

# Letter: SUP lawsuit is not the right answer

To the community,

I was saddened to read in the *LTM* that the family of Carlos Diamond Francies plans to sue the Stand Up PaddleBoard Company because their son drowned in Lake Tahoe while trying to rescue his sister and friend who fell out of their kayak.

I did not read that any of them were wearing water safety vests, which is the smart thing to do while recreating in Lake Tahoe. I am particularly surprised at this, because Carlos (age, 30 years old) was a law enforcement officer, who likely had been trained in personal safety. They were all adults, who must understand there are risks with any water activity, skiing, hiking, bike riding, boating, kayaking, SUP, and more. People are expected to be aware of their surroundings and be proactive in their engagement of same. Folks are responsible to check weather, conditions and all hazards that are not in the control of vendors.

I think it is wrong for this family to place blame on the SUP vendor. They rented them equipment that was in working order; the responsibility of the customer to know their ability(s) and take precautions while engaging in any sport is incumbent on them. Lake Tahoe is a special place for recreation, which is a wilderness environment.

Renting skis does not come with a guarantee you won't get hurt; likewise with renting a bike, or camping equipment, etc. Small business companies work hard at making safe equipment available to visitors and residents who elect to enjoy Lake Tahoe's recreational opportunities – and should not, and can not survive the costs of lawsuits that seek to create new laws, and/or place blame.

This accident was indeed a tragedy, and I cannot begin to understand the grief of the family. However, I think it would be far more productive and honor Carlos' memory, to provide an educational legacy for visitors who engage in outdoor activities in Lake Tahoe – and to do so, without causing the well-run, well-regarded, family-run Stand-Up PaddleBoard Company undue harm. This was an accident, that should not result in further harm.

**Judi Allen, South Lake Tahoe**