

# 2024 STAC Official Rules and Fact Pattern

*Parker Standish, Administrator  
for the Estate of Riley Standish  
and Parker Standish, Individually*

v.

*Shermer Utilities, Inc.*

**Important Dates:**

Problem Release Date: January 19, 2024

Team Participant Registration Due: January 19, 2024

Requests for Clarifications Due: January 29, 2024

Clarifications Issued: February 7, 2024

Regional Competitions: March 7 – 10, 2024

National Finals Competition: April 4 – 7, 2024

## **AAJ STAC OFFICIAL COMPETITION RULES 2023**

Students who graduate in December 2023 are eligible to participate only if the competition counts toward their credits for graduation and they will not be admitted to practice prior to March 2024.

*Each student participant, including student trial technicians, must be an AAJ student member by **January 19, 2024**, to participate.*

### **REGISTRATION PROCEDURES**

#### **Refund Policy**

Requests for cancelling a team and receiving refund of a school's registration fee were due in writing before November 17, 2023. Teams cancelling after that will not receive a refund and will be penalized in the 2025 competition.

Teams placed on the waiting list will be contacted for participation in the order that they were placed on the waitlist. Schools that registered two teams but only had one team compete because the competition is full will receive a refund for the second team after the regional competition ends.

#### **AAJ Law Student Membership and Student Team Registration**

**Student team members must be AAJ members by January 19, 2024**, to participate. All students must verify their membership and register for their respective team online. Participant registration is now open. AAJ Law Student membership dues are \$15. If you have any questions about AAJ's law student membership, or if you have any trouble becoming a member online, please call the AAJ Membership Department at (202) 965-3500, ext. 8611.

#### **Coach Registration**

AAJ must receive the names of the coach for each team to have a team contact and to allow them to observe the competition. A coach must be affiliated with the school they are coaching; alumni, professor, or a law student but may not be a student who is competing in the competition. Coaches do not need to be members of AAJ and **should not** register for the STAC event. Coaches must [complete this online form](#), listing the team the coach is associated with by February 1, 2023. This is the information that will be sent to the regional coordinators to communicate logistics.

#### **Student Substitution Policy**

Substitution of team members after February 1, 2024, is not permitted except in the case of personal emergencies or medical diagnoses that do not allow a student to compete.

Requests for substitutions after the February 1, 2024, deadline must be made in writing with an explanation of why the substitution is needed and sent to Jennifer Rafter at AAJ for consideration. These requests must be sent to [STAC@justice.org](mailto:STAC@justice.org) and [Jennifer.Rafter@justice.org](mailto:Jennifer.Rafter@justice.org).

## REGIONAL AND FINAL COMPETITION ASSIGNMENTS

Entering teams will be assigned to one of 10 regional competitions based on time zone *to the extent possible*. Teams from the same law school will be assigned to the same region. If a school's second team is waitlisted, there is no guarantee that second team will be assigned to the same region as the first team.

To officially compete in the competition, a team **must** receive its regional assignment. If a team is not informed by AAJ that it is able to compete, that team is not registered for the competition.

## COACHES

A coach should work with each team in the regional and the final competitions. The coach for a team that advances to the final competition does not have to be the person who coached the team at the regional competition, but any changes to coaches for the finals must be sent in writing to [STAC@justice.org](mailto:STAC@justice.org) no later than March 22, 2024. A coach may be a law student but may not be a student who is competing in the competition.

*Only team coaches or a designee are permitted to attend the coaches' meeting and file formal complaints.* If a coach is unable to attend, he or she must notify AAJ and the regional coordinator. Only then will students or another designated person be permitted to attend in the coach's absence.

## COMPETITION FORMAT

This is a trial skills competition. There is **no** motion or trial brief writing component. Each team will consist of four law students. Two students will be advocates and two students will play the witnesses for their side in each round. Advocates and witnesses may change their roles from round to round, but roles must remain consistent throughout each individual trial.

### **Regional Competition**

The regional competition will consist of three (3) qualifying rounds. The first three rounds will be randomly matched such that each team tries both sides of the case during the first two rounds with a random third round. No team from the same school shall face another team from the same school during the first three rounds.

At the conclusion of round three, the final qualifying round, eight (8) teams shall advance to the elimination rounds of the tournament. The advancement and seeding of teams from qualifying rounds to elimination rounds shall be determined as follows: (1) win-loss record, (2) number of ballots won, (3) total point differentials, and (4) total points. The first elimination round will be paired as follows:

<b>Semifinal #1</b>	1 <sup>st</sup> Seed	v.	8 <sup>th</sup> Seed
<b>Semifinal #2</b>	4 <sup>th</sup> Seed	v.	5 <sup>th</sup> Seed
<b>Semifinal #3</b>	2 <sup>nd</sup> Seed	v.	7 <sup>th</sup> Seed
<b>Semifinal #4</b>	3 <sup>rd</sup> Seed	v.	6 <sup>th</sup> Seed

In the next elimination round, the winner of Semifinal #1 will play the winner of Semifinal #2, and the winner of Semifinal #3 will play the winner of Semifinal #4 in the Final Rounds.

If paired regional semifinal round teams have met in the preliminary rounds, they will each represent different sides than in the previous meeting. If they have not yet met, each team will take the side they represented only once in preliminary rounds. If matched teams represented the same side only once, the regional coordinator will flip a coin in the administrative breakout room with the law school host present, and thereby decide sides and report to schools which side they will represent.

If paired regional final round teams have met in the preliminary rounds, they will each represent different sides than in the previous meeting. If they have not yet met, the regional coordinator will flip a coin in the administrative breakout room with the law school host present, and thereby decide sides and then report to schools which side they will represent.

We do not anticipate any odd number of teams at the regional competitions. When an odd number of teams compete at a regional competition, one randomly chosen team will receive a “bye” in each qualifying round. For ranking purposes, a bye will count as a win and the team with the bye will be deemed to have had three votes and the points equal to the average of the team’s points from the two other qualifying rounds.

The winners of each final round will advance to the National Finals Competition, so each region will have two teams advance.

### **National Finals Competition**

The National Finals will take place in person in Chicago. The exact location will be shared when it is finalized. AAJ will also work with a hotel close by to set up a room block for students/coaches that advance. During the finals, each team will compete in three qualifying rounds. The top eight teams will advance to a single elimination quarterfinal round. The winners of each quarterfinal round will advance to a single elimination semifinal round. The winners of each semifinal round will advance to a single elimination final round.

At the conclusion of the final preliminary round at the National Final competition, the eight teams that shall advance to the elimination rounds of the tournament and the seeding of those teams shall be determined as follows: (1) win-loss record, (2) number of ballots won, (3) total point differentials, and (4) total points.

The first elimination round will be paired as follows:

<b>Quarterfinal #1</b>	1 <sup>st</sup> Seed	v.	8 <sup>th</sup> Seed
<b>Quarterfinal #2</b>	4 <sup>th</sup> Seed	v.	5 <sup>th</sup> Seed
<b>Quarterfinal #3</b>	2 <sup>nd</sup> Seed	v.	7 <sup>th</sup> Seed

**Quarterfinal #4**     3<sup>rd</sup> Seed     v.     6<sup>th</sup> Seed

In the next elimination round, the winner of Quarterfinal #1 will play the winner of Quarterfinal #2, and the winner of Quarterfinal #3 will play the winner of Quarterfinal #4 in the Semifinal Rounds.

The winners of each Semifinal round will advance to the National Final Round.

### **THE TRIAL**

The competition this year involves the trial of a civil lawsuit. The same fact pattern will be used in the regional and final competitions, but it may be adjusted for the national finals. The trial judge previously ruled that the case would be bifurcated, and the case being tried in the competition is the first phase of the case—the liability phase. Only evidence relevant to the liability issue will be received. There are no pending third-party claims.

The Federal Rules of Evidence (FRE) and Federal Rules of Civil Procedure (FRCP) are the applicable rules of evidence and civil procedure. Only these rules, and the law provided in the fact pattern, shall be used in argument. Specifically, no statutory, regulatory, or case law shall be cited unless such law is provided in the fact pattern.

Students may argue based upon the comments or advisory notes to the Federal Rules of Evidence but may not cite the cases contained therein. No written briefs, motions, or trial notebooks may be presented to the judge hearing a case. Advocates may show the judge part of the fact pattern that the judge is asked to rule on, only at the time the judge is asked to rule on it.

The trial will consist of the following phases by each team in this order:

- Motions in Limine
- Opening Statements for Plaintiff followed by Defendant
- Plaintiff's Case-in-Chief
  - Plaintiff's direct of Plaintiff's witness #1
  - Defendant's cross of witness
  - Plaintiff's redirect of witness
  - Similar for Plaintiff's witness #2
- Defendant's Case-in-Chief
  - Defendant's direct of Defendant's witness #1
  - Plaintiff's cross of witness
  - Defendant's redirect of witness
  - Similar for Defendant's witness #2
- Closing Argument
  - Plaintiff's Closing
  - Defendant's Closing
  - Plaintiff's Rebuttal Closing

Each side is limited to two live witnesses whom they may call in any order. Plaintiff must call Parker Standish and Kai Vernon. Defendant must call Amari Reynolds and Rowan Bender.

The trial has six (6) major advocacy opportunities for each team: opening statement; direct/redirect examinations (2); cross-examinations (2); and closing argument. Each attorney

member of a team must handle three of the six opportunities. Opening statement and closing argument may not be done by the same person and individual statements may not be split between team members. Each team member must do a direct and cross. Each team member does not need to play an attorney role.

During the competition, each team will represent both parties. Pairing in the qualifying rounds will be at random, with each team representing both plaintiff and defendant at least once in the three rounds.

Except in the final round, the virtual courtrooms will be off-limits to all team members, coaches, friends, and family members who are not associated with either team competing, unless their team has already been eliminated from the competition.

No team may receive any coaching from anyone in any form during a round, including recesses or breaks. During a round, teams shall not have contact with anyone, other than their team members and their student trial technician, until the round ends. The regional or national coordinator, as applicable, has the authority to punish any violation of this rule by disqualifying the team from the remainder of the competition.

Performance at trial will be evaluated by a panel of judges and/or attorneys, one of whom will preside over the trial as Judge, making rulings as necessary, and the remainder of whom will act as the jury.

### **Motions**

Each side will be permitted to make one motion *in limine*. Such motions are limited to 5 minutes per side— to make and to respond to motions.

Motions for a judgment as a matter of law and evidentiary objections are permitted.

### **Timing of the Trial**

Each team will have 70 minutes to present its case (not including the additional 5 minutes per side for motions in limine); time will be stopped during objections. The time limit will be strictly enforced, although it is not necessary that all time allotted be used. There will be no time limits for specific aspects of the trial. Time on cross-examination is charged against the team conducting the cross-examination. Time will be stopped for objections and responses to objections. Team members will be responsible for timing the trials, as no bailiffs will be provided. Teams should meet and confer prior to closing argument if there are any issues regarding timing. If the issue cannot be resolved, it should be brought to the attention of the regional coordinator.

### **Trial Technology**

Teams may use any technology **except teleprompters or other script-scrolling apps or devices**. Teams that are proven to be using these devices will be penalized. Teams may set up their physical spaces however they like, but they may not have (a) virtual backgrounds or (b) anything on screen that identifies their school, state, or region. Any app or program screen share as a virtual background is not permitted.

A case file of all materials will be provided to presiding judges. Advocates should authenticate exhibits, impeach, and refresh recollection by referencing the case file.

Teams may have one additional student on their roster to serve as a trial technician, who shall be responsible for technology needs, such as displaying exhibits. Trial technicians must become an AAJ member, register as a team member, and may confer with team members throughout the trial for any reason. Teams may also assign those responsibilities to one or more of the other rostered team members. Trial techs may attend the national finals should their team advance; however, they cannot substitute as a competitor in the finals.

Witnesses must sit while testifying (unless given permission to stand by the presiding judge). Witnesses should only have their audio and video on while testifying or if asked to turn on their camera to be introduced to the jury during opening statements.

While a witness is testifying, **no one** may communicate with them privately (e.g., no coaching your witness by text message). Otherwise, advocates and witnesses on the same team may communicate with each other during the trial.

Advocates may choose whether and when to sit or stand. Advocates must mute their audio except when presenting, including the attorneys conducting direct and cross, who may both be unmuted.

During motions and while addressing housekeeping matters, only the attorneys addressing the issues at that time should have their video on.

During opening and closing, only the two attorneys giving that particular speech should have their video on (e.g., during the Plaintiff opening, both the Plaintiff opener and Defense opener should have their video on). During witness examinations, only the two attorneys examining that witness and the witness should have their video on.

During trial, team members may communicate only with each other, judges, the opposing team, and tournament officials. They may not communicate with coaches or anyone else. Teams that violate this rule are subject to sanctions outlined below.

### **Facts Outside the Record**

Advocates must confine the questions, and witnesses must confine their answers to the facts provided in the fact pattern, any matters judicially noticeable under the Federal Rule of Evidence 201, and **necessary inferences** drawn from the case material on non-material facts.

1. **Necessary inference:** An inference is necessary if another and a different inference cannot be reasonably drawn from the facts stated. It is inescapable and inevitable. A necessary inference is NOT any fact that you might wish to be true, nor is it a factual inference that is merely possible or consistent with facts in the fact pattern. For example, if your witness is a police officer, it is a necessary inference that the officer went to and graduated from the police academy. However, it is not a necessary inference that the officer received any specialized training, like training in accident reconstruction.
2. **Material facts:** No inferred fact may be material, which is defined
  - a. as a fact that changes the merits of either side of the case or
  - b. that bears on the credibility of any witness or litigant. So, if one of the witnesses is a police

officer, then it is a necessary inference that the officer went to and graduated from the police academy, but it is not a necessary inference that the officer graduated at the top of their class.

3. **Impeachment by omission:** If during a direct examination a witness testifies to a material fact not contained in the case materials, the witness may be impeached during cross-examination through impeachment by omission. A witness must admit that counsel suggested the fact or that the witness him/herself made up the material fact, if true. The opponent should impeach if a witness says something outside the fact pattern.
4. **Cross-examination:** During cross-examination, an advocate may question the witness about non-events that are necessary inferences based on the problem materials. For example, if a police officer witness is testifying and the record is silent relating to DNA samples, it is a necessary inference that a police officer witness did not collect DNA samples from the crime scene. In this example, it is permissible to ask the police officer witness, “You never collected any DNA samples, correct?”
  - a. This question is permissible because the witness statements are full and complete statements of everything the witness knows. Therefore, the absence of information in the record about collection of DNA means DNA was not collected. If a witness is asked on cross-examination about the absence of information, the witness must admit that collection or testing was not done. **The witness is prohibited from saying “I do not know” or “that was not asked at my deposition.”**
  - b. However, an advocate may not invent facts or use outside resources in their questions to enhance the cross-examination of a witness. Taking the example of a police officer witness testifying and a silent record about DNA samples, an advocate shall not reference topics outside of the case file, such as the reliability of DNA, the scientific theory of DNA, the process of DNA collection, etc. In this example, it is not permissible to ask the police officer witness, “You’re aware that the margin of error for DNA tests can be as high as five percent, correct?” This question is not a necessary inference.
5. **Re-cross examination:** While these rules generally prohibit re-cross examination of a witness, **re-cross examination is allowed for the limited purpose of impeaching the witness**, either by prior inconsistent statement or by omission, if a witness testifies during re-direct examination to a fact not contained in the case materials. The presiding judge will determine, based on arguments and evidence presented by counsel, whether a witness testified during re-direct examination to a fact not contained in the case materials.
  - a. In any event, even if a re-cross examination is allowed, under no circumstances will another re-direct examination be permitted after the re-cross examination concludes.



**Under no circumstances are witnesses permitted to testify that they were not asked a question in their depositions.** Any testimony to this effect, alleged by an opponent's objection and verified by at least one scoring judge, will result in an automatic forfeit of all three ballots in that round.

## **Witnesses**

A person of any gender may play any witness. During the pre-trial meet and confer, each team will notify the other team of the gender of each witness.

All depositions are signed and sworn.

The same attorney conducting direct examination of a witness shall also conduct the re-direct examination of the same witness if any.

The only lawyer who may object during witness testimony is the lawyer examining that witness.

Witnesses may not be recalled. Witnesses will not be physically sequestered but may be constructively sequestered by the presiding judge.

*A witness may not intentionally and unreasonably refuse to answer questions during cross-examination (or re-cross examination) and may not take any action designed to exhaust the time of the cross-examining advocate's team, such as repeatedly asking to be refreshed/have questions repeated, offering explanations to simple questions requires a "yes/no" answer, or shown their deposition or statement. Any team that encourages a witness to violate this rule is subject to sanctions consistent with the rules herein.*

## **RULE VIOLATION AND FILING OF COMPLAINTS**

A competitor or coach violating any rules governing the competition may be subject to sanctions under these rules. All formal protests must be lodged to the regional coordinator or regional host at the regional competition or the final round coordinator at the final **competition within five (5) minutes of the conclusion of the trial in question.** Conclusion of the trial means the moment the judges dismiss the competitors after closing arguments have concluded (or otherwise signal that the trial is done); **the trial concludes, and the five-minute clock thus starts, before any feedback from judges is given.** Coaches should immediately notify the coordinator and opposing coach by text or email, then go into the coaches' room on Zoom. If the issue of whether the deadline has expired is raised, the burden is on the protesting team to demonstrate that the protest was made to the appropriate party within the five-minute deadline.

### **General Protest Procedure**

1. At the beginning of each regional competition and the beginning of the final competition, regional coordinators/hosts or the final round coordinator must designate three coaches or representatives of the participating schools to serve as the protest committee for that regional competition or the final competition.

2. Protests concerning witness testimony will be handled in the manner described above. All other protests must be lodged with the regional host, who will promptly convene the protest committee. After lodging an official protest, the protesting coach must inform the opposing team's coach, and coaches from both teams are required to meet in the coaches' room to confer. Protest committee members who are coaches or representatives of the protesting law school or of the law school against which the protest is lodged may not participate in deciding the protest. However, every protest must be decided by at least three (3) protest committee members.
3. If by disqualification, unavailability, or otherwise, less than three (3) members of the protest committee remain, an additional qualified member or members will be selected by the regional coordinator/host or the final round coordinator.
4. Protests may be considered and decided according to such procedures and standards as the protest committee may determine, subject to the following guidelines:
  - a. **Protests are not intended to be and should not become part of the competitive process.** They are a last resort and should be lodged only for an alleged substantial violation of the competition rules and relevant ethical standards. If the protest committee determines a protest is without merit or frivolous, the protest committee **may** impose sanctions on the protesting team.
  - b. Since uncertainty and surprise play a role in many trials, the protest committee should give weight to whether the protesting team was able, or through the use of resourceful trial techniques should have been able, to neutralize the protested conduct.
  - c. The protest committee may, but is not required to, consult with the judges of the protested round, the coaches of the involved teams, the team members, and the witnesses in the round in deciding the protest.
  - d. Protests should be determined as soon as practicable.
  - e. The regional coordinator shall be present during meetings of the protest committee and will compile a complete report of all protest committee proceedings. This report must be emailed to Jennifer Rafter at [jennifer.rafter@justice.org](mailto:jennifer.rafter@justice.org) within an hour of the protest's resolution.

### **Sanctions**

These sanctions are for any violation of the rules contained herein under the "Facts Outside Record" section and only for those specific rules.

1. Guidelines – In determining whether a violation occurred and, if so, the severity of the violation, protest committees shall be guided by the following:
  - a. Whether the fact testified to was material;
  - b. Whether the fact testified to was a necessary inference;

- c. Whether the conduct was intentional or unintentional
    - i. In determining whether any facts elicited which violate the Necessary Inference Rule were intentional or unintentional, the protest committee shall consider:
      1. whether the fact was elicited more than once;
      2. whether the fact was argued by the team who elicited the fact in closing argument; and
      3. whether the advocate who elicited the fact attempted to address the fact by
        - a. withdrawing the fact;
        - b. asking the witness to clarify (“are you sure you have previously said...”);
        - c. moving to strike the fact; or
        - d. otherwise informed the presiding judge, scorers, and/or opposing advocates that the fact was unintentionally elicited.
2. Suggested Penalties – AAJ considers violations of this rule serious and wants protest committees to take violations seriously to discourage teams from violating the rule in this and future competitions. The following suggested penalties are not mandatory but shall be used as guidance for protests concerning this rule. Once a violation is found, points may be deducted from the score of the violating team in the following situations:
- a. **Material Violations:** If the protest committee finds the violation to be material, they may deduct 3 – 5 points from the violating team’s score on each ballot using the guidelines.
  - b. **Non-Material Violations:** If the protest committee finds the violation non-material, they may deduct at least one (1) but no more than two (2) points on each ballot using the guidelines.
  - c. **Unintentional Conduct:** If the protest committee finds that the conduct was unintentional, they may choose not to deduct any points.
3. Additional Sanctions – If the protest committee finds the severity of the violation to warrant sanctions more severe than point deductions, the protest committee may:
- a. Require the offending team to forfeit a ballot;
  - b. Require the offending team to forfeit the round;
  - c. Disqualify the offending team from the competition.

Protests under this procedure are not encouraged. Any complaints should be limited to substantial violations that are well-grounded in fact. All participants are encouraged to act within the spirit and letter of the competition rules.

## JURY INSTRUCTIONS

The instructions provided in the fact pattern are the only instructions that will be given. The instructions are the only statements of the applicable substantive law. Instructions will not be

eliminated or modified, and no additional instructions may be tendered or will be given.

### **EXHIBITS**

During any trial, counsel may use only: (1) those exhibits provided in the problem itself; demonstrative evidence as defined herein. No other evidence or audiovisual aids will be allowed.

- Nothing in this rule permits teams to create new exhibits or evidence.
- No charts or drawings may reflect facts outside the record.
- All exhibits are stipulated as authentic and genuine for purposes of trial.

For purposes of this competition, “demonstrative evidence” includes diagrams, maps, drawings, graphs, charts, timelines and/or lists of facts, elements, or arguments (such as closing argument outlines) that are written or created during the trial using zoom white boards or an actual white board or flip chart in the room with the advocate that is shown on camera. The entirety of these demonstratives must be created during trial including any heading or graph lines. Demonstratives of this nature are not required to be disclosed prior to trial because they must be created during trial. Demonstratives of this kind are also not subject to limitation on PowerPoint slides.

### **PowerPoint Presentations**

- Presentations may be created prior to trial but counsel may only use the exhibits provided in the problem itself, the jury instructions, and the verdict forms. Teams may use callouts or highlighting in their PowerPoint presentations and may insert answers into the questions on the verdict forms.
- PowerPoint presentations are limited to a total of thirty (30) slides, not including blank slides that merely separate one section of the presentation from another.
- Depositions used for impeachment only also do not counts as part of the thirty (30) slides.
- Each side (plaintiff and defense) may have their own PowerPoint presentation of thirty (30) slides. PowerPoint presentations must be disclosed to opposing counsel before trial begins.
  - This requirement does not apply to the use of a deposition for impeachment purposes only.

### **COMPETITION LOGISTICS (Regional Rounds)**

All regional rounds of competition will occur virtually via the Zoom platform. Each region will have a dedicated Zoom link and technology consultant. The Zoom will be divided into breakout courtrooms. All teams must conduct a meet and confer approximately 30 minutes prior to the round. The teams must set this up themselves, and coaches will be provided with contact information of the students and other coaches in their region in order to schedule those meetings. Advocates should ensure they are in their Zoom courtrooms 15 minutes prior to the round of competition.

Below are the finalized start times for the regional competition. The length of each round is estimated at two and a half hours but may be shorter or longer when competing. The start times

for each round are in each region's respective time zone (**ET, CT, MT, PT**).

- Thursday, March 7: First Qualifying Regional Round – 5:00 p.m. start
- Friday, March 8: Second Qualifying Regional Round – 2:30 p.m. start
- Saturday, March 9: Third Qualifying Round – 10:00 a.m. start
- Saturday, March 9: Semifinal Regional Rounds – 3:00 p.m. start
- Sunday, March 10: Final Regional Round – 10:00 a.m. start

There will be five regions competing in Eastern Time, three regions competing in Central Time, one region competing in Mountain Time, and one region competing in Pacific Time.

Each team will be assigned a three-digit number that will be used to identify each team without revealing their law school or state throughout the competition. Advocates will name themselves "NAME – Team #," and witnesses will name themselves "WITNESS NAME – Team #." Trial technicians will name themselves "Trial Technician – Team #." Teams will receive these numbers the week prior to the competition.

Rounds will not be recorded. Coaches and observers can watch the round but must name themselves "Coach – Team #" or "Observer – Team #."

Logistics for the National Finals in Chicago will be sent to teams that advance after the conclusion of the Regional Competitions.

**IN THE SUPERIOR COURT FOR STEELTON COUNTY**

**PARKER STANDISH, Administrator** )  
**for the Estate of RILEY STANDISH and** )  
**PARKER STANDISH,** )  
**Individually,** )  
*Plaintiff* )  
 )  
 v. )  
 )  
**SHERMER UTILITIES, INC.** )  
*Defendant* )

**CIVIL ACTION NO. AAJ-CV-001-24**

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**PLAINTIFF’S ORIGINAL COMPLAINT**

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TO THE HONORABLE JUDGE OF THIS COURT:

NOW COMES PARKER STANDISH, Administrator for the Estate of RILEY STANDISH and PARKER STANDISH, Individually, Plaintiff herein, complaining of SHERMER UTILITIES, INC. (hereinafter “SHERMER UTILITIES”), Defendant herein, and for cause of action would respectfully show the Court and jury the following:

**I.**

**PARTIES**

1. Plaintiff PARKER STANDISH is an individual residing in Steelton County and is suing in their individual capacity as the surviving spouse and wrongful death beneficiary of RILEY STANDISH, and as the Administrator of the Estate of RILEY STANDISH, and on behalf of the minor heirs of RILEY STANDISH.

2. Defendant SHERMER UTILITIES is a domestic corporation with its principal place of business in Steelton County.

## II.

### FACTUAL BACKGROUND

3. SHERMER UTILITIES is the utility company that owns and operates power lines and the power grid in the city of Shermer in Steelton County. On or about March 8, 2022, at approximately 5:04 a.m., a power line that was owned and operated by SHERMER UTILITIES located on Summit Avenue become dislodged from the utility poll during a winter storm and fell to the ground and onto Summit Avenue. At the time that it fell to the ground, that power line was active and was burning in the roadway.

4. At some point between 5:04 a.m. and 8:58 a.m., SHERMER UTILITIES became aware that this power line was down, was lying across Summit Avenue, and was still active and burning. Instead of immediately cutting the power to that line and disabling the power line in order to ensure the safety of those in the neighborhood and those travelling on Summit Avenue or taking steps to warn those in the neighborhood and those travelling on Summit Avenue of the danger, SHERMER UTILITIES took zero steps to make the situation safer and instead chose to allow the power line to continue to be active and to continue burning on Summit Avenue.

5. At approximately 8:28 a.m., RILEY STANDISH was traveling north on Summit Avenue when their vehicle came into contact with the downed power line, which caused RILEY STANDISH's vehicle to catch on fire. RILEY STANDISH attempted to exit the vehicle but was already overwhelmed by fire and smoke and fell to the ground next to the vehicle in the middle of Summit Avenue, where he/she died.

6. RILEY STANDISH was survived by their spouse, PARKER STANDISH, and their minor children, nine-year-old Allison Standish and five-year old Brian Standish.

### III.

#### SURVIVAL ACTION

7. Plaintiff adopts and incorporates by reference all previous paragraphs of the complaint as if set forth in their entirety.

8. At all times relevant and material hereto, SHERMER UTILITIES, acting individually and/or by and/or through its actual and/or apparent agents, servants, and/or employees was negligent and breached applicable standards of care in a number of ways, including but not limited to the following:

- a. Failing to properly inspect, maintain, operate, and/or repair the subject power line in order to ensure that it was properly and securely suspended above Summit Avenue so that snow and/or ice would not cause the wire to sink under its own weight and become dislodged from the utility pole; and
- b. Failing to make a timely inspection of the downed wire, failing to highlight the location of the hazard for those travelling on Summit Avenue, failing to warn motorists travelling on Summit Avenue of the dangerous and hazardous condition, and failing to promptly deactivate the subject wire in a timely manner.

9. As a direct and proximate result of the aforementioned negligent acts by SHERMER UTILITIES, RILEY STANDISH suffered conscious pain and suffering, mental and emotional distress and anguish, fear of death, severe bodily injuries, stress, discomfort, shock, and death.

### IV.

#### WRONGFUL DEATH

10. Plaintiff adopts and incorporates by reference all previous paragraphs of the complaint as if set forth in their entirety.

11. As a direct and proximate result off the negligence of SHERMER UTILITIES, as laid out above, Plaintiffs PARKER STANDISH and RILEY STANDISH's minor heirs have



suffered and will continue to suffer mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, guidance, attention, care, advice, and counsel, as well as pecuniary damages, amongst other things, in connection with the sudden, tragic, and untimely death of their spouse and parent, RILEY STANDISH.

12. All of the injuries, losses, and damages complained of herein were directly and proximately caused by the joint and several negligence and lack of due care by SHERMER UTILITIES with no negligence or want of due care on the part of Plaintiffs contributing thereto.

#### V.

#### **JURY DEMAND**

13. Plaintiff requests a jury trial and tenders the appropriate fee with this Complaint.

#### VI.

#### **REQUEST FOR RELIEF**

14. For the reasons stated above, Plaintiff asks that this Court issue citation for SHERMER UTILITIES to appear and answer, and that upon trial on the merits Plaintiff, both individually, on behalf of the minor heirs of RILEY STANDISH, and as the Administrator of the Estate of RILEY STANDISH, recovers judgment for the following:

- a. Past and future pain and suffering;
- b. Loss of wages and earning capacity in the past and future;
- c. Loss of companionship;
- d. Past and future mental anguish;
- e. Funeral expenses;
- f. Loss of society;
- g. Medical expenses;

- h. Loss of household services;
- i. Pre-judgment and post-judgment interest;
- j. Cost of suit;
- k. All other relief, general and special, which Plaintiff is entitled to receive at law or in equity, or for which this Court deems proper.

Respectfully submitted,

/s/ L. W. Yer  
Attorney for Plaintiff

**IN THE SUPERIOR COURT FOR STEELTON COUNTY**

**PARKER STANDISH, Administrator )  
for the Estate of RILEY STANDISH and )  
PARKER STANDISH, )  
Individually, )  
*Plaintiff* )**

v. )

**CIVIL ACTION NO. AAJ-CV-001-24**

**SHERMER UTILITIES, INC. )  
*Defendant* )**

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**DEFENDANT’S ORIGINAL ANSWER**

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TO THE HONORABLE JUDGE OF THIS COURT:

Defendant, SHERMER UTILITIES, INC., files this Original Answer to Plaintiff’s Original Complaint:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied.
5. Admitted.
6. Admitted.
7. No need to admit or deny, but to the extent required, denied.
8. Denied.
9. Denied.
10. No need to admit or deny, but to the extent required, denied.
11. Denied.

12. Denied.

13. No need to admit or deny.

14. Denied.

#### IV.

##### AFFIRMATIVE AND OTHER DEFENSES

1. Defendant is not liable to the Plaintiff because RILEY STANDISH's own acts and/or omissions proximately caused or contributed to RILEY STANDISH's own injury. On the occasion in question, RILEY STANDISH failed to exercise that degree of care which a person of ordinary care and prudence would have exercised under the same or similar circumstances, and such failure to use ordinary care for their own safety was a proximate cause of the alleged injuries.

2. The proximate cause of the subject accident were the actions of the SHERMER POLICE DEPARTMENT (hereinafter the "SHERMER PD"). The SHERMER PD, by and through its agents, employees, servants, and/or assigns, was responsible for inspecting, maintaining, operating, repairing, and supervising the thoroughfares and roads within Shermer, and more specifically Summit Avenue near the interchange for Route 254 North and for properly and adequately advising, warning, alerting and/or notifying oncoming motorists of the existence of an extremely dangerous condition. And, on the date in question, the SHERMER PD, by and through its agents, employees, servants, and/or assigns, permitted an unsafe, dangerous, defective and hazardous condition to exist by failing to highlight the location of the hazard, by failing to warn motorists traversing Summit Avenue of the dangerous and hazardous condition, by failing to maintain a police presence at the scene and by failing to close off and barricade Summit Avenue in both directions until the downed wire was deactivated. As a direct and proximate result of SHERMER PD's negligence as aforesaid, RILEY STANDISH's vehicle came into contact with the downed

power line causing it to be set on fire and resulting in RILEY STANDISH's fatal injuries.

Respectfully submitted,

/s/ Max Fried  
Attorney for Defendant



7. All exhibits are deemed authentic and are true copies, meaning they are what they purport to be. All parties reserve the right to raise other evidentiary objections to the admission of any exhibit at the trial of this matter.

8. All witnesses have personally seen and reviewed all Exhibits contained in the case file.

9. Riley Standish was pronounced dead by emergency medical technicians at the scene of the accident at 10:05 a.m. once the power line had been deactivated. An autopsy determined that Riley Standish died due to a combination of smoke inhalation, electrical shock, and burns sustained over 100% of their body.

10. Plaintiff must call and may only call Parker Standish and Kai Vernon. Defendant must call and may only call Amari Reynolds and Rowan Bender. This jurisdiction does not recognize *Federal Rule of Evidence* 611(c)(2). Thus, parties may not treat witnesses that are called on direct examination as hostile witnesses and may not interrogate those witnesses using leading questions on direct examination. Nothing in this stipulation prevents a party from calling a witness that may have interests hostile to that party on direct examination; instead, this stipulation is merely meant to impact the method of interrogating that witness on direct examination.

11. Riley Standish and Parker Standish have two minor children, nine-year old Allison Standish and five-year old Brian Standish.

12. The Shermer Police Department has been properly and timely designated as a responsible third party and no objections will be entertained to that designation.

13. Steelton is a comparative fault jurisdiction, which means that Plaintiff's ultimate recovery would be reduced by any percentage assigned to either Riley Standish or the Shermer Police Department.





The Defendant has pleaded the affirmative defense of comparative negligence. The defense asserts that the negligence of Riley Standish was the proximate cause of Riley Standish's injury. The definitions applying to negligence which I have previously given to you apply to the defense of comparative negligence. The defense has the burden of proof on their affirmative defense. That is, the defense must prove that Riley Standish was negligent by a preponderance of the evidence before the defense would prevail on that issue.

The Defendant has also pleaded the affirmative defense that Plaintiff's damages, if any, were the result of the negligence of a third party, the Shermer Police Department. The definitions applying to negligence which I have previously given to you apply to this defense as well. The defense has the burden of proof on this affirmative defense. That is, the defense must prove that the Shermer Police Department was negligent by a preponderance of the evidence before the defense would prevail on that issue.

**IN THE SUPERIOR COURT FOR STEELTON COUNTY**

**PARKER STANDISH, Administrator**     )  
**for the Estate of RILEY STANDISH and**     )  
**PARKER STANDISH,**     )  
**Individually,**     )  
                                  *Plaintiff*     )  
  )  
v.     )  
  )  
**SHERMER UTILITIES, INC.**     )  
                                  *Defendant*     )

**CIVIL ACTION NO. AAJ-CV-001-24**

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**VERDICT FORM – QUESTION ONE**

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**QUESTION NO. 1:**

For purposes of this question, did the negligence, if any, of the persons named below proximately cause the accident in question?

Answer “Yes” or “No” for each of the following:

SHERMER UTILITIES, INC.: \_\_\_\_\_

RILEY STANDISH: \_\_\_\_\_

SHERMER POLICE DEPARTMENT: \_\_\_\_\_

If you answered “Yes” to Question No. 1 for both SHERMER UTILITIES, INC. and either RILEY STANDISH or SHERMER POLICE DEPARTMENT then answer the following question. Otherwise do not answer the following question.

\_\_\_\_\_  
FOREPERSON



IN THE SUPERIOR COURT FOR STEELTON COUNTY

PARKER STANDISH, Administrator	)	
for the Estate of RILEY STANDISH	)	
and PARKER STANDISH, Individually,	)	
	)	
Plaintiff,	)	Civil Action No. AAJ-CV-001-24
v.	)	
	)	
SHERMER UTILITIES, INC.,	)	
	)	
Defendant.	)	
	)	
	)	

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ORAL DEPOSITION  
OF PARKER STANDISH  
July 10, 2023

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PROCEEDINGS

PARKER STANDISH

having been first duly sworn, testified as follows:

CROSS EXAMINATION

BY DEFENSE COUNSEL:

Q: Good afternoon, can you please state your name for the record.

A: Good afternoon, my name is Parker Standish.

Q: How old are you?

A: I'm 40 years old.

Q: Are you married?

A: Not any longer. My spouse, Riley Standish, died on March 8, 2022, and I obviously haven't remarried since then. So, no, I'm not married.

1 Q: When did you and Riley meet?

2 A: It's a funny story actually. I went to junior high and high  
3 school with a bunch of Riley's cousins, and when we went to our  
4 senior prom in high school Riley was the date for one of my friends  
5 in our group because Riley's cousins set it up. But that was the  
6 first time I met Riley because they lived one town over and went  
7 to a different school. But the attraction was immediate. Like, we  
8 didn't hook up or anything that night, but we started hanging out  
9 a couple of weeks after prom, started to date, and were together  
10 from then until the day they died.

11 Q: When were the two of you married?

12 A: We were 24 at the time, so it would have been in 2006 I think.  
13 Yeah, that has to be right, because we had just celebrated our 16<sup>th</sup>  
14 wedding anniversary right before their death.

15 Q: Do the two of you have any children?

16 A: We have two. Allison, who is 9 years old and Brian, who is five.

17 Q: What was your family like prior to Riley's death?

18 A: Very, very close. Not just us and our kids but our extended  
19 family as well. We would have these huge Sunday dinners at my mom's  
20 house every single week, and brothers, sisters, cousins, aunts,  
21 uncles, everyone would show up. It was a big deal. And we were  
22 always over at Riley's parents' house as well helping out and  
23 visiting them. Also, we were very involved in our church, First  
24 Baptist Shermer. Riley was a trustee and also did the media

1 ministry, which meant they ran the sound for the music. That was  
2 perfect because I was and still am the music director at the  
3 church, so we spent a lot of time together doing those things.  
4 Otherwise, we loved Christmastime. We would always take the kids  
5 out the day after Thanksgiving and go hiking to find the perfect  
6 Christmas tree and cut it down ourselves. The kids loved it. And  
7 we loved movies. Movie nights with the kids, or date nights to the  
8 movies with each other. I mean, look, we had issues like any other  
9 couple or family, so I don't mean to make it sound like a fairytale,  
10 but honestly I had everything I ever wanted and the kids had the  
11 best parent you could ask for.

12 Q: Did either Riley or yourself go to college?

13 A: I went to Steelton University and got a degree in music  
14 education, and I'm currently working on a master's degree in music  
15 education as well. After we graduated high school, Riley took some  
16 courses at the junior college and a trade school, and then applied  
17 to the union and was accepted to the electrician's union, Local 3,  
18 when they was around 20 years old. That's what Riley did for the  
19 rest of their life, working as an electrician with the union.

20 Q: And how old was Riley when they died?

21 A: Same as me, 40 years old.

22 Q: What do you do for a living?

23 A: Currently I teach reading to 7<sup>th</sup> graders at Shermer Prep Charter  
24 School, but prior to that I was a pre-school teacher for a year or

1 so. Prior to that I was a stay-at-home parent until Brian was old  
2 enough to start preschool. That's when I went back to work.

3 Q: So, does that mean that Riley was the primary breadwinner for  
4 the family?

5 A: Yes, at least for those years where we had the kids at home  
6 24/7.

7 Q: Given that, how much time was Riley able to spend with the kids?

8 A: Oh, a lot. The union would put different workers on furlough to  
9 make sure that everyone got to work during the year and got a fair  
10 share of hours and jobs, which meant there were time periods when  
11 Riley wasn't working for weeks at a time. And during those periods  
12 they would be at home watching the kids, playing with the kids,  
13 and helping me out around the house. It was tough because Riley  
14 wanted to be working, but it was also great to have Riley around  
15 all the time.

16 Q: Parker, I would like to move on now and talk about the day Riley  
17 died, March 8, 2022. How did that day start?

18 A: Started pretty regular. Woke up, went downstairs, put on a cup  
19 of coffee, but when I looked outside I realized that the weather  
20 guy had underestimated the amount of snow we were going to get  
21 overnight, because it looked like a winter wonderland out there.  
22 Snow on the ground. Snow and ice on the roads. Icicles hanging  
23 from the gutters. The whole nine yards. It was really pretty  
24 actually. Anyways, shortly thereafter we got the text from school

1 letting us know that the kids' school was closed and then Riley  
2 got the call telling them that there was no need to come in that  
3 day because of the weather, so it was going to be a snow day. I  
4 made the kids some hot chocolate and Riley went out to shovel the  
5 driveway.

6 Q: What's the next thing you remember?

7 A: Riley came inside and said that they got a call from their  
8 parents and they asked if Riley would come over and shovel the  
9 driveway there as well. I told Riley that I needed to go to the  
10 store anyways, so we could both go over there and while Riley was  
11 shoveling the driveway I could go in and check on them, see if  
12 they needed anything at the store, stuff like that. Riley said  
13 that made sense, so we both got in our cars and headed that way,  
14 I was following behind Riley.

15 Q: Why did you take separate cars?

16 A: Again, the idea was that I would go to the store after checking  
17 up on Riley's parents, so it made sense to us to take two cars.

18 Q: Weren't you concerned about the condition on the roads?

19 A: It was just a bit of ice and snow. I didn't even think about  
20 it. We drive in those kind of conditions all the time. You just  
21 need to be a little extra careful. Double-check everything. Look  
22 both ways twice. That sort of stuff. But if you're smart then it's  
23 not a big deal. Snow and ice happens here all the time. It's not  
24 unusual at all. And the people around here are used to driving in



1 it. Plus, Riley's parents only live like 10 minutes away, so it  
2 isn't a long drive.

3 Q: Around what time did the two of you leave the house?

4 A: Around 8 a.m., give or take.

5 Q: What about the kids?

6 A: Oh, I just sent them to the neighbor's house. They have kids as  
7 well and we always help each other out. So, it wasn't an issue.

8 Q: Okay, so what route did you take to Riley's parents' house?

9 A: We took Highway 208 North and then exited onto Summit Avenue,  
10 again going north, which is the way we always went to Riley's  
11 parents' house.

12 Q: I'm showing you what has been marked as Exhibit 1. What is this?

13 A: It's a map showing Highway 208 and Summit Avenue as it leads up  
14 to Old Mill Road.

15 Q: And is Exhibit 1 a fair and accurate depiction of that area?

16 A: It is.

17 Q: I'm going to hand you a copy of Exhibit 1, and I would like for  
18 you to use this yellow marker to show the route that the two of  
19 you took that day.

20 A: Sure. I'm not an artist, but we would've come up Highway 208  
21 going north from the bottom of the page, and then we would've taken  
22 this exit to the right at Summit Avenue and then stopped at the  
23 intersection to turn left onto Summit Avenue.

1 Q: Okay, and I'm going to mark the copy that you marked on in  
2 yellow as Exhibit 2.

3 Q: I'm now showing you Exhibits 3 through 7, do you recognize  
4 these?

5 A: Yeah, these are just pictures of the route we took that day.  
6 You can see the Summit Avenue exit, then you kind of curve around  
7 to the right, and then you approach these stop signs where you can  
8 turn left onto Summit Avenue going north, away from Highway 208.

9 Q: And are Exhibits 3 through 7 a fair and accurate depiction of  
10 the route you and Riley took to Riley's parents' house on March 8,  
11 2022?

12 A: Well, yes and no. They are a fair depiction of the route, but  
13 the ground and the roads looked very different that day, covered  
14 in ice and snow. So, it does show the way we took, but not the  
15 conditions at the time we took that route.

16 Q: Well, let's take a look at what the conditions did look like.  
17 I'm showing you what has been marked as Exhibit 8. What is this?

18 A: That's a picture of what that same intersection on Summit Avenue  
19 looked like on March 8, 2022. You can see those same two stop signs  
20 that you see in Exhibit 7, and you can see all of the ice on the  
21 road and snow on the ground and trees.

22 Q: Is Exhibit 8 a fair and accurate depiction of what that  
23 intersection looked like on March 8, 2022 when Riley and yourself  
24 pulled up to it?

1 A: Yeah, that's what it looked like. Except for the red circles.

2 I didn't put those there.

3 Q: Were the traffic cones there, the ones that have been circled  
4 in red laying on either side of the intersection?

5 A: I think so. It would've been hard for me to see. Riley was in  
6 front of me and pulled up to the intersection first and would've  
7 been stopped at those stop signs in front of me, so I don't know  
8 if I would've seen them at that point. When Riley pulled away I  
9 kind of remember seeing those cones, but the fire started so soon  
10 after that I became distracted completely by that.

11 Q: What do those cones mean to you?

12 A: Well, I suppose any time you see cones on the road it means you  
13 should show some extra caution, right? So, normally, I would think  
14 that those cones would cause me to look around and take a little  
15 more time to do whatever I'm doing. But you can see right there,  
16 those cones weren't really on the road. So, I don't know what they  
17 are there for. Or why they are there. Honestly, I don't understand  
18 why the road wasn't blocked off and why there weren't police there  
19 directing traffic. If they were trying to keep us off of Summit  
20 Avenue then that's what I would've expected to see.

21 Q: So, what, if anything, was preventing you from approaching those  
22 stop signs and turning left onto Summit Avenue?

23 A: Nothing. Absolutely nothing. There was nothing in my way. There  
24 was nothing in Riley's way.

1 Q: Okay, so Riley is sitting at these stop signs and you're right  
2 behind him/her, what happens next?

3 A: Riley turned left onto Summit Avenue and I pulled up to the  
4 stop sign, but when I looked left I could see that Riley's car was  
5 stopped in the middle of the road and then, like two seconds later,  
6 the left front driver side tire was on fire.

7 Q: What did you do?

8 A: I didn't have time to do anything at that point because all of  
9 the sudden the other front tire caught fire, and then, seconds  
10 later, the back two tires caught on fire as well. And just like  
11 that the entire car was on fire basically. All from the underneath.  
12 Just engulfed in flames.

13 Q: What did you do?

14 A: I panicked. Completely panicked. I threw the car into park,  
15 jumped out, and started to run towards Riley's car. But then I  
16 remember all the lessons he had taught me over the years and  
17 stopped myself.

18 Q: What do you mean by lessons?

19 A: Riley didn't lecture me or anything, but Riley was an  
20 electrician. And, from time-to-time, Riley would show me or tell  
21 me things like, if the power goes out then these are the things  
22 you should check in the house, or if you have to fix a fuse then  
23 this is how you do it. And with those lessons came safety  
24 instructions, like making sure that I always use surge protectors

1 instead of plugging things directly into the wall to make sure  
2 it's properly grounded, or if we were out driving around then they  
3 would just point things out like what different wires or poles are  
4 for or how many volts things had, stuff like that. And again, with  
5 me and the kids, Riley was always talking about how dangerous  
6 electricity could be. Plus, in that moment, looking at all the ice  
7 and snow, I'm not stupid, so I know that electricity and water  
8 don't mix, so I figured it was best not to get too close. Good  
9 thing I didn't or we would both be dead.

10 Q: So, you're standing there watching the tires and the car burn  
11 from underneath, what happens next?

12 A: Riley got out of the car and I yelled, "run away! Get away from  
13 the car!" But they must not have been able to hear me because they  
14 didn't react and just stood there for a second or two and then  
15 fell to the ground. I never saw Riley move again.

16 Q: What else could you see?

17 A: I could see a wire laying under the car that was sparking, just  
18 shooting out sparks everywhere, and skipping around on the ground  
19 around the car and near Riley. And then, after a few more seconds,  
20 Riley caught on fire as well. I had to watch the love of my life  
21 literally burn to death.

22 Q: Was anyone else there?

23 A: About a minute after the fire started, maybe less, an off-duty  
24 cop in plain clothes showed up, I don't even know his name, and

1 asked what happened. But I couldn't answer him, I just yelled,  
2 "that's my spouse! That's my spouse! Help them!" The officer took  
3 me by the arm and said that there was nothing that could be done  
4 because it would be too dangerous to get close to a sparking wire  
5 like that. Then the cop called 911.

6 Q: What is happening with Riley's car this whole time?

7 A: It's on fire and Riley was on fire. There was smoke everywhere  
8 and that wire was just whipping around and sparking.

9 Q: What was the cop saying on that 911 call?

10 A: Mostly was giving out the address and talking about the fire,  
11 and then he said something like, "by the way, can you check and  
12 see why there aren't barricades or something down here. This should  
13 all be blocked off. Where is everyone? Why is that wire even live?  
14 Why aren't we directing traffic out here? We need to get a lot  
15 more cops down here quick!" That was the end of the call pretty  
16 much.

17 Q: What happened next?

18 A: That's when the cop made another call. I don't know who he  
19 called, but he said, "you need to deactivate this wire right now.  
20 We need to get in there and this person is dying!" Again, I don't  
21 know who he was calling, but after he hung up the wire stopped  
22 sparking almost immediately. It still took a few minutes for the  
23 fire department to arrive and put out the fire, and that's when  
24 the officer ran over to the car. He told me to stay back for

1 another minute while he checked things out, and when he came back  
2 he told me that Riley was dead and that I didn't want to see the  
3 body, or what was left of the body.

4 Q: What did you do?

5 A: I fell to my knees, right there in the snow, and just cried. I  
6 don't even know how long it was before my mom showed up to take me  
7 home. But it felt like an eternity.

8 Q: I'm showing you Exhibits 9 through 11. What are these?

9 A: These are all pictures of Riley's car, all burned out and  
10 charred once the fire had been put out.

11 Q: And are Exhibits 9 through 11 a fair and accurate depiction of  
12 what Riley's car looked like after that fire had been put out?

13 A: Yes, they do.

14 Q: In Exhibit 10, we can see what looks like a black wire in the  
15 lower right-hand corner of that picture. Is that the wire that was  
16 sparking that day?

17 A: Yes, that's it. Obviously, by this time it had stopped sparking  
18 and moving around. But that's the wire that killed Riley.

19 Q: Let me ask you this Parker, when you pulled up to that stop  
20 sign and looked to your left and saw Riley's car tire catch on  
21 fire, could you also see that wire that started the fire?

22 A: Yeah, it was hard to miss the way it was hanging down from the  
23 pole. I couldn't really see the wire under the car until I actually

1 got out a few moments later and saw it sparking, but you could see  
2 it hanging down.

3 Q: Did you have any idea there were live wires down that morning?

4 A: Well, I was listening to WAAJ that morning, the local news radio  
5 station, and they said there were wires or at least a wire down in  
6 the area, that police were on the scene, and that the power company  
7 had been notified, but they didn't specifically say that it was on  
8 Summit Avenue. Just in the area. I mean, if it was on the news  
9 then obviously it was out there and people knew about it.

10 Q: Do you know if Riley would've heard the same report?

11 A: Both of us always had WAAJ on when we were driving around. Every  
12 time I got into Riley's car it was on. Same in my car. It was just  
13 what we listened to in order to see what was going on in town. So,  
14 if I heard it then I have to imagine that Riley heard it.

15 Q: Parker, have you understood all my questions?

16 A: Yes.

17 Q: Do you have anything to add regarding this matter that you  
18 haven't already said?

19 A: Nope, I've told you everything I know.

20 Q: And have you given complete answers to every question without  
21 leaving anything out?

22 A: Yes.

23 Q: Thank you, no further questions.

24 A: Thank you.




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(Proceedings Adjourned.)

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I, PARKER STANDISH, have read the foregoing deposition and hereby affix my signature that same is true, correct, and accurate, and that all information I have regarding this case has been provided in this deposition and that nothing has been left out.



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PARKER STANDISH

IN THE SUPERIOR COURT FOR STEELTON COUNTY

PARKER STANDISH, Administrator	)	
for the Estate of RILEY STANDISH	)	
and PARKER STANDISH, Individually,	)	
	)	
Plaintiff,	)	Civil Action No. AAJ-CV-001-24
v.	)	
	)	
SHERMER UTILITIES, INC.,	)	
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Defendant.	)	
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ORAL DEPOSITION  
OF Kai Vernon  
July 11, 2023  
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PROCEEDINGS  
KAI VERNON

having been first duly sworn, testified as follows:

CROSS EXAMINATION

BY DEFENSE COUNSEL:  
Q: Good afternoon, can you please state your name for the record.  
A: Good afternoon, my name is Kai Vernon.  
Q: How old are you?  
A: I'm 45 years old.  
Q: Are you married?  
A: I am. And we have five children. A couple in college and three  
still at home with us. It's a nice little family.  
Q: Where do you live?

1 A: I live here in Shermer. I've lived here for over 20 years, ever  
2 since I got out of college.

3 Q: Where did you go to college?

4 A: I went to Steelton State University.

5 Q: And what was your major?

6 A: Computer science. Kind of just a generic computer science  
7 degree. You know, programming and whatnot.

8 Q: So, you have a bachelor's degree in computer science?

9 A: Yes.

10 Q: Any other degrees or training?

11 A: Nope, that's about it. I mean, I've been doing the job for over  
12 two decades, and there are obviously things you learn on the job  
13 as you go, but no more formal education or training.

14 Q: Why did you move to Shermer?

15 A: I got a job out of college with Shermer Utilities working in  
16 the information technology or "IT" department, which is what most  
17 people call it, and I've been here ever since.

18 Q: So, how long were you with Shermer Utilities?

19 A: Well, I've lived here for over 20 years, which means I also  
20 worked at Shermer Utilities for over 20 years. Basically the entire  
21 time I've lived here up until last year when I was fired.

22 Q: What was your job at Shermer Utilities?

23 A: I'm a senior systems analyst.

24 Q: What did that job entail?

## LEGAL SERVICES

1 A: I mean, it's just a title really. I was a member of the IT  
2 department and we did all the work involving computers and software  
3 at the company. Most of the time that involves things like  
4 programming for automated metering infrastructure and things like  
5 that, but it can also involve walking down the hall to fix the  
6 drivers on someone's printer. So, anything and everything to do  
7 with computers, software, hardware, and programming at the  
8 company.

9 Q: How familiar are you with the other roles or departments at the  
10 company?

11 A: I mean, I pretty much stuck to my own area and department, but  
12 I was there for over 20 years, so I have a pretty good sense of  
13 the place and how it operates.

14 Q: What is the name of the department that takes service calls?  
15 You know, things like power outages or downed power lines?

16 A: That would be the "call center." I mean, that's what we call  
17 it. I don't know if it has a more formal name.

18 Q: Did you ever worked in the call center?

19 A: Not on a full-time or really even a part-time basis. That wasn't  
20 my job. I've been in there to deal with IT issues, but I didn't  
21 take calls on a regular basis.

22 Q: Did you ever take calls in the call center?

23 A: Only in emergency situations, like when I was called in to work  
24 as part of the storm response team.

## LEGAL SERVICES

1 Q: What is the storm response team?

2 A: It sounds formal, like the Justice League or something, but it  
3 really isn't. Basically, when there is a major weather event in  
4 the area, like a snow or ice storm, that could impact our services  
5 then anyone that is in the building is part of the storm response  
6 team, which means that we were all working to try to troubleshoot  
7 issues related to the storm. It's kind of an all-hands-on-deck  
8 situation when those major weather events happen, and we all just  
9 fill in where we can to get the job done, even if it's not our  
10 regular job.

11 Q: Are storms like this, with ice and snow, unusual in Shermer?

12 A: Of course not. Happens all the time. Snow and ice are just a  
13 fact of life in this part of the world, and we are all used to  
14 having to get out and drive in those conditions or else we would  
15 all be shut ins. Doesn't mean it doesn't come with risks, but those  
16 risks are something we're all pretty accustomed to.

17 Q: What kind of things did you do as part of the storm response  
18 team?

19 A: Answered calls in the call center is probably the main one I  
20 was asked to do a few times. I've done other things, like filling  
21 in the report forms and working in the dispatch center, but not a  
22 significant number of times. Most of the time, even when we were  
23 responding to a storm, I was still doing IT work. It's not like  
24 the need for IT work goes away when the weather gets bad.

## LEGAL SERVICES

1 Q: How many is "a few times?"

2 A: Over the 20 plus years I worked at Shermer Utilities? Probably  
3 five to ten times. Not many more than that, if any.

4 Q: And what did you do in the call center as a member of the storm  
5 response team?

6 A: Take calls. They can be calls from residential or consumer  
7 customers, you know, "hey, my power is out. When is that gonna get  
8 fixed?" Stuff like that. But also calls from the fire department,  
9 police, or even individuals letting us know about more significant  
10 issues like a downed power line or a pole that has fallen over.  
11 Stuff like that. It can range from pretty minor issues to very  
12 major issues.

13 Q: When you took these calls, what would you do?

14 A: We were provided with a form and we were required to ask all  
15 the questions on the form and just fill it out with the information  
16 we were provided. Then we would hand those forms over to another  
17 person to enter the information into the computer so that the  
18 information could be sent to dispatch and dealt with, or we would  
19 enter the information in the computer ourselves if we had time.

20 Q: I'm showing you what have been marked as Exhibits 12 and 13.  
21 What are these?

22 A: Exhibit 13 is the form we had to fill out and Exhibit 12 is  
23 the questionnaire we would use to get the information needed to  
24 fill out the form.

## LEGAL SERVICES

1 Q: And are Exhibits 12 and 13 true and correct copies of that form  
2 and the questionnaire?

3 A: They are.

4 Q: Now, what training did you receive regarding taking these calls  
5 and filling out this form?

6 A: Not much. I mean, none that I can recall. I mean, it's just  
7 asking questions and filling out a form. We would have occasional  
8 trainings from the storm response team coordinator, a woman named  
9 Molly Sheedy, just kind of to discuss what would happen when these  
10 storms took place. But I don't really think I needed much training  
11 on how to fill out a form, and there really wasn't any. Ask the  
12 questions, fill out the form, enter it into the computer.

13 Q: As an IT worker at Shermer Utilities, what kind of training did  
14 you get in things like safety or the dangers associated with things  
15 like downed power lines?

16 A: Again, none that I recall. To be honest with you, there isn't  
17 a lot of time spent at Shermer Utilities training or educating.  
18 That isn't their thing. Any training you get is on the job from  
19 the other employees that were there before you, and I guess they're  
20 okay with that because it keeps people working and making them  
21 money, which is what they care about. There is an employee  
22 handbook, with a specific section for the IT department and other  
23 various sections, and I'm sure I read through the section on IT  
24 issues, but I doubt I read through the rest of it.

1 Q: I'm showing you what has been marked as Exhibit 14. What is  
2 this?

3 A: It is the cover page for that employee handbook then what looks  
4 like an excerpt from the section dealing with the call center.

5 Q: Is this a true and correct copy of that excerpt from the employee  
6 handbook?

7 A: Yes.

8 Q: Before you worked in the call center as part of the storm  
9 response team were you required to read these instructions?

10 A: Nope. Again, these were emergency situations. We didn't have  
11 time to sit down and read a handbook when we were getting calls  
12 left and right about issues with these storms.

13 Q: So, what training did you receive on how to prioritize different  
14 calls? Like, which calls should take priority over others because  
15 they are more serious?

16 A: Ask the questions. Fill out the form. Enter it into the computer  
17 or give it to someone else to enter into the computer. That was  
18 the gig. I assume that any prioritization of calls happened  
19 somewhere else. Wasn't my job.

20 Q: Let's talk about the morning of March 8, 2022. Do you recall  
21 that morning?

22 A: Sure. I was working that morning and there was a major storm  
23 overnight. Lots of ice and snow. So, we knew there were going to



1 be issues. So, I was put in the call center as part of the storm  
2 response team and took calls all morning.

3 Q: What time did you go to the call center that morning as part of  
4 the storm response team?

5 A: I was working the overnight shift starting at 8 p.m., and, if I  
6 remember correctly, I was called into the call center around 2  
7 a.m., and I answered calls and filled out the forms until 6 a.m.  
8 when my shift ended.

9 Q: I'm showing you what has been marked as Exhibit 15. Do you  
10 recognize this?

11 A: This is one of those call forms we talked about a moment ago,  
12 but this one is filled out.

13 Q: Is that your handwriting?

14 A: Yes, it is.

15 Q: And is this a true and correct copy of a form you completed?

16 A: It is.

17 Q: Do you have a specific recollection of filling out this form or  
18 taking this call?

19 A: No. I mean, we get a lot of calls. And it was a long night. I  
20 was taking calls for almost four hours. So, this one didn't stand  
21 out to me, or at least it doesn't now. I mean, it stands out  
22 because of what happened, but the actual call doesn't stand out in  
23 my memory.

1 Q: Looking at this form, there are some pretty obvious issues. For  
2 example, there is no date or time. Why is that?

3 A: I don't know. I probably just forgot to write it down. Again,  
4 we were taking a lot of calls and we knew what day it was, so  
5 probably just trying to get to the key information that we needed.

6 Q: I also see here that you marked "no power" on the form, but  
7 then, at the bottom, you wrote in "active on the ground." Why is  
8 that?

9 A: I'm just the IT person. I just ask the questions, take the  
10 information, and fill in the form. So, whatever you see there is  
11 what was communicated to me. So, if I marked "no power" then it  
12 means the person that called in the downed wire gave me a reason  
13 to mark that down. In other words, I'm sure the person that called  
14 this in must have told me that the line didn't have power or was  
15 already deactivated, because I wouldn't have marked "no power" on  
16 the form unless someone told me that there was no power to the  
17 line. Why would I do that?

18 Q: Why wasn't "blocking road" checked?

19 A: Again, I just ask the questions and fill in the form. So, I  
20 assume the caller told me it wasn't in the road.

21 Q: Why were all these others left blank?

22 A: If I didn't mark them then the caller must not have given me  
23 any information on those parts of the questionnaire. I know that  
24 this information is important. It's important to get it right. But

1 I'm not an expert. Like I said, I'm the IT guy. So, I don't  
2 speculate. I just write down what I'm told. And I don't add things  
3 that I'm not told.

4 Q: What was done with this form after it was filled out?

5 A: Same thing we always do, I handed it over to another person on  
6 the storm response team to be entered into the system.

7 Q: Who does that?

8 A: Could be me, could be someone else. Just kind of depends on who  
9 is available at that particular moment.

10 Q: Do you recall whether you entered this one or it was someone  
11 else?

12 A: No, I don't.

13 Q: When you would enter this information into the system was there  
14 any way to give it priority or to alert the people that determine  
15 which calls to respond to first that this is a critical issue with  
16 a downed power line in the middle of the street?

17 A: Well, first of all, I'm not sure that someone looking at this  
18 would know it was in the middle of the street since that box wasn't  
19 checked. I'm not sure I was aware, because I would've checked that  
20 box if I was aware and I didn't. But, even if we were aware, there  
21 was no way for the person entering the information to give the  
22 call any more priority than any other call. We would just enter  
23 the information. Someone else in dispatch triages those calls and  
24 determines what to do with them.

1 Q: Were the people in dispatch like you, just pitching in on the  
2 storm response team and not necessarily people that are always on  
3 the dispatch team?

4 A: At Shermer Utilities, everybody is obligated to pitch in when  
5 there is a storm. It's all-hands-on-deck. You just get assigned as  
6 needed and jump in to help out. I don't know whether other IT  
7 people like me were on dispatch or not, but it wouldn't surprise  
8 me.

9 Q: Kai, I'm showing you Exhibit 16. Do you recognize this?

10 A: Yes, that's an email that went out to our entire company.

11 Q: And is Exhibit 16 a fair and accurate copy of that email?

12 A: Yes, it is.

13 Q: So, based on this email, did you ever serve on a storm response  
14 team after this email went out?

15 A: Well, yes, but not taking calls. Instead, we were assigned to  
16 roles within our areas of expertise. So, I am still working on IT  
17 issues, just storm related IT issues. That probably should've been  
18 the policy from the start honestly. Why did they have me taking  
19 calls in the first place?

20 Q: Kai, you told us earlier that you no longer work at Shermer  
21 Utilities because you were fired. When were you fired?

22 A: It was last summer, in July.

23 Q: How were you fired?

1 A: The head of the IT department came by and told me that I was  
2 being let go due to some downsizing of our department and because  
3 we were farming out some of our IT work overseas. But, pardon my  
4 French, that's bullshit.

5 Q: What do you mean?

6 A: They waited a few months and then they let me go in retaliation  
7 for what happened that day. They blame me. I don't know why, I did  
8 exactly what I was told to do: ask the questions, fill out the  
9 form, submit it. But they wanted a scapegoat. So, they found one.  
10 I haven't been able to find work since. But I'm not gonna let them  
11 treat me like that. That's why I filed the lawsuit.

12 Q: I'm showing you what has been marked as Exhibit 18, what is  
13 this?

14 A: That's the lawsuit I filed against Shermer Utilities for  
15 wrongful termination.

16 Q: And is Exhibit 18 a true and correct copy of that lawsuit that  
17 you've filed?

18 A: Yes, it is.

19 Q: Why did you file this lawsuit?

20 A: C'mon, I'm not gonna be their patsy. I was a good employee. I  
21 planned on retiring there and they just threw me out on my keister.  
22 It's just wrong, and they are going to pay for it.

23 Q: Kai, are you testifying today to get back at Shermer Utilities?

1 A: Nope, that's what the lawsuit is for. I'll have my day in court.  
2 I'm here because you subpoenaed me to be here and I answered the  
3 questions honestly. I'm sure they'll call me a liar, but that's  
4 just par for the course for those guys.

5 Q: Kai, have you understood all my questions?

6 A: Yes.

7 Q: Do you have anything to add regarding this matter that you  
8 haven't already said?

9 A: Nope, I've told you everything I know.

10 Q: And have you given complete answers to every question without  
11 leaving anything out?

12 A: Yes.

13 Q: Thank you, no further questions.

14 A: Thank you.

15

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(Proceedings Adjourned.)

22

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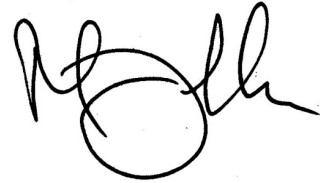
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24

I, KAI VERNON, have read the foregoing deposition and hereby  
affix my signature that same is true, correct, and accurate, and

1 that all information I have regarding this case has been  
2 provided in this deposition and that nothing has been left out.

3  
4



5  
6  
7

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KAI VERNON

IN THE SUPERIOR COURT FOR STEELTON COUNTY

PARKER STANDISH, Administrator	)	
for the Estate of RILEY STANDISH	)	
and PARKER STANDISH, Individually,	)	
	)	
Plaintiff,	)	Civil Action No. AAJ-CV-001-24
v.	)	
	)	
SHERMER UTILITIES, INC.,	)	
	)	
Defendant.	)	
	)	
	)	

\*\*\*\*\*

ORAL DEPOSITION  
OF Amari Reynolds  
July 13, 2023

\*\*\*\*\*

PROCEEDINGS

AMARI REYNOLDS

having been first duly sworn, testified as follows:

CROSS EXAMINATION

BY DEFENSE COUNSEL:

Q: Good afternoon, can you please state your name for the record.

A: Good afternoon, my name is Amari Reynolds.

Q: How old are you?

A: I'm 62 years old.

Q: Are you married?

A: I am, and we have two children, both adults, and they are both married, and we have six little grandkids, which is why my spouse keeps bugging me about retiring so that we can move closer to them



1 and spend all of our time with the grandbabies. But I love work  
2 too much I suppose.

3 Q: Where do you live?

4 A: I live here in Shermer. I've lived here since coming to work  
5 for Shermer Utilities, or "SUI" as we call it colloquially.

6 Q: How long have you worked for SUI?

7 A: For the past 20 years.

8 Q: Where did you work before that?

9 A: At a law firm in New York City.

10 Q: How did you end up at SUI after being a lawyer?

11 A: Well, the firm I worked at represented SUI in a number of  
12 matters going back decades and I was on the litigation team that  
13 handled the SUI cases, so I knew all the people at SUI very well,  
14 and eventually they asked me to join their in-house legal team,  
15 and that's what I did 20 years ago.

16 Q: Are you still in the legal department at SUI?

17 A: No, no. I stayed there for about 10 years, but eventually moved  
18 up to management and I work more on the business side of things  
19 now while still having an eye towards risk management and legal  
20 issues. My current title is Vice President of Risk Management.

21 Q: What is your role as Vice President of Risk Management?

22 A: Well, like I said, I'm overseeing legal and risk management  
23 issues, so I'm identifying potential risks to our business,  
24 employees, and customers, prioritizing those risks, and coming up

## LEGAL SERVICES

1 with strategies and solutions to deal with those risks on a daily  
2 basis. Additionally, I'm involved in high level corporate planning  
3 to ensure the continued success of our business.

4 Q: What is your yearly salary?

5 A: I'm paid \$445,000 per year and I also receive stock and stock  
6 options as part of my compensation package. Not hard to see why I  
7 enjoy the work, right?

8 Q: Where did you go to college?

9 A: I went to Steelton A&M for undergrad and got a degree in  
10 political science, which is basically useless, and then New York  
11 City Law for law school after that. That led to the law firm which  
12 is where I really learned the skills that I use in my job now.

13 Q: Over your 20 years with SUI and in your role in risk management,  
14 have you become familiar with the storm response team at SUI?

15 A: I am familiar with our storm response planning and strategy,  
16 yes, and the storm response team would be part of that strategy.  
17 So, yes, I'm familiar.

18 Q: You understand that you have been designated as the corporate  
19 representative for SUI?

20 A: I do.

21 Q: And you understand that means that you've been designated to  
22 answer questions on behalf of the company?

23 A: Yes, I do.

1 Q: Is this your first time serving as a corporate representative  
2 for SUI in a deposition or lawsuit like this?

3 A: No. This is a pretty regular part of my job. I'm the designated  
4 corporate representative for all of our litigation because of my  
5 role in risk management, which gives me a good perspective on most  
6 issues that come up in litigation. So, I've done this well over 50  
7 times.

8 Q: Are you familiar with the wire that was downed on March 8, 2022,  
9 on Summit Avenue?

10 A: I am.

11 Q: I'm showing you what has been marked as Exhibit 42. What is  
12 this?

13 A: It's a diagram we put together showing that wire over Summit  
14 Avenue and the three poles that it is connected to. This is the  
15 wire that was downed on March 8<sup>th</sup>.

16 Q: And is Exhibit 42 a fair and accurate depiction of that wire  
17 across Summit Avenue and the location of the poles it was connected  
18 to?

19 A: Yes.

20 Q: Are you familiar with a person named Kai Vernon?

21 A: I am now, since this case was filed. But I did not know who  
22 that was prior to this case.

23 Q: Did you have any role in assigning Kai Vernon to the storm  
24 response team on March 8, 2022, or on any other date?

1 A: No, that's not my job, and, again, I didn't even know who that  
2 was prior to this case.

3 Q: Well, are you familiar with the fact that Kai Vernon was an IT  
4 employee at SUI?

5 A: Again, I am now.

6 Q: How does an IT employee end up taking calls as part of the storm  
7 response team?

8 A: Well, when there is a major storm it is an all-hands-on-deck  
9 type of thing, especially when that storm takes place overnight  
10 when we have a smaller crew in the building. So, even IT employees  
11 can get brought in to take calls. Plus, it's not like asking  
12 questions and filling out a form is a difficult job.

13 Q: So, would you ask a member of the janitorial or maintenance  
14 staff to do that job?

15 A: No, no, it's not like we just grab anybody from the hallway and  
16 sit them in the chair. But our IT employees are professionals who  
17 understand the business and the seriousness of what we are doing,  
18 and they hopefully have the capability of listening to the calls  
19 and figuring out what the important information is to take down.

20 Q: So members of the storm response team in the call center have  
21 to determine what the important information is?

22 A: Well, maybe I misspoke a bit there. They don't make decisions.  
23 They don't prioritize information. They just ask the questions,  
24 fill out the form, and then enter that information into the system.

## LEGAL SERVICES

1 Q: Why not just call-in employees that handle calls in the call  
2 center on a regular basis to handle calls during a storm? Or why  
3 not hire more employees to make sure you have the bandwidth to  
4 handle calls during a storm?

5 A: It just wasn't how we handled it at that time. We're running a  
6 business and we have to make sure we are spending our money wisely.  
7 We can't have a bunch of people sitting around waiting to see if  
8 a storm is going to happen just twiddling their thumbs. That's not  
9 an efficient use of resources.

10 Q: I'm showing you what has been marked as Exhibit 19. Do you  
11 recognize this?

12 A: Yes, it is an alert from the National Weather Service that was  
13 sent out on the morning of March 7, 2022, which shows that there  
14 was major snowfall and ice expected for the evening of March 7,  
15 2022, and the early morning hours on March 8, 2022.

16 Q: Is it standard practice for an SUI employee to look at weather  
17 reports to determine the likelihood of major storms that may  
18 necessitate the storm response unit?

19 A: It wasn't back then. But it is now.

20 Q: I'm showing you what has been marked as Exhibit 16. What is  
21 this?

22 A: That is an email I sent out to all of our employees a little  
23 bit after this incident on March 8<sup>th</sup>.

1 Q: And is Exhibit 16 a true and correct copy of that email you  
2 sent out?

3 A: Yes, it is.

4 Q: Based on this email in Exhibit 16, how has the SUI policy with  
5 respect to the storm response team changed since March 8, 2022?

6 A: Well, as you can see, we now have employees assigned to check  
7 the national weather alerts on a daily basis to try to determine  
8 the likelihood of any upcoming major storms, which will allow us  
9 to plan better for what might be coming. Additionally, we now  
10 contract with various call centers that specialize in handling  
11 emergency calls of this nature so that we can use those call  
12 handlers on an emergency basis if we need additional bandwidth in  
13 the call center, which means that we no longer need IT employees  
14 like Kai Vernon to take calls during emergencies and they can focus  
15 on their own roles.

16 Q: Why weren't these things always the policy at SUI?

17 A: We thought we had it covered. It wasn't perfect, but we had  
18 never had an issue like this before. So, we didn't really know  
19 there was an issue. And I don't think we did anything wrong on  
20 March 8<sup>th</sup>. Obviously, either the cop didn't provide Kai with enough  
21 information or the correct information to determine what needed to  
22 be done in a timely manner or Kai didn't put it down correctly.  
23 But, despite that reality, I think in reviewing what happened I

1 still determined that we could do better. We're always looking for  
2 ways to improve.

3 Q: I'm showing you Exhibit 17. What is this?

4 A: It's a page from our corporate website.

5 Q: And is Exhibit 17 a true and correct copy of that page from  
6 your website?

7 A: Yes, it is.

8 Q: Right there, on that page from SUI's website, it says that one  
9 of your guiding corporate principles or priorities is to protect  
10 your customers. Why is that so important to SUI?

11 A: Electricity is dangerous. Full stop. We know that, and we want  
12 our customers to feel safe knowing that we are making sure that  
13 the electricity we provide is provided in a safe manner.

14 Q: Do you think that was done on March 8<sup>th</sup>?

15 A: Like I said, we are always looking for ways to improve, but I  
16 think we followed our policies and procedures in a safe manner.  
17 This was the cops' fault.

18 Q: So, you don't believe that SUI deserves any blame for what  
19 happened?

20 A: What I'm saying is that if the police had done their job then  
21 that poor person would still be alive. That's what I'm saying.

22 Q: I'm showing you Exhibit 15. Do you recognize this?

23 A: Yes, it's the form that was filled out related to that downed  
24 power line on March 8<sup>th</sup>.

1 Q: And is Exhibit 15 a true and correct copy of that form?

2 A: Yes, it is.

3 Q: Based on your review in this case, what time did the call come  
4 into the call center regarding that downed wire?

5 A: It was a little after 5 a.m. I believe 5:24 a.m. to be exact.

6 Q: And, based on this form, can you tell us what the issue was  
7 that was being reported?

8 A: Well, I know what the issue was. There was a downed wire in the  
9 road on Summit Avenue. And you can see that right there on the  
10 form where it says, "active wire on ground," and it says Summit  
11 Avenue.

12 Q: Do you know why certain boxes are or aren't checked here or why  
13 certain information might be missing?

14 A: No, you would have to ask Kai Vernon that question because  
15 he/she is the one that took the call. Or you should ask the cop  
16 that called it in. My understanding is that all our employees are  
17 supposed to do is take the call and fill in the form. So, if it  
18 isn't here I assume that the cop didn't report it.

19 Q: What kind of training do these employees receive before they  
20 are assigned to the call center as part of the storm response team?

21 A: We put everyone that might have to pitch in during a storm  
22 through rigorous training. Kai Vernon took that training as well.  
23 Every employee does. So, as long as Kai followed that training



1 then everything that was told to Kai by the caller would have been  
2 on that form. That's all we can do.

3 Q: What happens after a call like this comes in and the form is  
4 filled out?

5 A: Then it gets entered into our system, which sends it to our  
6 dispatch center so they can determine what needs to be done.

7 Q: How were the employees in the dispatch center supposed to deal  
8 with things like downed power lines?

9 A: Well, once they saw the issue in the system they would need to  
10 send out an employee to the scene to verify that there was a downed  
11 line and whether it was active or inactive, and if we determined  
12 that it was active then we could disable it at the scene or  
13 remotely.

14 Q: I'm showing you what has been marked as Exhibit 20. What is  
15 this?

16 A: It's a summary of our call activity on the evening of March 7<sup>th</sup>  
17 starting at 10 p.m. around the time when the storm started until  
18 the following day, March 8<sup>th</sup>, at noon. It shows the total number  
19 of calls received, the average time that each call took including  
20 the time the caller spent on hold waiting for their call to be  
21 answered, the total number of incident forms sent to dispatch, and  
22 the number of calls responded to by one of our employees in person.

1 Q: And is Exhibit 20 a true and correct copy of that call activity  
2 log?

3 A: Yes, it is.

4 Q: Busy night and morning?

5 A: You can see right there, very, very busy.

6 Q: Can you explain these numbers a little bit? For example, why  
7 isn't there an incident report form filed for every call that comes  
8 in?

9 A: Not every call would require a form to be completed. You'll get  
10 all kinds of calls. "My cat is stuck out in the snow," that kind  
11 of thing. We don't file forms for that. So, there are just some  
12 calls that don't necessitate a form to be file. Additionally,  
13 you'll notice that there is a lag time for actually responding to  
14 calls. So, we may be filing a certain number of incident reports  
15 per hour but we may not respond to those calls until the following  
16 hour. That's why you see the number of responses continuing to  
17 stay steady even as the number of calls and forms being filed is  
18 dropping.

19 Q: What is an average number of calls per hour when there isn't a  
20 storm?

21 A: Maybe five or so per hour. So, as you can see, this was a lot.

22 Q: Was there any way for employees in the call center to flag a  
23 call as more important than another? Like, making sure that a call

1 about a downed power line had priority and was seen first before  
2 a call about a cat stuck in a tree?

3 A: No, that's not how it worked. The call comes in, the questions  
4 are asked, the form is filled in and entered into the system, and  
5 then the employees in the dispatch center go through each call in  
6 the system and triage them to determine which ones need to be dealt  
7 with first, second, and so on, and which ones need someone to be  
8 dispatched to them in person.

9 Q: So, with a huge number of calls like this, wouldn't you be  
10 concerned something dangerous could get lost in the shuffle?

11 A: I would certainly hope not. We rely on our people in the dispatch  
12 center to do their jobs and make sure the most dangerous situations  
13 get corrected as quickly as possible.

14 Q: I'm showing you what has been marked as Exhibit 21. Do you  
15 recognize this?

16 A: Yes, that is the incident report regarding the call regarding  
17 the downed wire on Summit Avenue on March 8<sup>th</sup>.

18 Q: And is Exhibit 21 a true and correct copy of that incident  
19 report?

20 A: Yes, it is.

21 Q: What is an incident report like the one in Exhibit 21?

22 A: It's generated in the computer system. It shows when the call  
23 came in, what was ultimately done to resolve the call, and when  
24 the call was resolved in the computer system. As you can see, it

1 kind of walks through each step of the process and lays out the  
2 times each of those things happened.

3 Q: Can you explain where it says, "non-priority"?

4 A: Well, as you can see, when dispatch got the form it said that  
5 the wire had no power, which would only have been put down on the  
6 form if that's what the police officer that called it in initially  
7 told Kai Vernon. And an inactive wire that couldn't hurt anyone  
8 would not be a priority with everything else going on that morning.

9 Q: According to this incident report in Exhibit 21, what time was  
10 the line disabled?

11 A: 8:34 a.m.

12 Q: How was the line disabled?

13 A: Remotely.

14 Q: What does that entail?

15 A: Well, usually the employee that goes to the scene to verify  
16 that the downed wire is active would disable it on the scene, but  
17 we also have the ability to disable the wire remotely from the  
18 station. As you can see here, a police officer called the call  
19 center around 8:30 that morning and reported the downed wire in  
20 the road and one of our employees, this J. Nelson, must have  
21 recognized how dangerous that was and gotten this other employee,  
22 A.M. Hall, to disable the wire from the station.

23 Q: So, it took over 3 hours to do something that could be done in  
24 a matter of minutes?

1 A: I wouldn't put it like that, but the timeline is what the  
2 timeline is.

3 Q: You told us earlier that when SUI gets a call about a downed  
4 wire the policy was to send out an employee to the scene to verify  
5 whether that wire is active or not. Was an employee ever sent out  
6 to verify whether that wire on Summit Avenue was active?

7 A: No. Doesn't look like it.

8 Q: Why not?

9 A: The dispatch unit must have looked at the information in the  
10 system and not been able to determine that there was a downed wire.  
11 That would be the only explanation.

12 Q: Is it still SUI policy to wait until an employee goes to the  
13 scene to verify that the wire is active to deactivate it instead  
14 of just immediately deactivating it from the station, remotely, as  
15 soon as police or fire call it in?

16 A: Yes, it is. We have to put eyes on the situation. These are  
17 dangerous moments and our people are professionals that know what  
18 they are doing and what they are messing with, and that is  
19 important. So, we want someone on the ground to assess the  
20 situation. That's how we handle it.

21 Q: I'm showing you what has been marked as Exhibit 22, do you  
22 recognize this?

23 A: Yes, that's a notice of noncompliance we received from the  
24 Steelton Utilities Commission related to this case.

1 Q: And is Exhibit 22 a true and correct copy of that notice of  
2 noncompliance?

3 A: Yes, it is.

4 Q: How do you explain this given your previous testimony that SUI  
5 did nothing wrong in this case?

6 A: Well, first, I don't think that is quite what I said. But, while  
7 we respect the commission and the work they do there and they are  
8 our partners in bringing safe and quality service to the people of  
9 Steelton, I would simply say that they got this one wrong because  
10 they didn't take into account the role of the police here and the  
11 issues with communication that led to this mix up.

12 Q: So, they got it wrong?

13 A: I would never question the work of the commission as a general  
14 rule, but yeah, they got this one wrong.

15 Q: Why was Kai Vernon fired?

16 A: We decided to do some restructuring in that department and  
17 outsource some of our IT work. It happens. That ridiculous lawsuit  
18 Kai filed is just extortion basically, trying to take advantage of  
19 the bad press we've gotten over this incident. People get fired  
20 sometimes.

21 Q: Amari, have you understood all my questions?

22 A: Yes.

23 Q: Do you have anything to add regarding this matter that you  
24 haven't already said?

1 A: Nope, I've told you everything I know.

2 Q: And have you given complete answers to every question without  
3 leaving anything out?

4 A: Yes.

5 Q: Thank you, no further questions.

6 A: Thank you.

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(Proceedings Adjourned.)


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15 I, AMARI REYNOLDS, have read the foregoing deposition and hereby  
16 affix my signature that same is true, correct, and accurate, and  
17 that all information I have regarding this case has been  
18 provided in this deposition and that nothing has been left out.

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AMARI REYNOLDS

IN THE SUPERIOR COURT FOR STEELTON COUNTY

PARKER STANDISH, Administrator )  
for the Estate of RILEY STANDISH )  
and PARKER STANDISH, Individually, )

Plaintiff, )

v. )

SHERMER UTILITIES, INC., )

Defendant. )

Civil Action No. AAJ-CV-001-24

\*\*\*\*\*

ORAL DEPOSITION  
OF ROWAN BENDER  
July 12, 2023

\*\*\*\*\*

PROCEEDINGS

ROWAN BENDER

having been first duly sworn, testified as follows:

CROSS EXAMINATION

BY DEFENSE COUNSEL:

Q: Good afternoon, can you please state your name for the record.

A: Good afternoon, my name is Officer Rowan Bender.

Q: How old are you?

A: I'm 28 years old.

Q: Are you married?

A: No, I'm single. Never been tied down.

Q: I know you introduced yourself as an "officer," what do you do  
for a living?



1 A: I'm a police officer with the Shermer Police Department.

2 Q: What kind of officer?

3 A: I'm a patrol officer. So, when you get pulled over, I'm the  
4 person pulling you over. When you call 9-1-1, I'm the person that  
5 shows up to help you. Just responding to calls and giving people  
6 tickets basically.

7 Q: What kind of education or training did you go through to become  
8 a patrol officer?

9 A: Nothing special really. I graduated from Shermer High School,  
10 go Bulldogs, and then did a couple of years of junior college. But  
11 I always wanted to be a cop. So, after kicking around junior  
12 college for a couple of years I went to the police academy. I  
13 graduated and became a cop, and I've been a cop for the past five  
14 years.

15 Q: Any additional training?

16 A: I mean, they do continuing education stuff and some trainings  
17 at the department, but nothing that stands out. I went to the  
18 academy, graduated, and I've been out there doing the job ever  
19 since. Anything else I've learned has been through trial and error  
20 on the job I suppose.

21 Q: How are you involved in this case?

22 A: I was the patrol officer that was called about a power line  
23 being down in the street on Summit Avenue in the early morning  
24 hours of March 8, 2022, and I was also the patrol officer that was

1 called back to the scene later that day about a person that drove  
2 over that power line and died.

3 Q: Let's start with the first call you got about that power line  
4 being down, what time did that call come in?

5 A: About 5 a.m., maybe a little after.

6 Q: I'm showing you what has been marked as Exhibit 23. Do you  
7 recognize this?

8 A: Yes, that's my police report regarding that first call. We are  
9 required to do a brief narrative report for any incident we respond  
10 to, so I wrote that out on my laptop after I took care of the  
11 scene.

12 Q: Is Exhibit 23 a true and correct copy of that police report?

13 A: Yes, it is. I didn't spend a bunch of time on it or anything.  
14 Just wanted to put down what I did, for the most part.

15 Q: How did you get called to the scene?

16 A: I got a call from a dispatcher. Apparently one of the neighbors  
17 heard the power line fall and called it in, so I drove out there  
18 to check it out.

19 Q: What did you see when you arrived?

20 A: Well, it was pretty simple. There was a power line that was  
21 hanging from a power pole and it was laying across Summit Avenue.  
22 Happens all the time when we have bad weather like this that knocks  
23 down trees and power lines. Nothing out of the ordinary.

1 Q: What is the policy for how you are supposed to handle things  
2 like that?

3 A: Well, we aren't electricians, so we can't handle the power line  
4 because it might be live and that would be extremely dangerous. We  
5 are supposed to do two things. First, secure the area so that  
6 drivers are warned that the power line is down and can't drive  
7 through the area where the power line is located, and second we  
8 are supposed to call it in to the power company and let them know  
9 that there is a power line down so that they can take care of it.

10 Q: I'm showing you what has been marked as Exhibit 24. What is  
11 this?

12 A: It is a page out of the Shermer PD policy manual, which we all  
13 have to study at the academy and we receive updates on when there  
14 are changes or updates made.

15 Q: Is Exhibit 24 a true and correct copy of that page out of the  
16 policy manual?

17 A: It is.

18 Q: Is this policy manual consistent with what you just told us  
19 about the policy for handling down power lines?

20 A: I believe it is.

21 Q: And did you follow this policy on March 8, 2022, while handling  
22 that downed power line across Summit Avenue?

23 A: For the most part.

24 Q: What does that mean?

1 A: Well, I secured the area, and I called in the downed power line  
2 to Shermer Utilities, but the policy manual states that an officer  
3 should stay at the scene until the power company arrives to take  
4 care of it and remove it from the street, and, while I stayed in  
5 the area, I didn't just sit there and stare at that power line. I  
6 had other things to do.

7 Q: Okay, we'll get back to that in a moment. First, you said that  
8 you secured the scene. How did you do that?

9 A: I put up cones, cone bars, and barricades with a "road closed"  
10 sign all to direct traffic away from the area.

11 Q: I'm showing you what has been marked as Exhibit 25, do you  
12 recognize this?

13 A: Yes, it appears to be a map of the area where this all took  
14 place around Summit Avenue right off Highway 208.

15 Q: And is this map a fair and accurate depiction of that area?

16 A: Yes, it is.

17 Q: Okay, and now I'm showing you exhibits 26 through 30, do you  
18 recognize these?

19 A: These appear to be animations or some kind of rendering showing  
20 where I place those cones, cone bars, and barricades on the various  
21 roads. And you can also see that red broken line and yellow spark  
22 that shows where the power line was down across Summit Avenue.

23 Q: And are these renderings fair and accurate depictions of where  
24 you placed those cones and whatnot?

1 A: Yes, they are.

2 Q: Looking at these exhibits, on each one can you circle in red  
3 the various cones, cone bars, and barricades you put up?

4 Sure. Done.

5 Q: Okay, I'm going to mark those as Exhibits 31 through 35. Now,  
6 we see that in Exhibits 30 and 35 you put up full barricades with  
7 a "road closed" sign at the intersection of Franklin Avenue and  
8 Summit Avenue. Why did you use full barricades there and nowhere  
9 else?

10 A: Those were the only barricades we had. I called in backup to  
11 the scene and requested barricades, but when the backup arrived  
12 they only had a couple of barricades. I thought it was best to get  
13 everything in place as quickly as possible rather than sit around  
14 and wait for more barricades to arrive, so that's what we did.

15 Q: Weren't you worried the cones could move or be moved?

16 A: I didn't really think about that. I mean, I would hope people  
17 would be smart enough not to move those things. Everyone knows  
18 what a cone in the road means, and people should pay attention to  
19 those warnings.

20 Q: Couldn't you have waited there with the other officers to direct  
21 traffic until more barricades arrived?

22 A: I suppose, but it was a busy morning. The weather was awful and  
23 there were accidents and issues everywhere. So, everyone had lots

1 of stuff going on and lots of calls to respond to. We couldn't  
2 just spend all our time on this one call.

3 Q: It's pretty obvious why you put the barricades across the  
4 intersection with Frankline Avenue, but what was the purpose of  
5 the other cones you put up in these other exhibits?

6 A: The cones in Exhibit 26 and 31 were across Summit Avenue, and  
7 they were meant to stop someone that was driving north on Summit  
8 Avenue from continuing towards the power lines and force them to  
9 turn left and head back towards Highway 208. The cones in Exhibit  
10 27 and 32 were on the exit from Highway 208 north, and they were  
11 meant to force someone that was exiting Highway 208 north from  
12 continuing on to Summit Avenue north by forcing them to loop around  
13 and head south on Summit Avenue. And the cones in Exhibits 28 and  
14 33 were there in case someone did arrive at that intersection with  
15 Summit Avenue after exiting off of Highway 208 north to stop them  
16 from continuing or turning left onto Summit Avenue going north.  
17 Finally, the cones and cone bar in Exhibits 29 and 34 were there  
18 in case anyone was coming south on Summit Avenue to try and stop  
19 them from getting to the downed power line. As you can see, we had  
20 the area pretty well barricaded off.

21 Q: Okay, so you put up all of these cones and barricades, what did  
22 you do next?

23 A: I called Shermer Utilities, just like I was supposed to.

1 Q: What did you tell the person you talked to from Shermer  
2 Utilities?

3 A: I told them a power line was down on Summit Avenue, that I  
4 assumed the power was live because it was sparking on the road,  
5 that it was in the middle of the road, and that I had barricaded  
6 off the area. I told them they needed to get someone out there as  
7 soon as possible.

8 Q: If some of that information was missing from the dispatch report  
9 from Shermer Utilities would you know why that information isn't  
10 there?

11 A: No idea. I called it in, I gave them all the information I had,  
12 and I was very clear. If something is missing it's because the  
13 person I talked to didn't write it down. That's the only plausible  
14 explanation. I mean, the call didn't take very long and they didn't  
15 ask for much detail, plus I was in a hurry because I wanted to get  
16 started barricading off the area, but what I communicated was that  
17 a line was down between two poles, it was on the ground and on the  
18 road, and it appeared to be active. That should've been enough.

19 Q: Okay, so you put all of this out and made the call, what did  
20 you do next?

21 A: I got a call about an accident a couple miles away south of  
22 Highway 208, so I went and responded to that call.

23 Q: When you left, how many police officers were left at the scene?

1 A: None. Everyone had other calls to go to. I was the last one  
2 there. I called in to the dispatcher when I left and said they  
3 might want to get someone else to the scene, but the dispatcher  
4 told me there wasn't anyone available and that I should just get  
5 back there as quickly as I could. So, that's what I did. I didn't  
6 like it, but when I got the call about that other accident it  
7 sounded bad. Multiple vehicles, serious injuries. So, it was a  
8 tough call but I had to go. I had put up cones and barricades and  
9 I was going to make every effort to get back there quickly, and if  
10 the drivers had just followed those warnings then nothing would  
11 have happened. Would you prefer that I just left those other people  
12 in that accident to their own devices? Sometimes we have to be in  
13 two places at once in an emergency situation, and this was one of  
14 those times. I called it in, I put up warnings, and I had to go.

15 Q: I'm showing you what has been marked as Exhibit 36. Do you  
16 recognize this?

17 A: Yes, that's my police report from that accident I went to take  
18 care of that morning when I left the downed power line.

19 Q: And is Exhibit 36 a true and correct copy of that report?

20 A: Yes, it is.

21 Q: How long were you gone before you returned to the downed power  
22 line on Summit Avenue?

23 A: I don't remember. It didn't feel like very long. I got back as  
24 soon as I could after taking care of that accident.



1 Q: When you got back, how did you drive up to the scene?

2 A: Well, like I said, I was at an accident on south of Highway  
3 208, so I took Summit Avenue north towards 208.

4 Q: I'm showing you Exhibit 37. Do you recognize this?

5 A: Yes, it's a picture of the cones across Summit Avenue going  
6 north from my dashcam. These are the same cones in Exhibits 26 and  
7 31.

8 Q: And is this a fair and accurate depiction of those cones from  
9 your dashcam?

10 A: Yes. That's what they looked like that morning?

11 Q: Is this what they were supposed to look like?

12 A: Well, when I put them out there that morning there were four of  
13 them all the way across the road. So, clearly the one that would've  
14 been to the far left must have been moved.

15 Q: With that arrow on the cone farthest to the left pointing left,  
16 couldn't that make drivers think they are supposed to drive around  
17 those cones?

18 A: I guess. I don't know what people would think. I would hope  
19 they would see the cones and exercise caution. That's why they are  
20 there.

21 Q: I'm showing you Exhibit 38, do you recognize this?

22 A: Yeah, that's the same picture but with another cone added in on  
23 the left.

1 Q: And is Exhibit 38 a fair and accurate depiction of what those  
2 cones looked like when you first set them up?

3 A: Yes.

4 Q: When you saw this cone out of place, did you fix it?

5 A: No, because at that moment I saw a driver travelling south on  
6 Summit Avenue, which means they had driven past the cones to the  
7 north of the downed wire and I decided to pull them over. So, I  
8 looped around and followed them onto the entrance ramp to Highway  
9 208 north and pulled them over.

10 Q: I'm showing you what have been marked as Exhibits 39 and 40,  
11 what are these?

12 A: Photos from my dashcam showing the vehicle I pulled over.  
13 Exhibit 39 is on Summit Avenue going south towards the entrance to  
14 Highway 208 north, and Exhibit 40 is on the entrance ramp once I  
15 actually pulled him over.

16 Q: And are Exhibits 39 and 40 fair and accurate depictions of that  
17 vehicle you pulled over as it looked when you pulled it over?

18 A: Yes.

19 Q: Looking at Exhibit 39, doesn't that show cars driving both north  
20 and south, including cars driving towards that downed wire?

21 A: Yeah, that was exactly why I was upset and pulled this guy over,  
22 because nobody was paying attention to the cones and warnings we  
23 had put up.

24 Q: And I'm showing you Exhibit 41, what is this?

1 A: It's a transcript of a call that I made to my boss during that  
2 traffic stop.

3 Q: And is Exhibit 41 a true and correct copy of that transcript?

4 A: Yes.

5 Q: If you saw that cones were out of place and that drivers were  
6 driving through that area, why did you take time to pull over one  
7 of those drivers rather than secure the scene?

8 A: They were violating our warnings. Seemed like exactly what I  
9 should be doing at that point.

10 Q: Wouldn't it have been wise to make sure the area around that  
11 wire was secure first?

12 A: There was a lot going on. Plus, just look back at our own  
13 Shermer PD policies. It says to secure the area but it also says  
14 to pull over anyone that circumvents our barricades and warnings.  
15 So, I was doing my job. I was following policy. I was doing what  
16 I was trained and what I was told to do by the department. That's  
17 my job. At each turn I evaluated what I was seeing and prioritized  
18 what to do first or next. I may not have been perfect, but I was  
19 doing the best I could with a bad situation.

20 Q: Okay, so you pulled this person over and gave them a ticket,  
21 what did you do next?

22 A: I drove back to area with the downed wire and that's when I saw  
23 Riley Standish's vehicle and Parker Standish standing there

1 outside of their vehicle. And there was an off duty officer there  
2 as well.

3 Q: What did you do at that point?

4 A: I asked that officer, I think his name was McClane, what was  
5 going on and he said that he had already called dispatch and the  
6 electric company again and that the wire had been disabled and  
7 that Riley Standish was dead. I was too late. Then he asked me  
8 where everyone was and why there weren't any cops at the scene.

9 Q: How did you respond?

10 A: The same way I did to you earlier, it was a crazy day, lots of  
11 accidents and issues on the road and we did our best to secure the  
12 scene. I can't help it if people just ignore the warning signs  
13 that are put right in front of them.

14 Q: When you arrived and found a burned-up vehicle and a dead  
15 person, what did you think?

16 A: I honestly didn't understand. I called the electric company.  
17 It's their wire. Why didn't they just disable it? They had three  
18 hours! Heck, they had more than three hours! It doesn't make any  
19 sense to me. That person would still be alive if they just would've  
20 done their job.

21 Q: Officer Bender, have you understood all my questions?

22 A: Yes.

23 Q: Do you have anything to add regarding this matter that you  
24 haven't already said?

1 A: Nope, I've told you everything I know.

2 Q: And have you given complete answers to every question without  
3 leaving anything out?

4 A: Yes.

5 Q: Thank you, no further questions.

6 A: Thank you.

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(Proceedings Adjourned.)

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I, ROWAN BENDER, have read the foregoing deposition and hereby

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affix my signature that same is true, correct, and accurate, and

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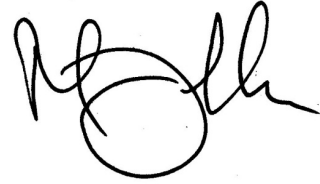
that all information I have regarding this case has been

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provided in this deposition and that nothing has been left out.

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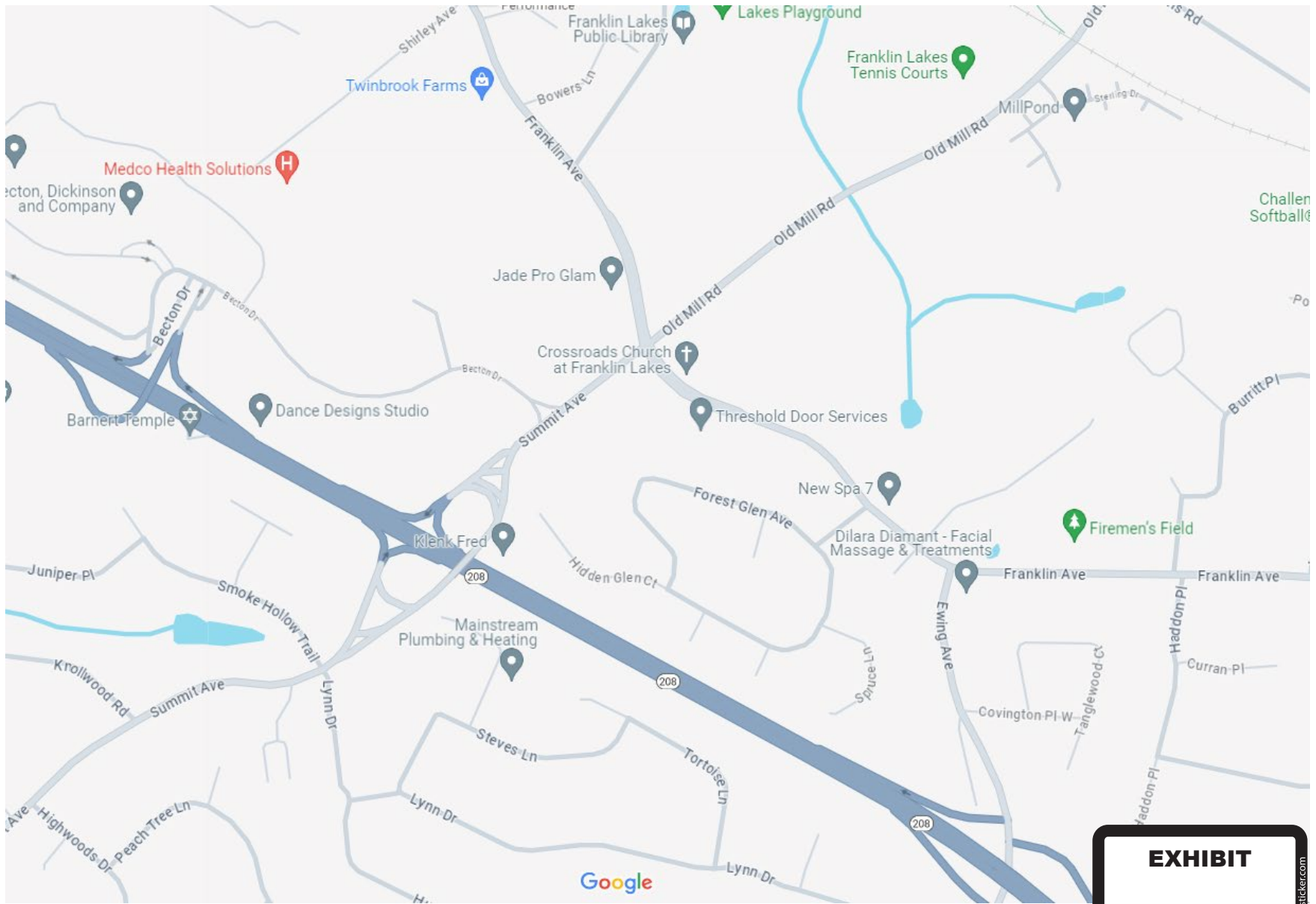
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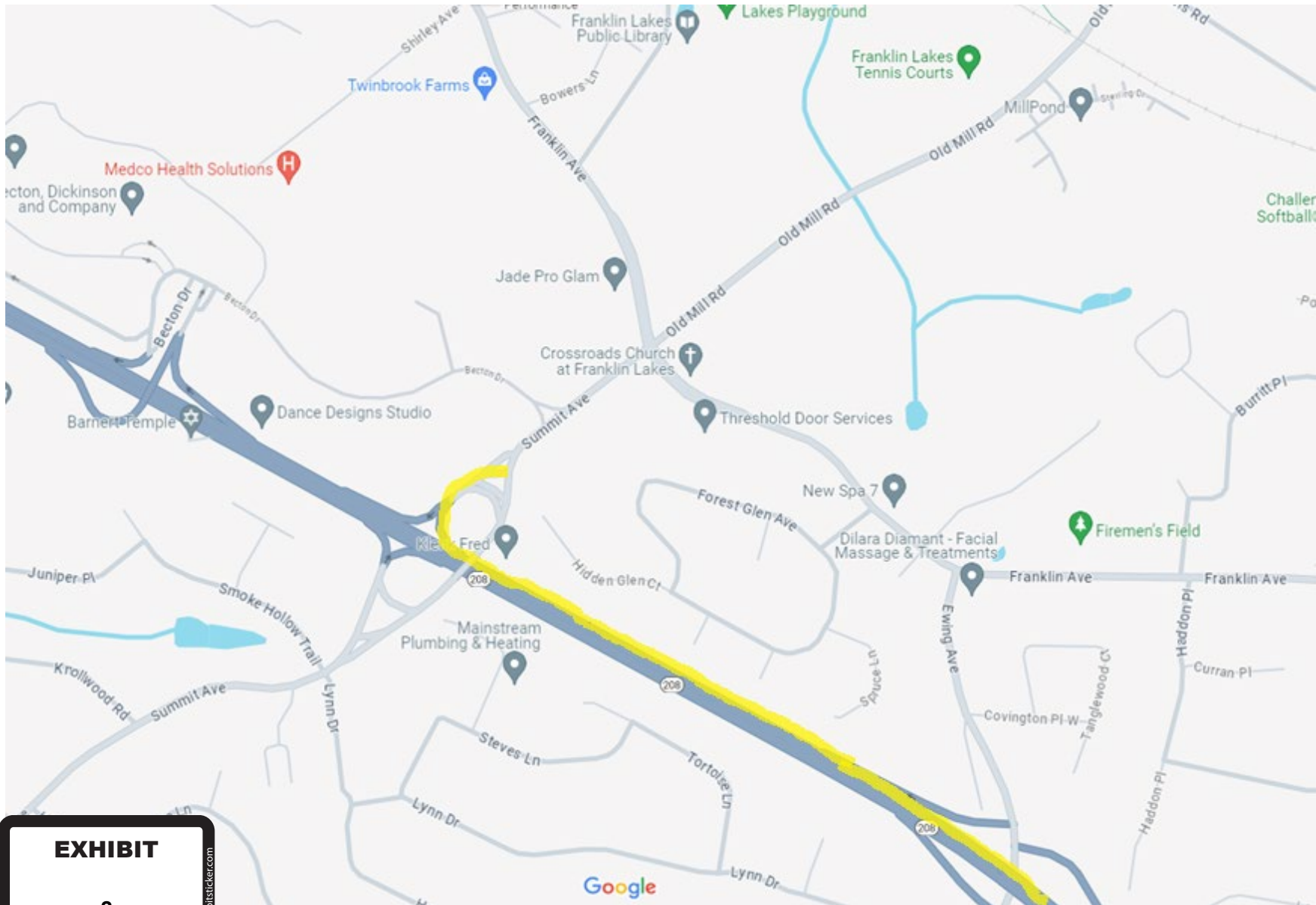
ROWEN BENDER

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**EXHIBIT**  
**1**

exhibitclerk.com



**EXHIBIT**  
2

exhibitdata.com





**EXHIBIT**  
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exhibitster.com



**EXHIBIT**  
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exhibitsticker.com



**EXHIBIT**  
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**EXHIBIT**  
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exhibitsticker.com





**EXHIBIT**  
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exhibitclicker.com



# Electric System Trouble Report Questionnaire

Please fax report to SUI Dispatch Center at 555.644.0723 or go online at [www.sui.com/trouble](http://www.sui.com/trouble)

## Reported by:

1. Request the name of the person that is making the call and their phone number. This person will be your contact person and their information can be entered in the last line of this section.
2. In addition, ask this person whether they work for or are associated with a police or fire department or whether they are from an office of emergency management. If so, please include the municipality they are associated with a check the appropriate box.
3. List the date the call is being made, the time, and check "AM" or "PM." This information is necessary in order to make sure the call is properly logged into the system and responded to in a timely manner.

## Location of Trouble

1. Ask the street address, city or closest post office location, the nearest cross street, and the pole number associated with the issue and input that information. The more information the better in order to allow dispatchers to ensure that emergency responders go to the right location as quickly as possible. If the caller does not know the pole number please direct them to go to the pole, if possible, and locate the yellow tag with the 10-digit number. Per the instructions, input as much detailed information as possible to assist dispatchers and emergency responders in locating the issue.

## Power Status

1. Ask the caller whether they are able to determine whether the wire has any power running through it. This question may not be applicable if the caller is not familiar with ways of determining whether a wire is active or not or whether there is still power to that wire.

## Type of Trouble

1. Ask the caller whether there are wires down. If so, inquire further whether those wires are on the ground, down between two poles, down between a pole and house, just hanging low but not touching the ground, or whether those wires are blocking the road. You may check any and all boxes that are applicable. If none are applicable then mark "N/A".

2. Ask the caller whether the wires are sparking or producing sparks in any manner. If so, inquire further as to the location of that sparking. Specifically, whether the sparking is happening on the ground, at the building the wire is or is usually connected to, on the pole, in trees, or on the road. You may check any and all boxes that are applicable. If none are applicable then mark "N/A".
  3. Ask the caller whether there are any trees involved in the incident or any issues with trees in any manner. If so, please ask the caller whether the trees are what knocked that wire down, whether there are trees leaning on the wire, whether there is a limb laying on or leaning across a wire, whether those tree issues are present between poles, or whether those tree issues are present between the pole and a house. You may check any and all boxes that are applicable. If none are applicable then mark "N/A".
  4. Ask the caller whether there are any issues with a pole in the area. If so, inquire further to determine whether that pole is broken, leaning, or on fire. You may check any and all boxes that are applicable. If none are applicable then mark "N/A".
  5. Ask the caller whether there are any issues with the transformer in the area. If so, inquire whether that transformer is between poles, or on the ground, whether it is on fire, whether it is leaking, or whether the caller heard a loud bang of any nature. You may check any and all boxes that are applicable. If none are applicable then mark "N/A".
  6. Ask the caller whether they have requested any kind of safety services to come to the scene, including police or fire, and the time that they arrived, if any.
  7. Ask the caller whether they have requested a fire cut or a flood cut.
- 

### Remarks

1. Ask the caller if they have any other relevant remarks or comments that need to be recorded and record them here. Also, you may record any additional comments that you have regarding the call that you believe may be important for the dispatcher to know in handling the call.

Remember to ***be thorough*** and ask as many questions as necessary to get all of the relevant information necessary to answer all of the questions on this questionnaire. This information is ***critical*** to ensure that SUI responds appropriately and timely to whatever issue may exist.



# Electric System Trouble Report

Please fax report to SUI Dispatch Center at 555.644.0723 or go online at [www.sui.com/trouble](http://www.sui.com/trouble)

## Reported by:

Name of Municipality: \_\_\_\_\_  Police  OEM  Fire  Other  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_  AM  PM  
 Contact Person's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

## Location of Trouble *(To avoid delays, please provide ALL of the information requested below)*

Street Address: \_\_\_\_\_ *(include house, apartment, or building #)*  
 City/Post Office: \_\_\_\_\_ *(include hamlet, village, or area name)*  
 Nearest Cross Street: \_\_\_\_\_ *(include landmarks, house color, etc.)*  
 Pole Number: \_\_\_\_\_ *(yellow tag with 10-digit numbers)*

## Power Status

Has Power  No Power  Partial Power  Breakers Checked

## Type of Trouble *(to avoid delays, please check ALL that apply)*

### 1. Wires Down

On Ground  Pole-to-Pole  Pole-to-House  Hanging Low  Blocking Road  N/A

### 2. Wires Sparking

On Ground  At Building  At Pole  In Trees  On Road  N/A

### 3. Tree Problems

Took Wire Down  Leaning on Wire  Limb on Wire  Pole-to-Pole  Pole-to-House  N/A

### 4. Pole

Broken  Leaning  On Fire  N/A

### 5. Transformer

Pole-to-Pole  Ground/Pad Mounted  On Fire  Leaking Out  Heard Loud Bang  N/A

### 6. Site Safety Requested

Yes  Police Dept. on Scene Arrived @ \_\_\_\_\_  AM  PM  
 Fire Dept. on Scene Arrived @ \_\_\_\_\_  AM  PM

7. Fire Cut Requested:  Yes Flood Cut Requested:  Yes

## Remarks

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# Employee Handbook 2021



## Section 9 – Call Center (*cont.*)

9.10 – Storm Response team – if you’re assigned to the call center as part of the storm response team then you are required to take calls as they are directed to you from the switchboard. When you take those calls, you should ask the caller the questions listed on the Electric System Trouble Report Questionnaire and use the information provided to complete the Electric System Trouble Report. Once that form has been completed, you should enter all of the information in the Electric System Trouble Database so that it can be transferred to the dispatch team and the appropriate action can be taken.

9.10(a) – you need to make sure to ask whatever questions are necessary in order to gather as much information as you can to include on the form that can be communicated to the storm response team regarding the issue. While a questionnaire is provided to you, you should also feel free to ask additional questions to clarify the information provided by the caller in order to completely fill out the form and include as much information as possible.

9.10(b) – you are not required to contact the dispatch team directly to try to alert them to calls that you think deserve priority or that you believe need to be dealt with first or in any specific order. The information on the form will allow the dispatch team to determine what should be done next, what the appropriate response would be, and which calls need to be prioritized above others, if any. Do not attempt to include information on the form in an effort to “flag” a specific call. This is why filling out the form completely and ensuring that you ask for all necessary information is so important because the information on the form is what the dispatch team needs to properly prioritize calls.

9.12 – Dress Code



# Electric System Trouble Report

Please fax report to SUI Dispatch Center at 555.644.0723 or go online at [www.sui.com/trouble](http://www.sui.com/trouble)

## Reported by:

Name of Municipality: SITON MAE  Police  OEM  Fire  Other  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_  AM  PM  
 Contact Person's Name: \_\_\_\_\_ Phone: 555.320.7446

## Location of Trouble (To avoid delays, please provide ALL of the information requested below)

Street Address: SUMMIT AVE (include house, apartment, or building #)  
 City/Post Office: SITON MAE (include hamlet, village, or area name)  
 Nearest Cross Street: HIDDEN GLEN (include landmarks, house color, etc.)  
 Pole Number: \_\_\_\_\_ (yellow tag with 10-digit numbers)

## Power Status

Has Power  No Power  Partial Power  Breakers Checked

## Type of Trouble (to avoid delays, please check ALL that apply)

### 1. Wires Down

On Ground  Pole-to-Pole  Pole-to-House  Hanging Low  Blocking Road  N/A

### 2. Wires Sparking

On Ground  At Building  At Pole  In Trees  On Road  N/A

### 3. Tree Problems

Took Wire Down  Leaning on Wire  Limb on Wire  Pole-to-Pole  Pole-to-House  N/A

### 4. Pole

Broken  Leaning  On Fire  N/A

### 5. Transformer

Pole-to-Pole  Ground/Pad Mounted  On Fire  Leaking Out  Heard Loud Bang  N/A

### 6. Site Safety Requested

Yes  Police Dept. on Scene Arrived @ \_\_\_\_\_  AM  PM  
 Fire Dept. on Scene Arrived @ \_\_\_\_\_  AM  PM

7. Fire Cut Requested:  Yes Flood Cut Requested:  Yes

## Remarks

ACTIVE WIRE ON GROUND!

**To:** All Employees ([employees@sui.com](mailto:employees@sui.com))  
**From:** Reynolds, Amari ([areynolds@sui.com](mailto:areynolds@sui.com))  
**Date:** 05/15/2022  
**Subject:** Storm Response Unit

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Dear All,

As we reflect on the winter season that we are finally emerging from, the SUI risk management team would like to alert you of some changes to our storm response team policies and procedures for the future. Now, to be clear, these are changes that have been under consideration for a long time, and we are not taking these actions in response to any particular incident, but instead believe that these changes will make our storm response team more efficient and effective, and that it will help us to ensure that we live up to our company motto and be as safe, reliable, and dependable as possible.

Effective immediately, employees will no longer be asked during a storm event to work in a unit of the company of which they are not a regular member. For example, a member of our IT team will not be asked to work in the call center or the dispatch center, which is something that has happened in the past, as part of the storm response team. Instead, we have taken steps to contract with call centers that specialize in emergency situations, and those call centers will provide additional staffers that will be trained on how to ask the questions in our Electric System Trouble Report Questionnaire, complete the Electric System Trouble Report, and enter the information on that report into the Electric System Trouble Database. This will ensure that all people taking those calls have been properly trained on how to do so, and it will free up our own employees to work in their own units of the company during major storms to ensure that there are no issues with our storm response.

For those employees that do continue handling calls as part of our storm response team, nothing will change with respect to our procedure.

Also, we have now assigned an employee within the risk management unit to review posting on the website of National Weather Service to determine whether there is any severe weather predicated on a daily basis, which should allow us to better prepare for and respond to storms as they develop.

Thank you for your time and your commitment to making SUI the best company it can be!

Amari Reynolds  
Senior Vice President, Risk Management







### **Shermer Utilities: A Company that Cares**

Shermer Utilities doesn't just have a mission statement and a set of core values, we demand that each employee of our company follows and knows that mission statement and set of core values by heart. Our core values are a set of universal guidelines that we strive to adhere to from the bottom of the organization to the top. In fact, every meeting at Shermer Utilities begins with a recitation of our core values.

#### **Core Value #1 - Safety**

At Shermer Utilities, we prioritize the safety and well-being of our customers above all else. Our commitment to delivering reliable and secure electrical services extends beyond just powering homes and businesses—it encompasses a steadfast dedication to ensuring the utmost safety for our customers. We understand that electrical issues can arise unexpectedly, and in those moments, our top priority is to respond promptly and effectively.

We believe that a safe and secure environment is fundamental to the thriving communities we serve. Our team is equipped with the latest technology and expertise to swiftly address any concerns or problems that may emerge. From power outages to potential hazards, we are vigilant in monitoring and responding to issues with the urgency they deserve.

At Shermer Utilities, we recognize that our customers rely on us not only for electricity but also for peace of mind. Our commitment to immediate problem resolution is a testament to our dedication to customer safety. By choosing Shermer Utilities, you are not just selecting an electricity service; you are choosing a partner that values your safety and strives to exceed your expectations in every way.

Experience the reassurance of a power provider that puts your safety first—Shermer Utilities...safe, reliable, dependable.

**EXHIBIT**

**17**

**IN THE SUPERIOR COURT FOR STEELTON COUNTY**

<b>KAI VERNON,</b>	)	
<i>Plaintiff</i>	)	
	)	
v.	)	<b>CIVIL ACTION NO. AAJ-CV-001-23</b>
	)	
<b>SHERMER UTILITIES, INC.</b>	)	
<i>Defendant</i>	)	

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**PLAINTIFF’S ORIGINAL COMPLAINT**

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TO THE HONORABLE JUDGE OF THIS COURT:

NOW COMES KAI VERNON, Plaintiff herein, complaining of SHERMER UTILITIES, INC. (hereinafter “SHERMER UTILITIES”), Defendant herein, and for cause of action would respectfully show the Court and jury the following:

**I.**

**PARTIES**

1. Plaintiff is an individual residing in Steelton County.
2. Defendant SHERMER UTILITIES is a domestic corporation with its principal place of business in Steelton County.

**II.**

**FACTUAL BACKGROUND**

3. SHERMER UTILITIES is the utility company that owns and operates power lines and the power grid in the city of Shermer in Steelton County.
4. KAI VERNON was employed by SHERMER UTILITIES as a senior systems analyst for over twenty years.

5. On or about March 8, 2022, at approximately 5:04 a.m., a power line that was owned and operated by SHERMER UTILITIES that was located on Summit Avenue become dislodged from the utility poll during a winter storm and fell to the ground and onto Summit Avenue. At the time that it fell to the ground, that power line was active and was burning in the roadway.

6. When that power line fell to the ground, despite the fact that KAI VERNON was employed as part of the information technology team at SHERMER UTILITIES and had no training from the company in how to take or respond to calls, KAI VERNON was working as part of the storm response team at SHERMER UTILITIES taking calls in the call center. Shortly after that power line fell onto the road, KAI VERNON took a call from a police officer regarding that downed power line. KAI VERNON followed his/her training, asked all of the questions suggested by SHERMER UTILITIES, filled out the appropriate form, and had that form submitted into the system. Despite that, SHERMER UTILITIES failed to respond to that call or take any steps to resolve the issue with that downed power line for over three hours.

7. That morning, an individual named Riley Standish died when he/she drove over that downed power line in the middle of the street. SHERMER UTILITIES received a significant amount of bad press regarding this incident and had a lawsuit filed against them by the family of Riley Standish.

8. Seeking to find someone to blame for this issue, SHERMER UTILITIES fired KAI VERNON on July 2, 2022, claiming that there was downsizing at the company. But KAI VERNON was the only person fired and there is no evidence of any supposed “downsizing.” Clearly, KAI VERNON was fired, despite having a tremendous history of glowing employee reviews, as a scapegoat for what happened on March 8, 2022.

### III.

#### **CAUSE OF ACTION – WRONGFUL TERMINATION**

9. Plaintiff adopts and incorporates by reference all previous paragraphs of the complaint as if set forth in their entirety.

10. Pursuant to Steelton Civil Practice & Remedies Code §90210, Steelton has a cause of action for wrongful termination based on retaliation when an employer terminates an employee without a valid basis. In this case, KAI VERNON did not violate any company policies, followed all of the limited training and instruction given to him/her by SHERMER UTILITIES, and consistently received overwhelmingly positive employee reviews during his/her over 20 years of employment with SHERMER UTILITIES, yet was fired without warning and with a false pretext in order to lay the blame for the events of March 8, 2022, on KAI VERNON. This amounts to a clear violation of Section 90210.

11. SHERMER UTILITIES' actions proximately caused damages to KAI VERNON's reputation and KAI VERNON has also been able to find employment since being terminated. As a result, KAI VERNON is seeking over \$500,000 in damages.

### V.

#### **JURY DEMAND**

12. Plaintiff requests a jury trial and tenders the appropriate fee with this Complaint.

### VI.

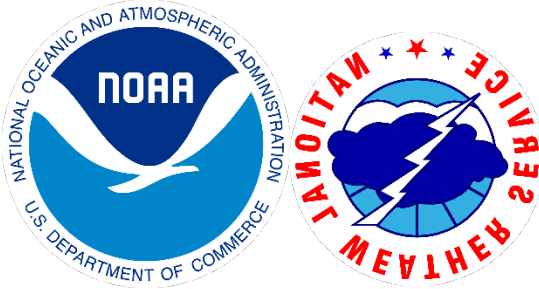
#### **REQUEST FOR RELIEF**

13. For the reasons stated above, Plaintiff asks that this Court issue citation for SHERMER UTILITIES to appear and answer, and that upon trial on the merits Plaintiff recovers judgment for the following:

- a. Past and future lost wages;
- b. Past and future reputation damage;
- c. Past and future mental anguish;
- d. Pre-judgement and post-judgment interest;
- e. Cost of suit;
- f. All other relief, general and special, which Plaintiff is entitled to receive at law or in equity, or for which this Court deems proper.

Respectfully submitted,

          /s/ Casey McCones  
Attorney for Plaintiff



URGENT - WINTER WEATHER MESSAGE  
 NATIONAL WEATHER SERVICE  
 STEELTON COUNTY  
 830 AM TUE MAR 7 2022

...WINTER STORM WATCH HAS BEEN UPGRADED TO A WINTER STORM WARNING...

...WINTER STORM WARNING IN EFFECT FROM 1 PM TUE MAR 7 TO 12 PM WED MAR 8...

THE NATIONAL WEATHER SERVICE IN STEELTON COUNTY HAS ISSUED A WINTER STORM WARNING FOR STEELTON COUNTY...WHICH IS IN EFFECT FROM 1 PM TUE MAR 7 TO 12 PM WED MAR 8. THE WINTER STORM WATCH IS NO LONGER IN EFFECT.

\* HAZARD TYPES...SNOW AND ICE.

\* ACCUMULATIONS...NEAR 5 INCHES OF SNOW THROUGHOUT STEELTON COUNTY AND ICE ON ALL ROADWAYS

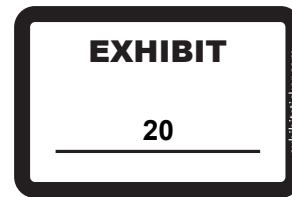
\* TIMING...SNOW AND ICY RAIN WILL SPREAD ACROSS STEELTON COUNTY BEGINNING AT APPROXIMATELY 800 PM TUE EVENING AND WILL CONTINUE TO SPREAD UNTIL APPROXIMATELY 700 AM THE FOLLOWING MORNING.

\* IMPACTS...ROADS AND BRIDGES WILL BECOME SLICK MAKING TRAVEL HAZARDOUS. SNOWFALL MAY BE HEAVY AT TIMES. TRAVEL COULD QUICKLY BECOME DANGEROUS. EXERCISE EXTREME CAUTION IF TRAVEL IS NECESSARY. ICE AND SNOW MAY IMPACT POWER AND TELEPHONE LINES THROUGHOUT THE AREA WHICH MAY IMPACT POWER AND TELEPHONE SERVICES AND MAY CREATE DANGERS FOR DRIVERS IN THE AREA.

\* TEMPERATURES...TUE AFTERNOON TEMPERATURES WILL BE IN THE UPPER TEENS TO MID 20S AND WILL FALL INTO THE LOW TEENS OVER NIGHT AND INTO WED MORNING. TEMPERATURES SHOULD RISE INTO THE MID 30S AROUND 1100 AM ON WED MORNING.

A WINTER STORM WARNING MEANS SIGNIFICANT AMOUNTS OF SNOW ARE EXPECTED OR OCCURRING. SIGNIFICANT AMOUNTS OF SNOW ARE FORECAST THAT WILL MAKE TRAVEL DANGEROUS. ONLY TRAVEL IN AN EMERGENCY. IF YOU MUST TRAVEL...KEEP AN EXTRA FLASHLIGHT...FOOD...AND WATER IN YOUR VEHICLE IN CASE OF AN EMERGENCY. STRONG WINDS ARE ALSO POSSIBLE...WHICH WILL ALSO MAKE TRAVEL VERY HAZARDOUS OR IMPOSSIBLE.

SHERMER UTILITIES COMPANY  
9511 HARRISON ST.  
SHERMER, STEELTON



CALL ACIVITY LOG

**TUE MAR 7 2022 - 10-11 PM**

-CALLS REC - 8  
-AVG CALL TIME - 3 MIN  
-INCIDENT FORMS FILED - 3  
-CALLS RESPONDED TO - 3

**TUE MAR 7 2022 - 11 PM - 12 AM**

-CALLS REC - 17  
-AVG CALL TIME - 6 MIN  
-INCIDENT FORMS FILED - 8  
-CALLS RESPONDED TO - 7

**WED MAR 8 - 12-1 AM**

-CALLS REC - 23  
-AVG CALL TIME - 7 MIN  
-INCIDENT FORMS FILED - 9  
-CALLS RESPONDED TO - 5

**WED MAR 8 - 1-2 AM**

-CALLS REC - 38  
-AVG CALL TIME - 11 MIN  
-INCIDENT FORMS FILED - 18  
-CALLS RESONDED TO - 12

**WED MAR 8 - 2-3 AM**

-CALLS REC - 58  
-AVG CALL TIME - 18 MIN  
-INCIDENT FORMS FILED - 21  
-CALLS RESPONDED TO - 11

**WED MAR 8 - 3-4 AM**

-CALLS REC - 84  
-AVG CALL TIME - 23 MIN  
-INCIDENT FORMS FILED - 32  
-CALLS RESPONDED TO - 15

**WED MAR 8 - 4-5 AM**

-CALLS REC - 110  
-AVG CALL TIME - 28 MIN  
-INCIDENT FORMS FILED - 45  
-CALLS RESPONDED TO - 18

**WED MAR 8 - 5-6 AM**

-CALLS REC - 101  
-AVG CALL TIME - 28 MIN  
-INCIDENT FORMS FILED - 42  
-CALLS RESPONDED TO - 19

**WED MAR 8 - 6-7 AM**

-CALLS REC - 123  
-AVG CALL TIME - 31 MIN  
-INCIDENT FORMS FILED - 54  
-CALLS RESPONDED TO - 21

**WED MAR 8 - 7-8 AM**

-CALLS REC - 134  
-AVG CALL TIME - 35 MIN  
-INCIDENT FORMS FILED - 62  
-CALLS RESPONDED TO - 22

**WED MAR 8 - 8-9 AM**

-CALLS REC - 82  
-AVG CALL TIME - 27 MIN  
-INCIDENT FORMS FILED - 34  
-CALLS RESPONDED TO - 22

**WED MAR 8 - 9-10 AM**

-CALLS REC - 35  
-AVG CALL TIME - 18 MIN  
-INCIDENT FORMS FILED - 21  
-CALLS RESPONDED TO - 24

**WED MAR 8 - 10-11 AM**

-CALLS REC - 21  
-AVG CALL TIME - 11 MIN  
-INCIDENT FORMS FILED - 10  
-CALLS RESPONDED TO - 22

**WED MAR 8 - 11AM-12PM**

-CALLS REC - 13  
-AVG CALL TIME - 8 MIN  
-INCIDENT FORMS FILED - 3  
-CALLS RESPONDED TO - 19



SHERMER UTILITIES COMPANY  
9511 HARRISON ST.  
SHERMER, STEELTON

INCIDENT REPORT  
INCIDENT NO. 8675309

...CALL RECEIVED...524 AM...

...REPORT ENTERED INTO SYSTEM...531 AM

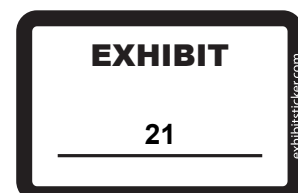
...DISPATCH RECEIVED AND INITIAL REVIEW...552 AM...POLE-TO-POLE WIRE  
ON THE GROUND NEAR SUMMIT AVE WITH NO POWER...NON-PRIORITY

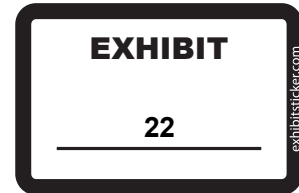
...CALL RECEIVED...828 AM...POLE-TO-POLE WIRE ON THE ROAD ON SUMMIT  
AVE ACTIVE AND SPARKING...

...DISPATCH REMOTELY DISABLED WIRE...834 AM...

...DISPATCH TO SCENE...905 AM

...RESPONDER ON SCENE...945 AM...WIRE NO LONGER ACTIVE...REMOVED FROM  
ROAD...FURTHER WORK WILL BE NEEDED TO REPAIR WIRE POLE-TO-POLE...





## Steelton Public Utility Commission

*Protecting Steelton and Ensuring Quality Delivery of Utility Services*

April 23, 2022

VIA E-SIGNATURE CONFIRMATION #24 2024 4202  
**RETURN RECEIPT REQUESTED**

Amari Reynolds  
Shermer Utilities Inc.  
9511 Harrison St.  
Shermer, Steelton

Re: Notice of Noncompliance

The Steelton Public Utility Commission (“SPUC”) has completed its investigation into an incident that took place on March 8, 2022, involving a downed active wire on Summit Avenue in Shermer, Steelton, which ultimately led to the death of an individual named Riley Standish. That investigation involved speaking to various witnesses and people involved, including police officers that responded to the incident, employees of Shermer Utilities, Inc. (“SUI”) that were involved, and interviews with other witnesses such as the deceased’s spouse, Parker Standish. Based on that investigation, the SPUC has determined that SUI was at fault for the death of Riley Standish on March 8, 2022, for failure to have a proper storm response system in place and failing to resolve the downed active wire in a timely manner, which led to the death of Riley Standish.

As a result of these findings, SUI is ordered to take the following steps:

- Conduct a review of its storm response procedures to ensure that information conveyed by a caller is properly recorded by the employees taking the call and properly entered into the system;
- Conduct a review of its storm response procedures to implement a better system for storm preparedness that ensures that SUI is prepared for inclement weather before it arrives; and

- Conduct a review of its storm response procedures to ensure that calls are given priority based on the dangers to customers, the public, and the integrity of the power grid.

The SPUC will conduct a review of the changes implemented by SUI on a regular basis to ensure compliance with this Notice and the findings herein.

Sincerely,

*Emilio Sheedy*

Emilio Sheedy  
Steelton Public Utility Commission  
Shermer Regional Office

# Incident Report No. 22-0001

## Shermer Police Department



**Report Date:** 03/08/2022

**Type of Call:** Downed Wire

Administrative Information				
Agency:	Case #:	Supplement No.	Reported Date:	Reported Time:
Shermer PD	22-0001	ORIG.	03/08/2022	0515
Disposition:	Type of Call:			
Investigate.	Downed Wire			
Location:			City:	
531 Summit Ave.			Shermer	
Officer:	Assignment:			
R. Bender	Patrol			
Offenses:	Description:			
N/A	Downed Wire			
Narrative				

- Arrived at scene at approximately 5:15 a.m. Report of a downed wire on Summit Ave. near Highway 208 north. High voltage lines down on roadway and along homeowners driveway. House checked out. Made contact with homeowner and advised him of the downed wire. Placed cones and barricades at various entry points. Contacted utility company and they indicated they would take care of it. No further police department assistance needed at this time. Will check back in later.

Reporting Officer: R. Bender	Report Date: 03/08/2022
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# SHERMER P.D.



# TRAINING MANUAL

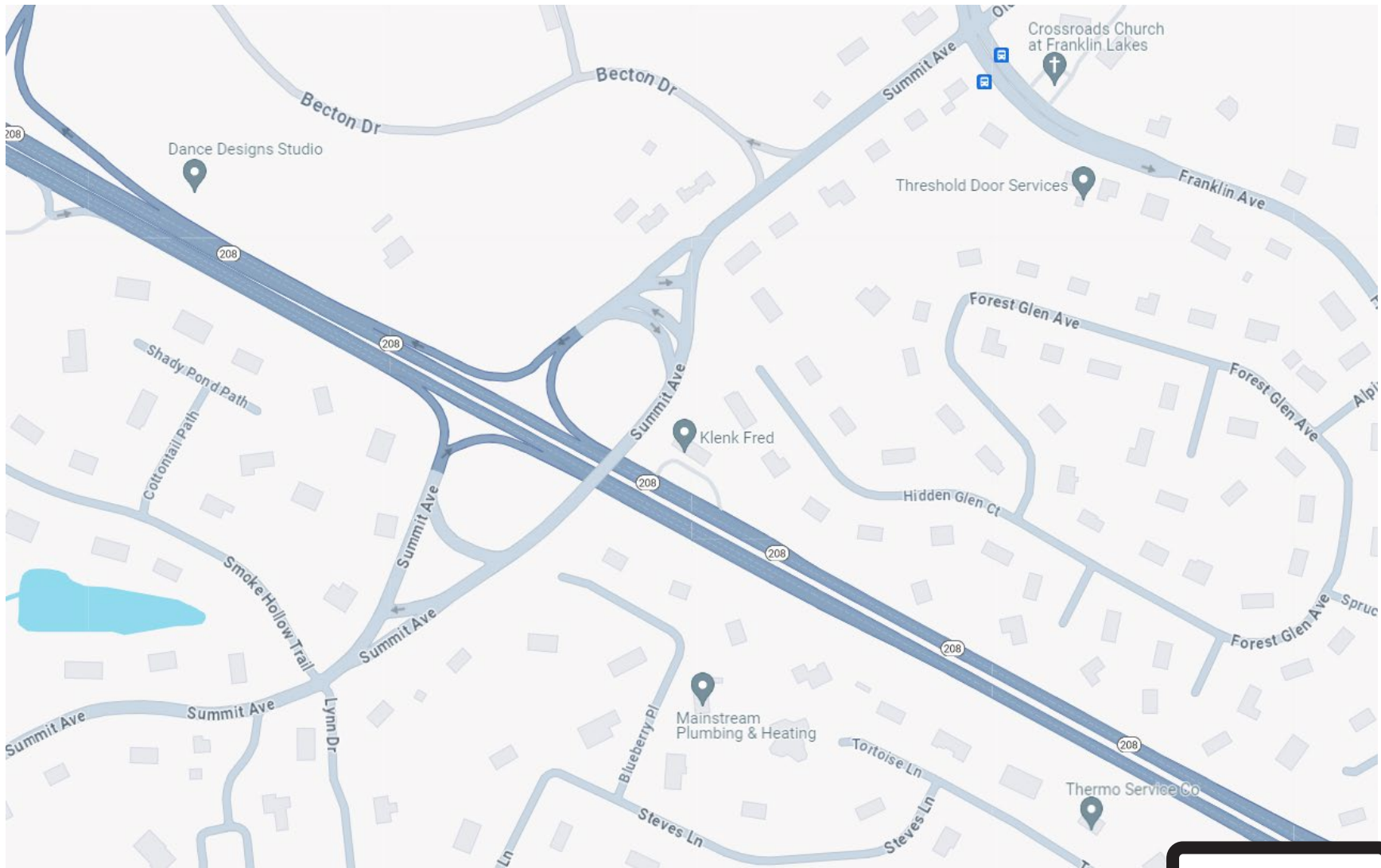
**EXHIBIT**

**24**

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## Section 9 - Downed Wires

- 9.1 If you are dispatched to a downed wire then you first must assess whether the wire is in the roadway creating a hazard for drivers or whether it is located on private property and a danger to that homeowner.
- 9.2 If the wire is downed on private property, like a driveway or a yard, then you should make an effort to notify that homeowner immediately if possible and safely evacuate them from the property until you can be sure that the wire is disabled and not carrying electricity.
- 9.3 If the wire is downed on a public roadway then you must first secure the area using barricades along all entry points to prevent drivers from entering the area. If barricades are not available, cones and police tape may be used, but not preferred. If cones and police tape are used, station officers at each potential entry point to direct traffic until barricades arrive to ensure the best protection for the area possible. Do not leave the area until the wire has been disabled.
- 9.4 After securing the area, call the utility company that owns that wire and alert them to the danger and request that they immediately disable the wire and come to clear it from the area. Do not leave the area until the wire has been disabled.
- 9.5 If you observe any drivers that attempt to circumvent the barricades, cones, and/or police tape being used to secure the area then immediately seek to pull them over and give them a citation in order to ensure that drivers are properly observing the warnings being given.



**EXHIBIT**  
**25**

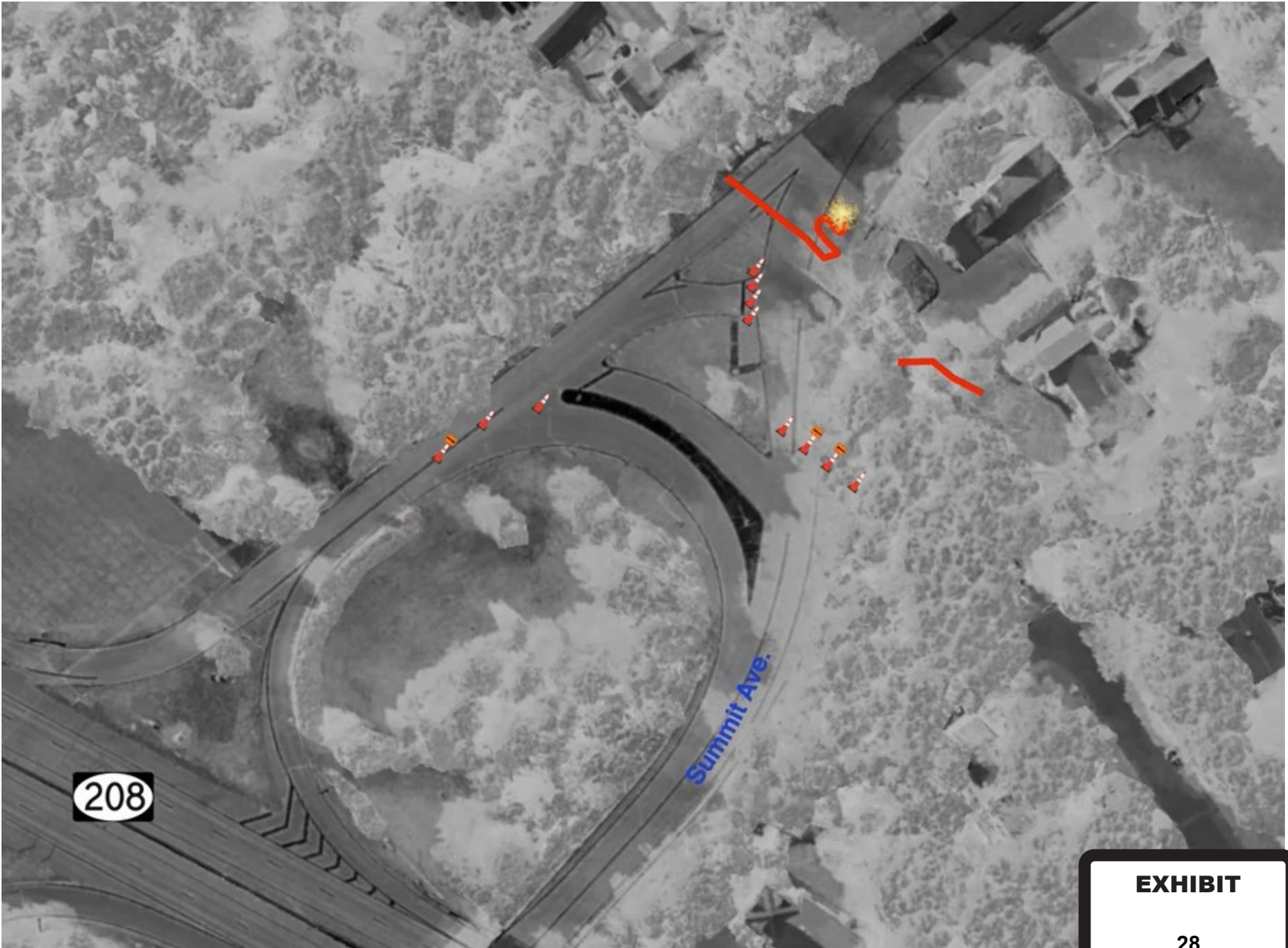


**EXHIBIT**  
26





**EXHIBIT**  
27



**EXHIBIT**  
28

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**EXHIBIT**  
29



**EXHIBIT**  
30

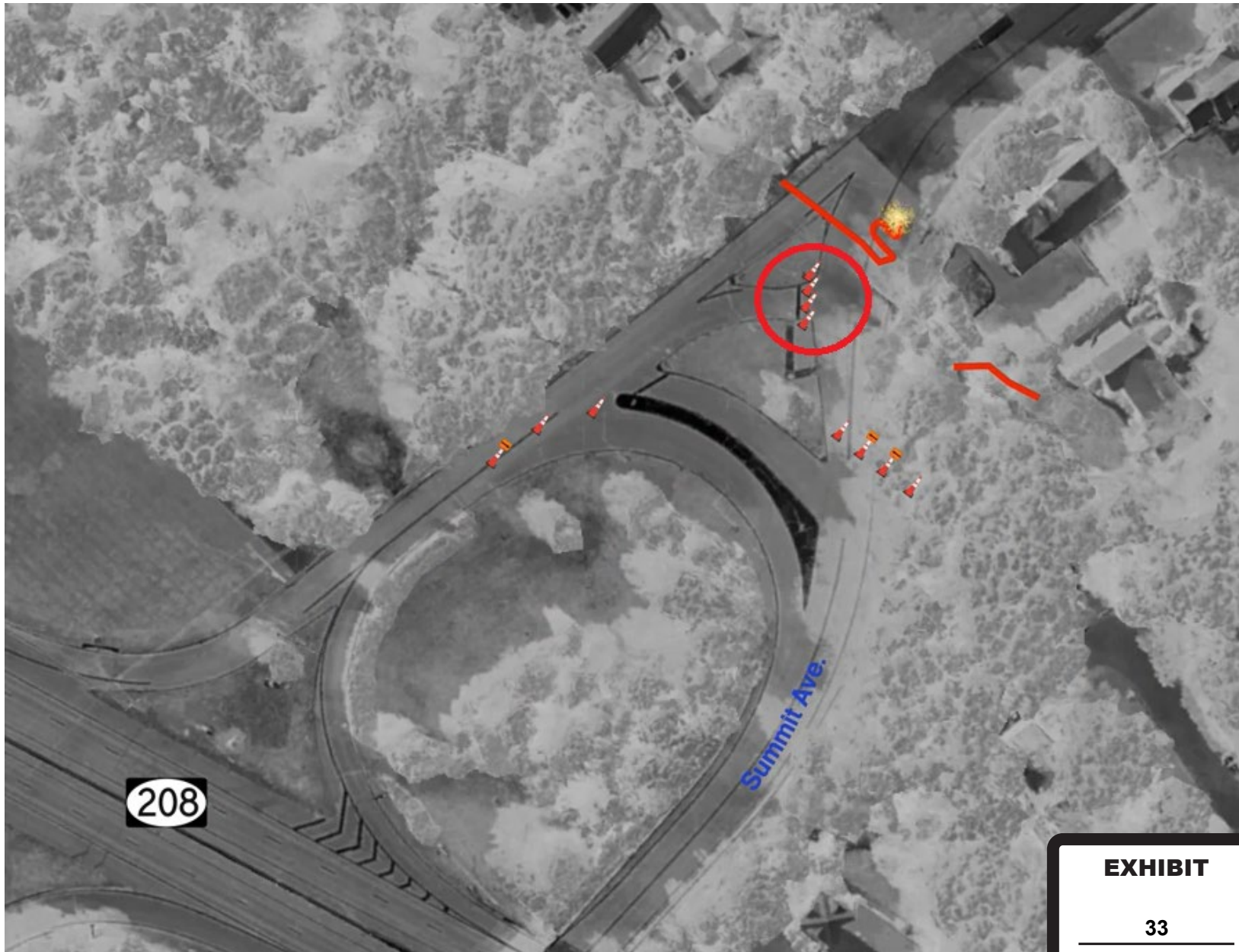


**EXHIBIT**  
**31**



**EXHIBIT**  
32

exhibitster.com



**EXHIBIT**  
33



**EXHIBIT**  
34





**EXHIBIT**  
35

# Incident Report No. 22-0002

## Shermer Police Department



**Report Date:** 03/08/2022

**Type of Call:** Traffic Stop

Administrative Information				
Agency:	Case #:	Supplement No.	Reported Date:	Reported Time:
Shermer PD	22-0002	ORIG.	03/08/2022	0645
Disposition:	Type of Call:			
Investigate.	Motor Vehicle Accident			
Location:			City:	
200 Lynn Dr.			Shermer	
Officer:	Assignment:			
R. Bender	Patrol			
Offenses:	Description:			
N/A	Accident			
Narrative				

- At approximately 6:45 a.m., after dealing with downed wire on Summit Ave., received call regarding a multi-vehicle accident on Lynn Dr. just south of Highway 208 and east of Summit Ave. I was less than a mile away and therefore immediately departed for the scene. This was a serious accident involving several life-threatening injuries. Had to perform CPR on one driver until EMS arrived on the scene. Once all injured drivers had been taken to the hospital and the tow trucks had removed all vehicles, I returned to the scene of the downed wire. No citations issued.

Reporting Officer: R. Bender	Report Date: 03/08/2022
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**EXHIBIT**

37

exhibitsticker.com



**EXHIBIT**  
38

exhibitsticker.com



**EXHIBIT**  
39

exhibitsticker.com



**EXHIBIT**

40

EXHIBIT

41

# DASHCAM TRANSCRIPT

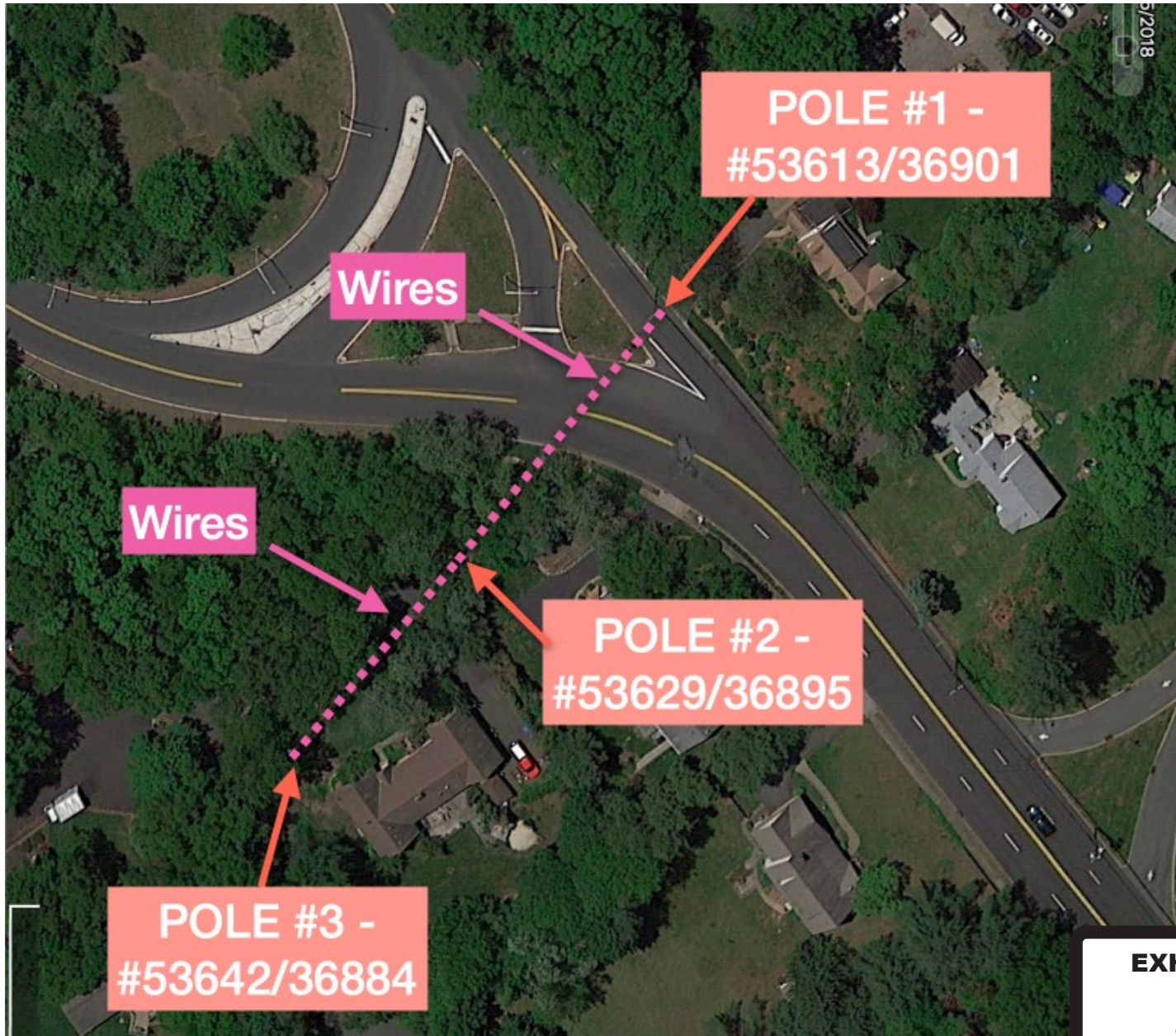
## Shermer Police Department



Call Date: 03/08/2022

Call Time: 0805

Transcript	
Sergeant Powell:	Hey Rowan, what's up.
Officer Bender:	Hey Sarge, wanted to check in with you. I got a guy stopped over here on Highway 208 north on the entrance ramp and I ran his license and it looks like he is a neighbor of yours. A Mr. Gruber? Karl Gruber? Do you know him?
Sergeant Powell:	Umm, sure, the Grubers. I know them. I mean, we aren't friends. I don't know them well, but I know who you are talking about. Why? What's up?
Officer Bender:	How would you feel if I wrote them a ticket?
Sergeant Powell:	You can do whatever you want.
Officer Bender:	Cause he went around the cones over that downed wire on Summit Avenue and then attempted to get on the highway.
Sergeant Powell:	Yeah, go ahead. I don't care.
Officer Bender:	Okay, just checking, because I wouldn't like it if someone wrote up my neighbor without checking in first.
Sergeant Powell:	They're not close to me, so all good.
Officer Bender:	I got you.
Sergeant Powell:	No worries.
Officer Bender:	Alright. Bye.
Sergeant Powell:	Bye.



**EXHIBIT**  
42



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## STAC 2024 Clarifications

1. Exhibit 22 (Notice of Noncompliance) mistakenly concludes that, “SUI was at fault for the death of Parker Standish.” It should be Riley instead, correct?

**A: Exhibit 22 should read “SUI was at fault for the death of Riley Standish.” Exhibit 22 has been updated to reflect this change.**

2. Exhibit 21: Is there a document to reflect what information dispatch received from the downed powerline or is it solely what’s reflected in Exhibit 21, “POLE-TO-POLE WIRE ON THE GROUND NEAR SUMMIT AVE WITH NO POWER...NON-PRIORITY”? This is a piece of evidence that seems materials, as it’s a document that should be in SUI’s control and reflects whether dispatch had knowledge of the “active wire on the ground” remark.

**A: No further information will be provided or added to the case file.**

3. Exhibit 21: Was a report created for the 8:28 call? If not, how did that get into the system for dispatch to act on? Shouldn’t it reflect the procedure of the call received; report entered into system; dispatch received and initial review. If it did come from a report, can we get a copy of that Report? Alternatively, does the police department have a specific number they can call for Sherman, that the off-duty cop called that RB didn’t?

**A: No further information will be provided or added to the case file.**

4. Please clarify when the first call to Shermer Utilities was made. Exhibit 21 states that the call was received at 5:24 a.m. However, Exhibit 23 lists the time as 5:15 a.m.

**A: No further information will be provided or added to the case file.**

5. When did Riley pass away? Stipulation 9 says Riley pronounced dead when power line was disabled at 10:05 a.m., but Exhibit 21 says power line was disabled at 8:34 a.m.

**A: No further information will be provided or added to the case file.**

6. According to Exhibit 21 the wire was disabled at 8:34 a.m. following a call at 8:28 a.m., and according to Parker (page 38 19-22) the wire was disabled almost immediately. If the wire can be disabled immediately, then how is anything about the police response at the scene after Bender’s call at 5:24 a.m. relevant at trial?

**A: AAJ will not be providing strategic advice or evidentiary decisions, other than those included in the parties’ Stipulations (pp. 22, 23).**

7. Factual background page 15, #5 references Riley Standish traveling on Peak/Summit Ave. at approximately 8:58 a.m. Is this a typo given that the power line was disabled at 8:24 a.m. per Exhibit 21?

**A: Page 15, paragraph 5 of Plaintiff’s Complaint should read, “At approximately 8:28 a.m., Riley Standish was traveling north on Peak Avenue when their vehicle came in**

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**contact with the downed power line.” The complaint has been updated to reflect this change.**

8. Do the parties agree that Exhibit 15 is the form for the 5:24 a.m. call made by Officer Bender to Shermer Utilities, Inc.?

**A: The authenticity stipulation applies to Exhibit 15.**

9. Does Hidden Glen Ct. connect directly with Summit Avenue at all? In Exhibit 15, the Shermer Utilities report has “Nearest Cross Street: Hidden Glenn.”

**A: No further information will be provided or added to the case file.**

10. Exhibit 1 and Exhibit 15 “nearest Cross street,” but Hidden Glen doesn’t cross the street where the wire was.

**A: No further information will be provided or added to the case file.**

11. Exhibit 10 shows something that looks like a wire that drapes over the car door but also something that looks like a wire in the bottom right-hand corner, touching the Exhibit label. Which one is the wire in question, or are those two the same wire?

**A: No further information will be provided or added to the case file.**

12. Is it a necessary inference to discern that the utility truck in the background of Exhibit 10, pg. 96, is a Sherman Utility truck? And if so, is it a necessary inference that Sherman Utilities showed up to the scene on March 8th?

**A: Please review the Necessary Inference Rule which begins on Page 7 of the record and which prohibits any inference other than necessary inferences. No further information will be provided or added to the case file.**

13. Exhibit numbering on the Exhibit stickers contradicts what is stated in the deposition testimony of Amari Reynolds, i.e. Exhibit 18 in Reynolds deposition is actually Exhibit 19, and Exhibit 19 in deposition is actually Exhibit 17 - which is correct?

**A: Reference to Exhibit 18 in Amari Reynold’s deposition should read Exhibit 19 (page 61, line 10), and reference to Exhibit 19 in Reynold’s deposition should read Exhibit 17 (page 63, line 3, 5). The deposition has been updated to reflect these changes.**

14. Referring to wrong exhibit numbers in Kai Vernon and Amari Reynolds’ depositions. (Kai = Ex. 12 & 13, p.46; Ex. 17 p.53) (Amari = Ex. 18 p.61-62; Ex. 19, p.63)

**Reference to Exhibit 12 in Kai Vernon’s deposition should read Exhibit 13 (page 46, line 22), reference to Exhibit 13 in Vernon’s deposition should read Exhibit 12 (page 46, line 22), and reference to Exhibit 17 in Vernon’s deposition should read Exhibit 18 (page 53, line 12, 16). See also Response to Question 13.**

15. When was the national weather service report sent out? There is a contradiction between page 6 lines 13-15 of Amari Reynold’s deposition (sent on March 8) and what is stated in Exhibit 19 (sent on March 7).

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**A: Page 61, line 13 of Amari Reynold’s deposition should read “it is an alert from the National Weather Service that was sent out on the morning of March 7, 2022, which shows that there was major snowfall and ice expected for the evening of March 7, 2022, and the early morning hours on March 8, 2022.”**

16. Is Amari Reynolds a 30(b)(6) witness (pertaining to her line of questioning on pg. 57, lines 13-19)?

**A: Amari Reynolds is a corporate representative under Rule 30(b)(6).**

17. Amari Reynolds mentions the names J. Nelson and A.M. Hall when discussing exhibit 21 at page 68 of their deposition. Who are J. Nelson and A.M. Hall, and where are those names?

**A: No further information will be added to the case file.**

18. In the Complaint and Answer, it is repeatedly stated that the line was down on Peak Ave, but according to Exhibits 2 and 28 there is no Peak Ave. Peak Ave does not appear in any of the depositions. Additionally, on page 20, the Answer describes the interchange for Route 254 North. In depositions, the interchange is for Highway 208 North. Should the information in the Complaint/Answer match the information in the Depositions and Exhibits?

**A: Each reference to “Peak Ave.” in Plaintiff’s Complaint and Defendant’s Answer should read, “Summit Ave.” The Complaint and Answer have been updated to reflect this change.**

19. There is a small inconsistency regarding Parker Standish’s age/year of marriage. Parker claims she is 39 both at the time of the accident (March 8, 2022), and when she gives her deposition (July 10, 2023). Specifically, at the time of the accident, she says Riley was the same age as her - 39 years old. Additionally, Parker says that they were both 24 at the time they got married, 2006. However, she says they just celebrated their 16th anniversary right before Riley died in 2022. So according to that math, Riley could be as young as 40 at her deposition, or even 41. Meaning she is wrong either about her age or the year they got married.

**A: Parker should be 40 years old at the time of her deposition. Their deposition has been updated to reflect this.**

20. What time was the wire disabled after the fire?

**A: No further information will be added to the case file.**

21. The police report notes that a call was placed to SUI regarding a downed power line at 5:15 a.m., while the SUI incident report and Reynolds’s deposition states the call was placed at 5:24 a.m. What time should we rely on?

**A: No further information will be added to the case file.**

22. Stipulation 9 says that EMS pronounced Riley dead at 10:05 once the line was deactivated but Exhibit 21 says the line was remotely deactivated at 8:34.

**A: No further information will be added to the case file.**

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23. On the Exhibit labeled, “Exhibit 20,” where it says, “WED MAR 8 - 7-8 AM,” it then refers to a jump in date to “WED MAR 9 - 8-9 AM.” There is another reference to a jump in date where the date changes to “WED MAR 10 - 10-11 AM.” Should we interpret this as is, or is this a mistake?

**A: Exhibit 20 should read, “Wed Mar 8 - 8-9 AM, Wed Mar 8 - 9-10 AM, Wed Mar 8 - 10-11 AM, Wed Mar 8 - 11 - 12 PM.” Exhibit 20 has been updated to reflect this change.**

24. Exhibits 29 and 34 show three cones partially, but not entirely, covering Summit Avenue north of the downed wire. Is this correct, or is the image intended to show additional cones completely covering Summit Avenue at this location?

**A: See Exhibits 29 and 34. No further information will be provided or added to the case file.**

25. How tall are the traffic cones?

**A: No further information will be provided or added to the case file.**

26. Is Exhibit 27 missing cones?

**A: See Exhibit 27. No further information will be provided or added to the case file.**

27. Will you provide any other information about the four cones circled in Exhibit 33, such as a dash cam picture? Those are the cones that would have been in the path Riley and Parker took. Instead, Bender testifies about the cones circled in Exhibit 31 and shown in his dash cam picture in Exhibit 37.

**A: See Exhibit 33. No further information will be provided or added to the case file.**

28. Can the witnesses be asked and identify which utility pole is the subject utility pole in Exhibit 6 and which wire on the pole came down?

**A: The witnesses can be asked any question you want, and they can provide an answer to the extent they have personal knowledge.**

29. From which pole number on Exhibit 42 was the wire hanging on March 8th?

**A: No further information will be provided or added to the case file.**

30. Are the maps to scale?

**A: No further information will be provided or added to the case file. However, the Court has heard any and all objections that any of the exhibits are “not to scale” and has overruled such objections, and those objections will not be entertained at trial.**

31. Did Rowan Bender barricade the area or call the electric company first? Page 7, line 21 of the Bender deposition says s/he places the cones first, but page 8 line 15 says they were in a hurry while on the phone with the electric company because they wanted to get started barricading.

**A: No further information will be provided or added to the case file.**

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32. “Dispatch” is used to reference a part of Defendant’s Storm Response Team. Rowan Bender also refers to a “dispatcher” when describing the callers sending him to different scenes. Are these two separate sets of “dispatchers,” (i.e. police dispatch) or are they both from the same source?

**A: They are two different dispatchers. Rowan Bender is referring to a police dispatcher in their deposition.**

33. Does Rowan Bender work for Shermer PD or Steelton PD?

**A: No further information will be provided or added to the case file.**

34. Exhibit 36: Bender’s incident report says the call was for a downed wire, but the call was for a car accident. Is this an error by Bender or just a typo?

**A: Exhibit 36 should read “motor vehicle accident” under type of call. Exhibit 36 has been updated to reflect this.**

35. Can you clarify that 5:24 is the time when Kai Vernon started speaking to Officer Bender and that the call was not placed on hold when it came in?

**A: No further information will be provided or added to the case file.**

36. How much snow fell in Shermer on March 7 and 8, 2022?

**A: No further information will be provided or added to the case file.**

37. Does the respondeat superior doctrine apply in this case so that any negligent actions by Kai Vernon are legally attributable to Shermer?

**A: The Defendant and the Shermer Police Department are each vicariously liable for the acts and omissions of their employees that occurred during the scope of their employment.**

38. As the cops are not impleaded; can it be clarified/stipulated that Plaintiff cannot recover from them in this action. For example, is there some type of immunity (Sovereign, Qualified, [NY has case law that you can’t find municipal employees responsible for negligent performance of government activities], etc.) that keeps the police department from being sued?

**A: From the Rules: The Federal Rules of Evidence (FRE) and Federal Rules of Civil Procedure (FRCP) are the applicable rules of evidence and civil procedure. Only these rules, and the law provided in the fact pattern, shall be used in argument. Specifically, no statutory, regulatory, or case law shall be cited unless such law is provided in the fact pattern.**

39. To what extent can information about electrical systems be regarded as necessary inferences?

**A: AAJ will not be providing strategic advice or evidentiary decisions, other than those included in the parties’ Stipulations (pp. 22, 23).**

40. Are beyond-the-scope objections allowed in the competition, limiting cross-examiners to the scope of questions asked on direct?

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**A: No, beyond the scope objections are not allowed in this competition.**

41. When were the Complaint and Answer for Standish v. Shermer Utilities case filed (we have a filing stamp on Exhibit 18)?

**A: No further information will be provided or added to the case file.**

42. How many calls were made to the power company concerning the downed line that killed Riley Standish? 2 or 3?

**A: No further information will be provided or added to the case file.**

43. How should we treat these clarifications? Can we refer to them as supplementary stipulations?

**A: No further information will be provided or added to the case file.**

44. Are the depositions all mislabeled as cross-examinations, or are we missing any questions and answers from the depositions from the direct examinations?

**A: The depositions are correctly labeled as cross-examinations, and there are no missing questions or answers.**

45. Is the public utilities commission report (Exhibit 22, pg. 114) a record of a regularly conducted activity?

**A: AAJ will not be providing strategic advice or evidentiary decisions, other than those included in the parties' Stipulations (pp. 22, 23).**

46. Please clarify whether Exhibit 20 and 21 refer to Shermer Utility Inc. when referring to Shermer Utility Company.

**A: Exhibit 20 and 21 are accurate. Shermer Utility Company is referring to Shermer Utility Inc.**

47. The PowerPoint rule says we can include exhibits, jury instructions, and verdict forms. Can we also include any of the stipulations? Also, does this mean exact copies of the jury instructions as they appear in the packet, or can we stylize the jury instructions for the purpose of advocacy?

**A: From the Rules: Presentations may be created prior to trial but counsel may only use the exhibits provided in the problem itself, the jury instructions, and the verdict forms. Teams may use callouts or highlighting in their PowerPoint presentations and may insert answers into the questions on the verdict forms.**

48. On Exhibit 36, the type of call is listed as "downed wire" and we wanted to know if that was intentional or was a typo?

**A: Exhibit 36 is correct.**

49. With Shermer PD being designated as a "responsible third party" (Stip. 12), do they qualify as an opposing party for both Plaintiff and Defense for evidentiary argument purposes? (FRCP

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joinder rules, not being designated as third party “defendant” meaning only for contribution or retribution.)

**A: Statements made by a responsible third party qualify as opposing party statements under Rule 801(d)(2) when offered by the party alleging their responsibility.**

50. Who took the photographs?

**A: No further information will be provided or added to the case file.**

51. Why are there one-way arrows in the area near the Summit Ave entrance in Exhibit 25 and not Exhibit 2?

**A: No further information will be provided or added to the case file.**

52. What is the standard for vicarious liability in this Jurisdiction?

**A: The Defendant and the Shermer Police Department are each vicariously liable for the acts and omissions of their employees that occurred during the scope of their employment.**

53. Is the stipulation that “Neither side may call any witness adversely” mean that a team cannot request that a judge permit them to treat their own witness they are calling as hostile under 611(c)(2).

**A: AAJ will not be providing strategic advice or evidentiary decisions, other than those included in the parties’ Stipulations (pp. 22, 23).**

54. For demonstratives: do we need to use Zoom white board or can we use PowerPoint? For example, if we want to create a chart or a timeline, can we use PowerPoint?

**A: Please see the rules regarding trial technology, which state that “[t]eams may use any technology except teleprompters or other script-scrolling apps or devices.”**

55. May teams use pre-made PowerPoint slides with the elements of each claim on it for statements? Or must such things be made during the statement?

**A: From the Rules: Presentations may be created prior to trial but counsel may only use the exhibits provided in the problem itself, the jury instructions, and the verdict forms.**

56. Given that the Decedent’s gender is determined by the Plaintiff, could schools simply choose a photo of the Decedent of a man or woman who appears in their 30s or 40s, show it to Defense counsel during meet and confer, and be permitted to use it in the trial?

**A: From the Rules: During any trial, counsel may only use: (1) those exhibits provided in the problem itself; demonstrative evidence as defined herein. No other evidence or audiovisual aids will be allowed. Nothing in this rule permits teams to create new exhibits or evidence.**

57. Can both plaintiff and defense argue that the police were negligent?

**A: AAJ will not be providing strategic advice.**

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58. May teams prepare PowerPoints prior to the round that will accompany the witnesses' testimonies? For example, when a witness testifies about a location on an Exhibit and an X or arrow pops up as if the witness was drawing it.

**A: Please see the rules regarding trial technology, which state that “[t]eams may use any technology except teleprompters or other script-scrolling apps or devices.”**

59. Can you place a compass rose on Exhibits 26-35.

**A: No further information will be provided or added to the case file.**

60. Can we get a copy of Exhibits 8 and 26 without any markings?

**A: No further information will be provided or added to the case file.**

61. Can you please clarify where the left turn Decedent was making on Exhibit 1 and Exhibit 2?

**A: No further information will be provided or added to the case file.**

62. In their deposition, Parker Standish is shown Exhibit 1 and describes the map as “showing Highway 208 and Summit Avenue as it leads up to High Mountain Road.” However, the map shows Summit Avenue leading up to Old Mill Rd. There is no High Mountain Road on the map. Are we to assume this is a mistake on Parker’s behalf? Or is the map incorrect?

**A: Page 6, line 13-14 of Parker Standish’s deposition should read “It’s a map showing Highway 208 and Summit Avenue as it leads up to Old Mill Road.” Parker Standish’s deposition has been updated to reflect this.**

63. Is Shermer Utilities, Inc. capable of isolating and turning off one electric wire?

**A: No further information will be provided or added to the case file.**

64. Is there a date for the Sherman PD Training Manual as a whole, or for the downed wire policy? (pg. 118)

**A: No further information will be provided or added to the case file.**

65. Does Standish have any claims against the Schermer Police Department that would make them liable to Standish.

**A: No further information will be provided or added to the case file.**

66. Can a photo of the Decedent be added?

**A: No further information will be provided or added to the case file.**

67. Under Steelton law is negligence purely objective, so that the parties are judged according to how a “person of ordinary prudence” exercising ordinary care would act in the circumstances without benefit of any special knowledge the party may have had, or is it subjective in that the parties are judged according to how a “person of ordinary prudence” acting with ordinary care AND with that person’s knowledge and experience would behave? In other words, would Riley Standish’s potential negligence be considered in light of the fact that he/she was an electrician, or simply based on the standard of a person of ordinary prudence who is not an electrician?



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**A: Please review the jury instructions which begin on Page 28 which define negligence.**

68. In Parker's deposition, an officer meets Parker on Summit Ave. This officer calls 911 and speaks with (presumably) the Defendant. Is this officer unavailable under FRE 804? (See page 38).

**A: No.**

69. Is everyone gender neutral? (Compare page 9 that says gender neutral with page 36 that has different pronouns).

**A: Yes.**

70. What time did Shermer Utilities dispatch to the scene after the accident?

**A: No further information will be provided or added to the case file.**

71. How does Shermer Utilities/Kai Vernon that Ex 15 is in fact the form that Kai Vernon filled out in response to the call about the downed power line relevant to this case and not a form for a different incident. Is the authenticity stipulation meant to cover this?

**A: The authenticity stipulation applies to Exhibit 15.**

72. Who added the circles to exhibit 8. Parker Standish says she didn't, but the exhibit isn't identified by other witnesses. Was Bender supposed to have done this?

**A: No further information will be provided or added to the case file.**

73. What does "responsible third party" mean? (from stipulation 12, on pg. 23) — Does this mean that The Shermer Police Department must be found at least 1% liable? — And does this term mean that they are a party opponent?

**A: Statements made by a responsible third party qualify as opposing party statements under Rule 801(d)(2) when offered by the party alleging their responsibility. A responsible third party is a party that was not sued by the Plaintiff, but whom the Defendant alleges is responsible for some or all of the harm suffered by the Plaintiff. Thus, the Plaintiff cannot recover from the responsible third party, but the jury may decide the responsible third party's liability and percentage of responsibility, and any percentage or responsibility attributed to the responsible third party will lower the amount owed, if any, by the Defendant.**

74. What was Riley Standish's cause of death?

**A: No further information will be provided or added to the case file.**

75. Which party created Exhibits 26 through 35?

**A: No further information will be provided or added to the case file.**

76. Is there a procedure for the remote shut off?

**A: No further information will be provided or added to the case file.**

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77. Are the minor children and the spouse of the deceased plaintiffs throughout such that damages for the minor children are at issue as well as damages for the surviving spouse?

**A: No further information will be provided or added to the case file.**