

# LTUSD suing company responsible for STMS field

Updated 9:45am:

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The nearly 10-year-old artificial turf field at South Tahoe Middle School is substandard and the manufacture knew this at the time of sale, according to a lawsuit.

Lake Tahoe Unified School District is suing FieldTurf for breach of contract.

According to court documents, "Between 2005 and 2012, FieldTurf sold and installed approximately 1,700 artificial turf fields throughout the United States, which generated reported revenues of \$570,000,000. Unfortunately for its customers, the fibers that FieldTurf used to make its artificial turf was defective – and FieldTurf knew it."

The knowledge stems from FieldTurf suing its supplier of artificial fibers in 2011. That lawsuit was settled in 2014 for an undisclosed amount.

Lake Tahoe Unified School District's lawsuit contends FieldTurf kept the money it received and did nothing to repair the fields that it knew had substandard fibers.

FieldTurf stopped using the product in 2012.

STMS defects include breaking, splitting, and thinning of the individual fibers. Those inadequacies are the same reasons FieldTurf sued its supplier.

"When you look at the fiber it was laying down and it had been for a couple years," LTUSD Superintendent Jim Tarwater told *Lake Tahoe News*. Sweeping it, which is part of the regular

maintenance of the field, did not make it stand up.

There is no danger to anyone using the field. It's about the quality and lifespan of the field.



LTUSD believes it was sold a substandard artificial field and is suing for compensation. Photo/LTN

FieldTurf is the same company that was used for South Tahoe High School's field three years ago, though it had a different supplier. The community ball field, which is being replaced by Lake Tahoe Community College, is a different manufacturer.

The original cost for the 92,104 square feet of Duraspine artificial turf field at STMS was \$471,300. The contract was signed in March 2007, and the field installed the following August. Part of the agreement was a guarantee of eight years of premature wear and ultraviolet degradation. The field was supposed to have a "useful" lifespan of more than 10 years.

LTUSD didn't know it was sold a substandard product until December 2016 when media in New Jersey exposed the FieldTurf story.

Internal FieldTurf emails that are part of the court filings show the company knew it was installing a less than durable product and that the fields were failing prematurely.

The district believes it is owed at least \$500,000 from the turf company. This would compensate LTUSD for “the loss of the soccer field, costs to investigate these damages, costs to replace the defective field, attorneys’ fees and other economic and special damages.” The district said it would amend damage totals if need be prior to going to trial.

Montreal-based FieldTurf told *Lake Tahoe News*, “We strongly disagree with the representation of the facts in this complaint. Since we first became aware of the issue with Duraspine, we have tried to be forthcoming with our customers and we have not hid from this problem. Additionally, it is important to note that the issue with Duraspine has not impacted safety – only how a field looks as it wears. We are committed to honoring our warranties and working with our customers to address any issues if they arise.”

“South Tahoe Middle School’s field was installed in 2007 and is still in use. This means that the school has gotten roughly a decade of use from the field – well beyond the standard eight-year warranty term.”

FieldTurf is a big company – having provided turf for 21 out of the 32 National Football League stadiums. The company recently hired Ted Wells, the attorney who led the National Football League’s investigation into New England Patriots quarterback Tom Brady in what was called Deflategate. In addition to the LTUSD lawsuit, FieldTurf faces seven other fraud lawsuits. More lawsuits are possible.

The LTUSD lawsuit was filed in U.S. District Court in Sacramento in February.