

# Heavenly sued by second skier allegedly hit by employee while on the slopes

By Martha Bellisle, Reno Gazette-Journal

A second skier who was injured when a Heavenly Mountain Resort employee on a snowboard slammed into her has filed a lawsuit claiming the resort's owner is liable for its employee's "unsafe, out-of-control (snow) boarding."

Elisabeth "Elly" Benschop, 54, of Gardnerville was knocked unconscious and suffered a brain injury on Feb. 22 when Heavenly employee Andrea Ramos, 20, of Brazil crashed into her on the resort's Olympic ski run, according to the suit, filed Thursday in U.S. District Court in Reno.

Another skier, Kimberly Bland of Florida, filed a similar lawsuit in December, claiming she was injured in January 2011 when Heavenly employee Daniel Barreno crashed into her while he was riding down the Olympic slope on his snowboard.

Russ Pecoraro, director of communications at Heavenly Mountain Resort, declined to comment on the two lawsuits, saying in an email: "Our company policy prohibits commenting on pending litigation."

The suit, filed by Minden lawyer Jay Sullivan, seeks damages topping \$75,000 to cover the emergency and medical costs, as well as legal fees and expenses. It claims that the resort has failed to hold liability insurance to cover its foreign employees and has refused to take responsibility for its employees' actions.

"Vail and Heavenly are taking the position that Elly is on her

own against Ms. Ramos, who is scheduled to return to her home country on March 15, 2012," the suit said, "and that Elly should try and collect her thousands of dollars in ambulance, ER and CT scan billings, plus future treatment and disability costs from young Ms. Ramos personally."

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