

# Extreme Park lawsuit settled

## \$1.5 million paid over boy's injury

By Jason Riley  
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The Courier-Journal

Metro government has paid \$1.5 million to the family of a boy who was seriously hurt when he fell off his bike at the Louisville Extreme Park in July 2002.

The Courier-Journal obtained records of the confidentiality agreement through a state open record request.

The settlement, finalized last month, dismisses a lawsuit filed in April 2003 and allows the city to deny any liability.

Wesley Woods of Lake City, Tenn., near Knoxville, was 11 years old when he suffered brain damage in July 2002, after he fell head-first into a 12-foot concrete bowl at the park while riding a bicycle.

The lawsuit alleged that Wesley did not see the bowl until it was too late to stop and that the city had acted slowly on requests to put up a barrier or use better markings to alert park users to the dangers. Wesley was not wearing a helmet.

Bill Patteson, a spokesman for the Jefferson County attorney's office, said the city "believes this is the best resolution for all parties involved."

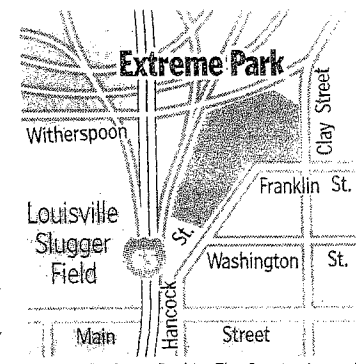
The family's attorney, Rob Shelton, said he couldn't dis-

cuss specifics of the lawsuit because of the confidentiality agreement but that Wesley, now 15, still struggles with the effects of the accident and must undergo more surgeries.

"He's a 15-year-old kid that has been shut off from his friends (and) can do no physical activities and is being schooled from home," Shelton said.

Wesley's father, Timothy

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By Steve Durbin, The Courier-Journal

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Woods, declined to comment.

The settlement followed a Kentucky Court of Appeals ruling last year that said metro government knew of a "hidden risk" at the Extreme Park where beginners could easily stray into advanced areas, but took little action before Wesley was hurt.

That finding, written by Judge William Knopf, was part of a unanimous decision by a three-judge panel allowing the boy's family to sue.

Before that, the Woods family's lawsuit had been dismissed when Jefferson Circuit Judge Kenneth Conliffe ruled the city could not be held responsible under a state law that says those who own recreational property do not gen-

erally need to post signs warning of dangers.

Since Wesley's accident, the number of injuries has declined, in large part because more people are wearing helmets and are familiar with the park, Metro Parks officials said.

The city has made design improvements to increase safety. It extended a barrier, for example, to block one of the points where people can drop into a bowl. "We're seeing that the injuries are down because more kids are following the rules we have in the park," said Michael Heitz of Metro Parks. He said he did not have recent statistics on injuries at the park.

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