

REPORT BY EXPERT

In the matter of

Laura & Robert Seeds v. Capital City Golf Services

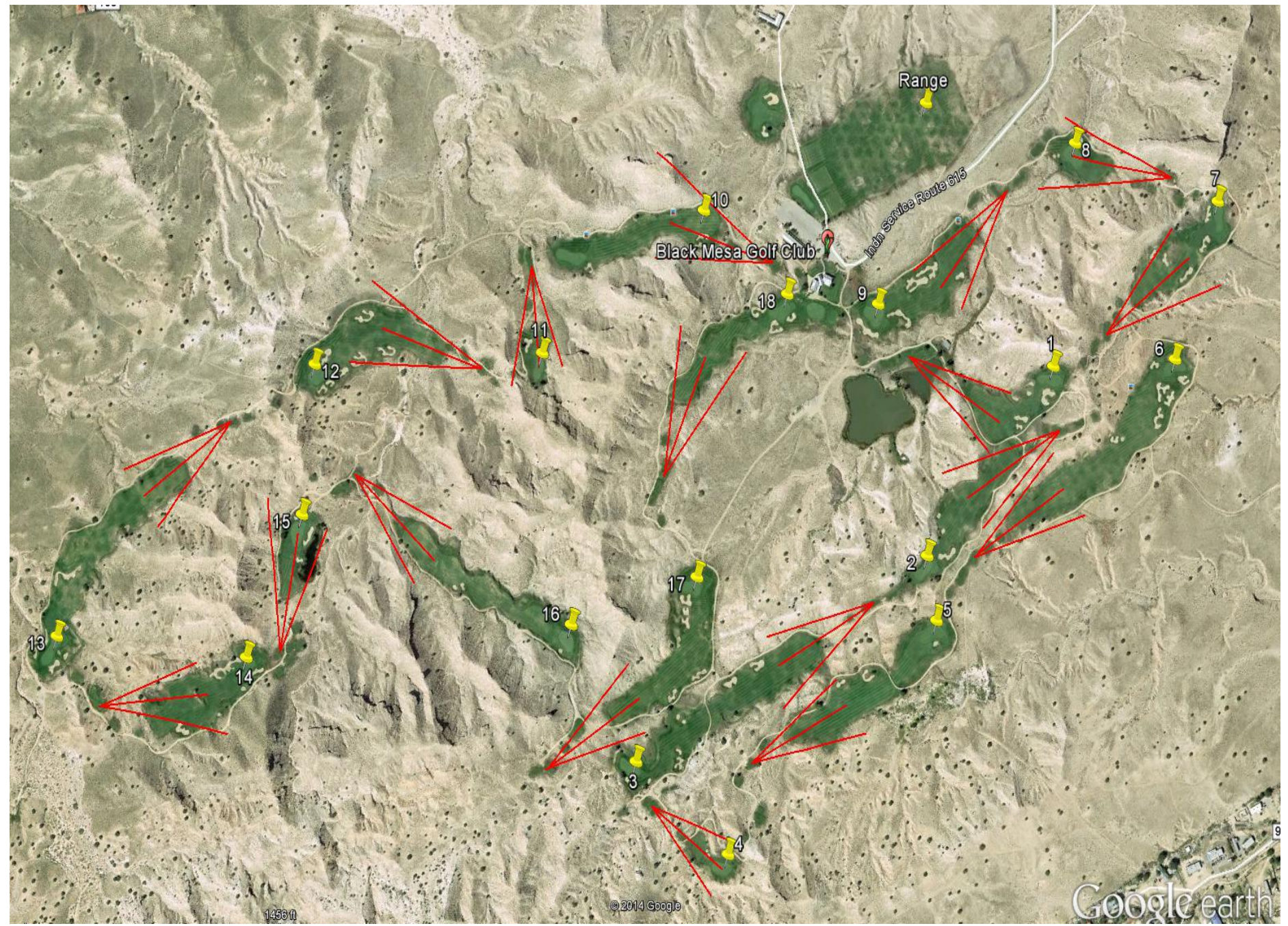
Prepared for

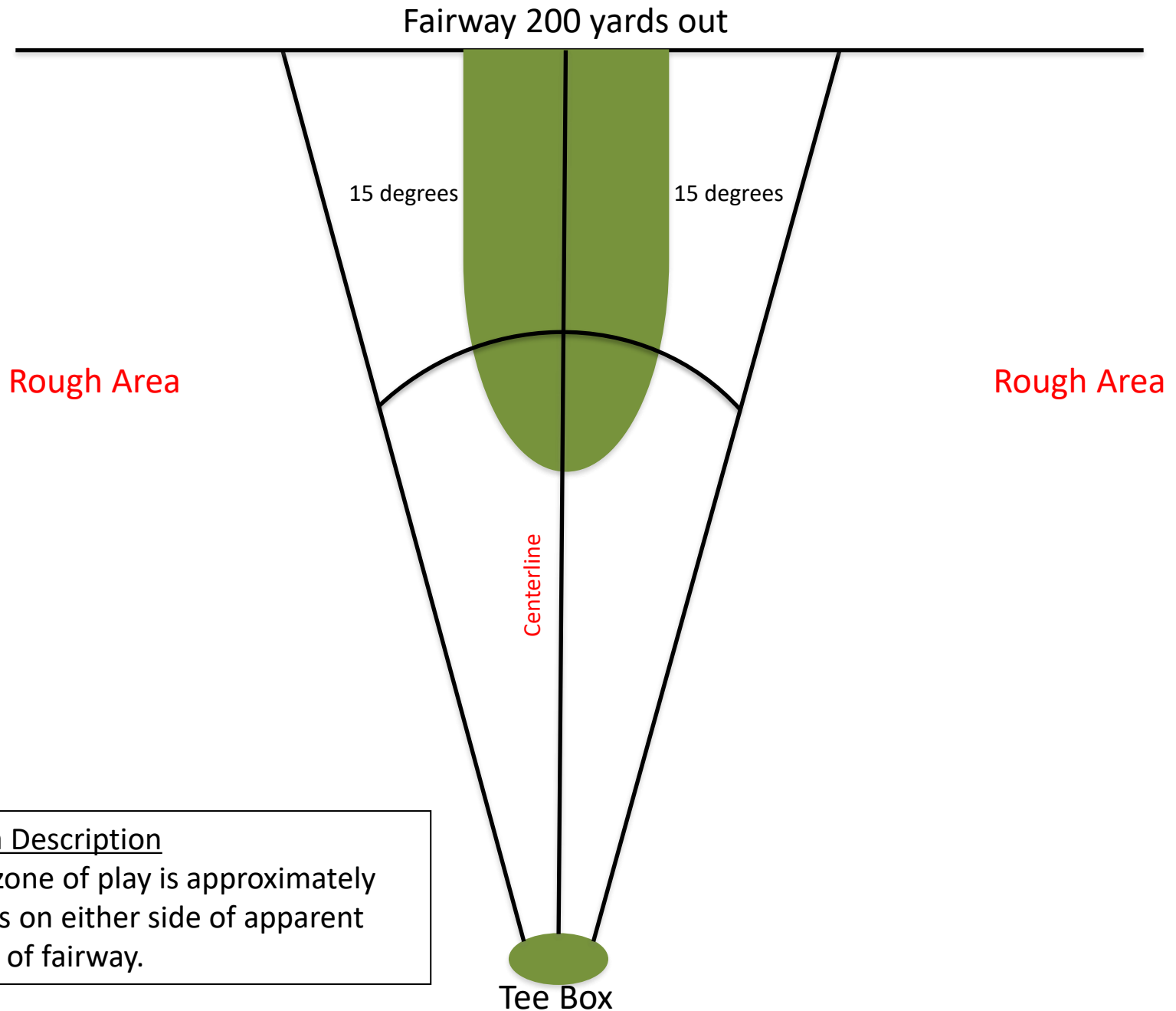
Waggoner Legal Group
Robert Strumor, Esq.

Prepared by
Leisure Services Associates Inc.

Aerial View of:

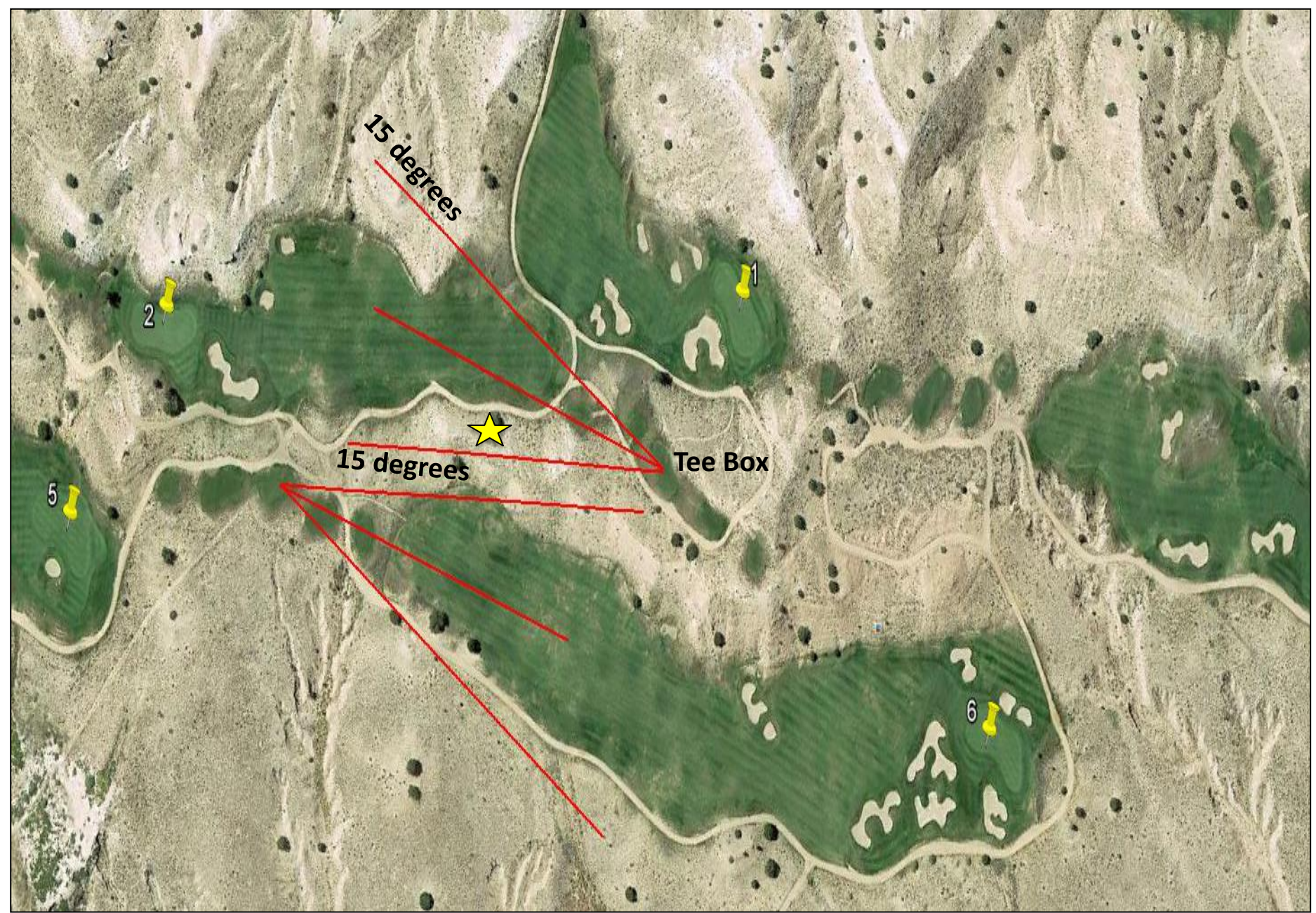
Site plan of Black Mesa Golf Course depicting “clear areas” from all tees, 15 degrees either side of tee marker, 200 yards from the tee boxes.





Clear Area Description

Probable zone of play is approximately 15 degrees on either side of apparent centerline of fairway.



★ Accident scene, hole #2 at Black Mesa.



- At the access point to the first 1st hole and the 10th hole there should be a warning sign telling golfers of the danger of snakes on the property (example: yellow/black sign). Expert witnessed rattlesnake on day of his site visit (red arrow).



- Close up of rattlesnake seen by expert on site visit.



- Expert, Ed Wankel observed another rattlesnake on his way to the 2nd hole shortly after he left the clubhouse. This large rattlesnake was in close proximity to the cart path.



- As photo shows this rattlesnake is working his way through the natural grasses at Black Mesa.



- Expert observed only six of these rattlesnakes habitat signs on the entire golf course. This small sign not only blends into the landscape but also gives no warning to the danger.



Approximate location of rattlesnake attack

- The plaintiff was attacked by a local rattlesnake a short distance from the 2nd tee box while helping her husband find his errant tee shot. At the time of the attack there was no warning sign about the danger of rattlesnakes in this area.



Approximate location of rattlesnake attack

* Another view of the 2nd hole rough where plaintiff was attacked.



- This sign was placed near the location of the rattlesnake attack sometime after the incident occurred, as per testimony of an eye witness who was playing golf with the plaintiff on the day of the incident.



- Typical rough area at Black Mesa golf course.



- This is a view of the 2nd hole fairway from the white tee markers. The accident happened to the left of the cart path.



- 2nd hole fairway where an extensive rough area is visible on the right side of this fairway.



- View of second tee where Mr. Seeds hit his errant golf shot into the rough where plaintiff was attacked. No warning signs.



- A view from the 2nd tee where Mr. Seeds hit his errant shot to the left of the tee in the extensive rough area. This is part of the rattlesnake habitat, which dominates the Black Mesa golf course property.



- Location of the 4th hole at Black Mesa, another possible location for a warning sign.



* Expert observed a golfer walking out of the rough to the right of the cart path, who was searching for his errant golf shot. Had there been a sign as appears from this photo, this golfer may have thought twice about walking in this area.



- View of extensive rough area at hole #8.



- At hole #8, a challenging par 3 is 238 yards to the green. There is a better than fifty percent chance that a golfer's ball will land in the rough on this hole.



- There is an extensive rough area surrounding the 8th green and there is no warning sign about the dangers of rattlesnakes.



- As the picture shows, there is considerable rough area to navigate from yet another tee box at black mesa.



- Another view of the extensive rough area at Black Mesa.



- At hole #2 where that accident occurred a larger sign would have better warned a golfer of the danger, other than the small sign put in after the accident.



- More extensive rough at Black Mesa.



- One of the many hidden rattlesnake habitats at Black Mesa.



- A closer view of hidden rattlesnake habitat.



- A closer view of hidden rattlesnake habitat.



- Another possible location for a warning sign.



- The practice area at Black Mesa, probably the last safe place to hit a golf ball before starting you game.



- A warning sign at the clubhouse would alert golfers of the dangers of rattlesnakes at Black Mesa.



⚠ WARNING ⚠ FAILURE TO FOLLOW THESE INSTRUCTIONS CAN RESULT IN SEVERE PERSONAL INJURY OR DEATH

603872

- Operation by persons with valid drivers license, in accordance with state requirements. Operate from Driver's side only.
- For non-road use, and in designated areas only. Do not operate under the influence of drugs or alcohol.
- All occupants must be fully seated, keep entire body inside vehicle and hold on while vehicle is in motion, move direction selector to desired position, apply service brake, turn key to "ON" and accelerate smoothly.
- Maximum vehicle payload is 800 lbs. (363 kg) including a maximum of 2 persons, options, and accessories.
- Drive slowly straight up and down slopes and in turns. Use care in reverse, in congested areas or wet or loose terrain.
- To release parking (PARK) brake, depress service (lower) brake pedal. To stop, release accelerator pedal and apply service brake.
- Before leaving vehicle, turn key 'OFF', move the direction selector to 'forward' (Gas vehicle) or 'neutral' (Electric vehicle) and engage parking (PARK) brake.

- A warning sign on all golf carts would have been a constant alert for golfers of the dangers of rattlesnakes at Black Mesa.



- Again, there is very extensive rough areas at Black Mesa at all tee boxes.



- Another view of extensive rough areas at Black Mesa.



- This would have been a good location for a caution sign on the cart path at Black Mesa.



- Another view of extensive rough areas at Black Mesa.



- This would have been a good location for a caution sign on the cart path at Black Mesa hole #2.



- Another view of extensive rough areas at Black Mesa on hole #2.