessa Rivera and I am writing you this letter to thank you for letting me attend Outward Bound School in North Carolina. I really enjoyed myself and had a wonderful experience out there in the wilderness. When I first got there I was afraid of heights, I could not climb up-hill, I was afraid to speak in front of an audience and I thought I was not going to make it to the end of the course. However, I made it and did things I never thought I could. I am thankful for overcoming my fears. Now I am proud of myself as well as grateful that I had the opportunity to do something challenging and unique. I learned to cherish life and what it brings to me. I also learned that if there is not enough for everyone, then there is not enough for me. I think I have grown as a person. I have developed a better attitude and I am much more mature. I also am a spontaneous motivator and I will not forget the four main pillars. I enjoyed it when I cooked and everyone loved my food because I do not cook at home and now I do. I also liked experiencing canoeing. I never canoed and I loved it. Overall, I just loved Outward Bound and was proud that I had faith in myself to complete the course. Thank you so much, once again, for letting me attend this school. I really am a stronger person and look at life with a different perspective now. I am so excited to understand life more and thanks to you.

Thank you,
Vanessa Rivera

Dear Scholarship Committee,

My name is Danielle Carter and I am an alumni of Outward Bound. I realize I wanted to go to Outward Bound when I heard the other alumni saying it changed them as a person. I figured that going to Outward Bound would change me as a person and give me the skills I needed throughout my life. While I was at Outward Bound, my group climbed mountains so high that I never could imagine myself climbing. Also, my group would hike several miles a day with a 60 to 70 pound backpack on our backs. Thanks to the Scholarship Committee, I received a wonderful change of a lifetime to overcome my fears. I learned how to trust the people in my group and also in my life. I learned how to be a great leader, how to listen and how to venture out of my comfort zone. Being away from my family for two weeks made me a stronger and wiser person because I could no longer ask my parents for help. It was only my group and I relying each other that got me through. After a week of being home and being around the same people that I have been around all my life, I noticed a huge change. I was not ashamed to do a lot of things in front of them nor was I materialistic. The Outward Bound experience changed my life. It made me realize that during the worst of times you always have someone you can rely on and talk to because that person is going through the same thing that you are going through. I now know that in order to survive I do not need all the money in the world or the name brand sneakers just to get through each day. When it was all said and done, the experience was worth wild. Once again, I say thanks to the Scholarship Committee for giving me the chance of a lifetime.

Sincerely,
Daneille Carter

Dear Scholarship Committee,

My name is Lisa Almero and I have just completed an Outward Bound course this past summer. I want to thank you for giving me the opportunity to try something different. I have learned so much with the two short weeks I was there. I grew physically and mentally while in Outward Bound. My character has grown so much. I do not take anything I have for granted anymore. Ever since Outward Bound, I have been appreciating everything and everyone around me. One of the most important lessons I have learned was trust. Before I went there, I had a hard time trusting people around me. I realized while we were on the rock climbing course that I would not have had a successful climb unless I was able to trust my belayer. At first it was hard but in time, I was able to let my guard down. I keep that lesson with me today. I know that not everyone is untrustworthy and not everyone out there is trying to hurt me. The course has also taught me to have more confidence in myself. I realized that I can do most of the difficult chores thrown at me. I learned that in order to get anything done, you have to have the right mind set. That is something the instructor told me when I wanted to give up. The course was extremely hard for me. I was not used to the environment that I was put in, but I know because of that experience I came back a better person. I think you for that because without the scholarship you gave me, I would have not been able to go.

Sincerely,
Lisa Almero

Interests and goals align with Kate's hopes and dreams. The primary focus is to promote and help underwrite a range of activities and placement. Please remember Kate by visiting our website and making a tax deductible contribution. All volunteers are welcome to assist in placements.

A Night With Richard North Patterson A Fabulous Success!

Avid readers and supporters of the KSMF gathered on February 10th for an evening with highly acclaimed author Richard North Patterson, who introduced his emotionally charged novel, *Conviction*. Mr. Patterson provided vivid details about his writing endeavors and in-depth research, including visits to death row. He is currently working on a new novel to be staged in the Middle East. The author answered a number of fascinating questions from the audience, which shed light on his road to fame, key characters, former life as a lawyer, and political connections. The attendees were treated to autographs and dessert. What was the greatest personal secret? Mr. Patterson writes all of his novels by hand without the support of a computer!!

Richard North Patterson is the author of twelve prior novels, including *Balance of Power*, *Protect and Defend*, and *Degree of Guilt*. Formerly a trial lawyer, Mr. Patterson served as the SEC's liaison to the Watergate Special Prosecutor, and is now on the boards of several Washington-based advocacy groups. He lives on Martha's Vineyard in Massachusetts.

With thanks to our hosts, Richard and Sharyn Berman, this event raised over \$2,600 for the Foundation.



Meet Aron Ralston

March 26th 2006

Aron's memoir and first book, powerfully details the miraculous story of perseverance and a family's love that has touched and inspired readers around the world. In recounting his adventures (and misadventures), he weaves his development as an outdoorsman with the saga of his six-day-long entrapment by an 800-pound boulder in Blue John Canyon. Ultimately, Aron saved his life by amputating his right hand and forearm with a blunted multi-tool, rappelling a 65-foot-high cliff and then hiking seven miles.

Despite his courageous self-rescue, Aron was near death. Suffering from dehydration, shock, heat exhaustion and blood loss, he was saved by a black helicopter, part of the search operation spearheaded by his mother.

Attaining international bestseller status, *Between A Rock And A Hard Place* reached #3 on the New York Times hard-cover non-fiction list, and with the paperback version, ran 20 weeks on the NYT best-seller list, hit #1 in New Zealand and Australia and is currently the #7 best-selling autobiography of all-time in the UK. The memoir is being translated into 10 languages.

Media Appearances, Recognitions, and Speaking Focus:

Aron was featured in a two-hour *NBC Dateline Special* and has been a favorite guest on a number of talk shows including the *Today Show*, *Good Morning America*, *The Late Show with David Letterman*, *The Ellen DeGeneres Show*, *The Late Late Show with Craig Ferguson*, *CNN with Bill Hemmer*, *Anderson Cooper and CNN Saturday Morning*, and *CNBC with Deborah Norville*. Aron has also interviewed with Howard Stern, G. Gordon Liddy and in print, on radio and TV media around the world. Additionally, he was named *GQ Man of the Year* and a *Vanity Fair Person of the Year* in 2003.

**See Page 1 to order your tickets Now
to this very extraordinary event!**

Check out the
new pictures
for all of this
year's great
events!



Please take some time to visit our fabulous website!
www.katesvitekmemorial.org



Getting To Know Kate

Those who had the fortune to meet Kate all knew what a vivacious and unique person she was. Not only did her sparkling personality shine through, but her intelligence and understanding of her world were immediately evident. This section of the newsletter is being included to give those who did and didn't get to meet her a better understanding of what she stood for and the mark she had made on her world in the short time she lived. Below is an excerpt from her application to UVM, Fall 1996.

Summer is supposed to be for leisure. I should have been on the beach wearing merely a bathing suit, not sitting in the guide shack in Mt. Rainier National Park with the hail beating down on the tin roof, and wondering if the soaking wet capilene underwear on my back and synchilla fleeces in my backpack were going to be enough for the long, steep trek ahead. Suddenly, I wanted to be with my friends back home, prancing into the ocean every so often at the hot, sandy Jersey shore in order to cool off from the unbearable July sun. Instead I was 3,500 miles away from home in the middle of a snow storm.

Despite the weather, we had made it to our "10,000 foot high resting place", Camp Muir. It was at Muir that we cooked up and forced down the rubbery, overcooked globs of Kraft Macaroni and Cheese. "It will give you the energy you need to get to the summit," the guides assured us numerous times. Although it looked nothing like Mom's mac and cheese, I forced it down. It was only four o'clock in the afternoon but we were told to try and rest. We would be awakened at midnight to start the trek to the top.

It was cold and I was getting anxious as I lay zipped into my sleeping bag, in drenched socks and underwear trying to get to sleep and stay warm amid the chatter and snoring that filled the small bunk. Suddenly I wasn't feeling so well. I sat up debating whether or not I should try in the darkness to make my way outside to the "hole in the ground" bathroom. Yes, I had to get up. As I stumbled out of my bag, trying not to wake anyone up, I felt that hardened ball of macaroni that had earlier fallen to the pit of my stomach slowly making its way up my esophagus. This wasn't the right time or place to be getting sick.

I battled the door open against the fifty mile an hour winds just in time to vomit all over the fresh blanket of white snow. With each step toward the outhouse I grew sicker, leaving small trails of throw up behind me. I leaned my head over what I thought was the hole, and instead threw up all over the floor and seat cover of the outhouse. It seemed as if my retching would never end. My hands were trembling. A tear trickled down my face. My heart filled with sorrow. I figured there was no chance of me reaching the summit. I had barely enough energy to get back to the cabin.

I was awakened at midnight. As the group scurried around to find all their belongings, I lay there wondering what to do. I had never felt sicker, but reaching the summit was the event of the summer I had been waiting for most. I had to at least give it a try. Perhaps the fresh air and excitement would revive me. The worst had to be over.

Unfortunately, the worst was not over. I exhausted myself just getting to the first rest stop. The winds were getting higher and the temperatures had hit the negative numbers. As I decided to turn back, wishing the group bound for the summit a "Good luck", I realized my journey was still only half over.

Unable to concentrate, my head spinning, I kept tripping over the rocks and my own feet. Time after time I fell down, pulling the people tied to my rope close to danger. We were almost back to Muir when in the depth of my sickness, frustration and embarrassment, I saw the sun rise among the clouds over Mt. Baker's snow capped peak hundreds of miles away. The overwhelming misery of that night's fiasco was transformed. The beauty of the scenery around me left nothing for me to complain about and I realized how lucky I was for even getting the opportunity to be doing what I loved best.

Although I didn't make it to the summit of Mt. Rainier that sunrise, near the top of the world, gave me a new perspective on life. I realized the importance of challenging one's own limits and ingenuity even if you are not able to achieve a goal. That sunrise placed into me a sense of wonder that had nothing to do with whether or not I made it to the summit. It is not always necessary to achieve an ultimate goal, because the reward of self satisfaction was enough from within.

CHOCOLATE WORKSHOP

On Sunday March 6th, a group of 30 women and teens gathered for an afternoon of gourmet candy making. This delectable course was successfully lead by Cricket Snearing, renowned candy maker, party planner, and craftsperson. The group generally consisted of amateur cooks with limited experience.



After a few select tips and demonstrations from Cricket and her assistant Jackie, the attendees were able to turn out delicious and fancy professional chocolate covered pretzels, strawberries, and apricots, gourmet popcorn and cashew bark, as well as delightful confections like chocolate covered oreos, caramel and marshmallow treats.

Following the preliminary session, Cricket provided more advanced training in white chocolate deviled eggs and gourmet sugar coated peaches. The "icing on the cake" came at the end of the party. Cricket taught the new graduates how to wrap goodies with spring flowers and ribbons, providing all in attendance with gift boxes brimming with scrumptious treats for family and friends. A special thanks to Cricket and Jackie Drobny for providing such a sweet afternoon for supporters of the KSMF. Kudos also go to Lorraine Drobny for sharing her kitchen with the somewhat messy group and allowing the Foundation to raise \$545!!



Community Academy of Philadelphia Teams Up With The Kate Svitek Memorial Foundation

Recently the Foundation joined forces with Community Academy of Philadelphia (CAP), a charter school located in north Philadelphia. With the Foundation's backing, as many as 10 annual scholarships will be awarded to CAP students who will then attend the North Carolina Outward Bound summer program. Additionally, this Foundation scholarship program will officially be designated as the *Kate Svitek Memorial Foundation North Carolina Outward Bound Scholarship Program*. All reference to the CAP summer program will be identified with the new name and new logo shown below.



The school has agreed to appoint a teacher as the program coordinator and also to allow the Foundation to present its scholarship certificates to the students at the school's annual award day ceremony. Reports from all students attending the summer program have been spirited, enlightening and gratifying.

Community Academy of Philadelphia was the first Philadelphia school to receive a charter in 1997, and one of the first charter schools founded in the Commonwealth of Pennsylvania. With over 1,200 students enrolled in grades K-12, CAP is in their 25th year of dedication to the city's future and beginning their third full year in their state-of-the-art, 118,000 Sq. Ft. facility on a 6.5-acre campus, located at 1100 E. Erie Ave (between "J" and "K" streets).



A Bat Mitzvah Project Lends A Helping Hand

On October 1, 2005, Kate's cousin Susie celebrated her Bat Mitzvah. As a special project for her Bat Mitzvah, she decided to produce and sell bracelets to help Kate's Foundation. The bracelets cost four dollars and can be ordered through Kate's web site or by using the form below. The bracelets help promote awareness for the Foundation.

During her speech, Susie said, "I would like to raise money to help the Kate Svitek Foundation. All the money will go to letting children experience the outdoors. Kate loved nature. The foundation to me is keeping Kate's spirit alive in all of us by allowing kids that might not ever see the outdoors, see the outdoors and appreciate it like she did."

Please purchase a bracelet and help remember Kate.



Order Form

Name _____

Address _____

City _____ State _____ Zip _____

Please mail me _____ bracelets at \$4 each. I am enclosing a check made out to the **Kate Svitek Memorial Foundation** for the total sum of \$_____.

Mail to Susie Kligerman, 523 Valley View Road, Merion PA 19066.

This article documents a personal cause of Frank, Ellen and Michael Svitek. No Foundation funds have been used to support this cause and no future funds will be designated to fight the snowboard industry. It is our fervent desire to change legislation in hope of saving other innocent lives.

The Fight Begins In Portland

For those of you who may not know, Frank and I spent the last two weeks of May in Portland, Oregon at a trial initiated by us against Nidecker, a Swiss manufacturer of Kate's snowboard and bindings. Our purpose was to help effect changes in the safer design of snowboard bindings. Currently, the industry promotes the use of non-releasable, beartrap bindings which secure the snowboarder's feet to their board. Although the jury found in favor of Nidecker, several jurors agreed that bear trap bindings are dangerous and hope the industry will change.

We have never shared with you the anguish we've kept inside knowing Kate was trapped upside down, struggling to free herself and turn herself around. After much investigation by snow scientists and medical doctors, we believe she was alive for at least fifteen minutes in the tree well. We believe Kate would be alive today if the industry promoted the choice of releasable bindings as an option for snowboarders.

In addition to sustaining Kate's legacy through the Foundation, Frank, Michael and I are dedicating ourselves to adopting the cause of changing the snowboard industry to save other parents and siblings the anguish we suffer daily.

The following article by Anne Saker appeared in the May 28th edition of *The Oregonian*.

In the nation's first verdict involving a snowboard manufacturer, a Multnomah County jury decided Friday that a Swiss company was not liable for the 2002 death of a young woman who fell while snowboarding in Mount Bachelor's deep powder and suffocated.

The verdict was not unanimous, and three jurors lingered in a hallway outside the courtroom to tell the dead woman's parents that the snowboard industry should pay more attention to product safety.

The parents, Frank and Ellen Svitek of Ambler, Pa., attended every day of the two-week trial. Their daughter, Kate Svitek, 22, was killed on Feb. 8, 2002, when she fell head first into a tree well and was trapped in the deep snow.

The case centered on the snowboard's bindings, a crucial piece of equipment in a sport that has exploded in popularity over 20 years. Bindings affix a rider's feet to a snowboard. Unlike ski bindings, which automatically release in a fall to prevent injury, snowboard bindings do not release.

At trial, the lawyer for the manufacturer, Nidecker of Rolle, Switzerland, argued two main points. Nonreleasable bindings are safer, he said, because when a rider falls, the snowboard acts as an anchor. Releasable bindings, he added, can cause injuries if only one foot releases from the board.

"The picture says it all"

Although a few releasable bindings have been marketed, they generally are not available in equipment stores.

During the trial, the Sviteks' attorney introduced evidence that nonreleasable bindings increase the risk of death if a snowboarder falls into a well of deep snow around a tree trunk. Unable to kick off the board, a rider can become trapped and die from lack of oxygen.

The Sviteks said they knew they were breaking ground with a lawsuit. A search of legal databases shows that a product-liability case against a manufacturer of snowboard bindings had never gone to a jury in the United States.

Joseph Chaiken of Philadelphia, the attorney for the Sviteks, said Friday after the verdict that challenging the standards of a big sports industry was always "a tough case."

Portland lawyer Brad Stanford, who represented Nidecker, said his client thinks the verdict "reaffirms that these nonreleasable bindings are safe."

"Given the industrywide implications of a negative verdict," Stanford said, "we are very happy."

The Accident

Kate Svitek was off-duty from her job at Mount Bachelor Ski Resort when she went snowboarding with friends on her Nidecker Megalight II board with Pro 800 "bear trap" bindings.

On their fifth run, Svitek disappeared. The resort launched its largest-ever search to look for the outdoorsy, athletic woman who had summited Mount Rainier the previous September.



Frank and Ellen Svitek flew to Bend for the vigil.

She was not found for three weeks. The medical examiner determined that when Svitek fell into the tree well, the deep, light, airy snow closed in around and on top of her, keeping her from moving.

The Sviteks established a memorial foundation that raises scholarship money to send youngsters on wilderness adventures. Then they researched snowboard deaths.

Since 1993, at least 12 snowboarders have died in tree wells. In January, an 18-year-old man snowboarding with his father at Northstar-at-Tahoe in California fell into a tree well and suffocated.

The Sviteks think that if their daughter's snowboard had releasable bindings, she could have kicked off the board and escaped. Despite the odds against victory in court, the Sviteks sued for \$15 million because they say Nidecker should have put releasable bindings on the market.

"This may sound corny," Ellen Svitek said, "but I didn't want Kate to die in vain."

The Trial

For two weeks, the couple sat in Courtroom 734 of the Multnomah County Courthouse wearing buttons with their daughter's smiling face.

Chaiken, their attorney, brought in two developers of releasable bindings, who said they had difficulty persuading the industry to switch.

Stanford flew in Henri Nidecker, president of the 100-year-old family-owned manufacturer. Speaking in French through an interpreter, Nidecker said that for a time in the early 1990s, he marketed

a releasable snowboard binding but dropped it on poor sales.

No studies have compared the injury and death rates of releasable and nonreleasable snowboard bindings, both sides agreed.

But in his closing argument Thursday, Chaiken argued that the belief that nonreleasable bindings are safer is an industry myth, not unlike Big Tobacco's early advertising that cigarettes were a health aid.

Stanford countered that deaths in tree wells are caused not by equipment but by the way a snowboarder comes to rest. Skiers die in tree wells, too, he said: "If releasable bindings were the answer, they would be no deaths of skiers in tree wells."

The jury deliberated for 41/2 hours Thursday afternoon and Friday morning and brought in a verdict just before noon. On the two questions about Nidecker's liability, the jury voted 10-2 and 9-3.

After Judge Richard C. Baldwin read the decision, he announced that some jurors wanted to talk. As Chaiken and the Sviteks left the courtroom, they met Army Col. Earnest Smith and two other jurors in the hall.

Smith said many jurors wanted to vote for the Sviteks to send a message to the industry. But others were not convinced of the equipment's dangers.

"I was with you all the way," he told them.

Later, the presiding juror, electrician Howard Prink, said from his Gresham home that the facts and the law in the case did not allow the jury to send the message Smith described.

"It would be like punishing one company for what the industry does as a whole," Prink said.

Prink said the case interested him because his 16-year-old daughter is on her school's snowboarding team, and she wears nonreleasable bindings. He said he would share at least one lesson from the trial with her.

"I told myself that when this is over, I would sit down and have a talk with my daughter and make sure she is aware of tree wells," he said.

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