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Oberhofen, 3<sup>rd</sup> March 2014

**Re: The Legacy of Nik Zoricic**

Dear Bebe, Silvia and Kat:

As a result of our discussions with your counsel since Nik's fatal accident, we would like to convey our heartfelt thoughts and clarify some misunderstandings:

The fatal ski accident that claimed Nik's life at the ski cross competition in Grindelwald, Switzerland on 10 March 2012 has deeply touched the international ski community. The International Ski Federation (FIS), the Verein Ski Cross Berner Oberland, the Canadian Snowsport Association (CSA), Alpine Canada (ACA) and all persons who contributed to the planning and realization of the Grindelwald event stand by your family in the loss of your beloved son and brother.

The FIS, the Verein Ski Cross Berner Oberland, the Canadian Snowsport Association (CSA), Alpine Canada (ACA) and all members of the Ski Cross Community shares your view that Nik was a talented, experienced and skilled World Cup skier who did not accept unnecessary risks. It would therefore not be right to describe his accident as a "freak accident" or "pilot error".

Ski cross competitions contain an inherent risk of accidents: The choice of a participant's racing line may be influenced not only by the topography of the terrain and the design of the course but also by the progress of the race, the tactics of the other competitors as well as by snow and weather conditions. Decisions must be made by a competitor within a split second and the options may not be optimal.

As a consequence of the specificities of the sport of ski cross, every ski cross course is subject to review by experts and practitioners before it is approved for a particular competition. This process is repeated for every single event. In addition and due to the changing weather and snow conditions, certain decisions relevant to the design of a course may need to be taken on-site in the days before or even at the competition. Recognising this aspect of the sport, even before Nik's accident, the FIS had initiated Ski Cross Guidelines which shall continue to assist the organizers and support the experts in the preparation and approval process of a ski cross course. These Guidelines are to be understood as an ongoing work in progress taking new experiences and developments in the sport into account. However, the Guidelines shall not, and cannot, replace the expert judgment of the officials approving a ski cross course.

The FIS never takes a ski accident lightly but always undertakes substantial efforts to learn from such unfortunate events in order to further improve the safety of the competitors and to minimize the risks of accidents. That was also one of the consequences of Nik's tragic accident and from which the ski cross community gained further insight.

In particular, the FIS has augmented the staff and experts who shall assist the organizers with course construction, preparation and safety installations, namely a specialized course advisor appointed by the FIS (already in the pre-season assessment of a course), a qualified expert as FIS Freestyle Skiing Assistant Race Director, a group of experienced ski course testers who ski the course and provide the organizer with practical information on the course and the safety measures and the FIS Technical Delegates who are subject to ongoing education related to ski cross.

In addition, the FIS has further developed the Ski Cross Course Guidelines which are, in its latest version, attached for your information. The FIS confirms that the suggestions which have been made by the constituents of the Ski Cross family in the aftermath of Nik's accident, including the suggestions that you have provided to us, have been taken into serious consideration and are reflected in the current Guidelines. We believe that they include important changes which will be regarded as the legacy of Nik Zoricic to the sport of Ski Cross. These Guidelines and measures have been implemented and are in use in the current competition season. You will find that the "lessons learned" provided by yourself are indeed covered in the Guidelines.

As the sport of ski cross will further develop, also these Guidelines will be constantly reviewed and amended in order to improve the safety of the athletes.

The FIS highly welcomes the activities of the Nik Zoricic Foundation which is dedicated to the improvement of the safety of ski cross athletes, and is willing to support its efforts and to closely co-operate with it. To demonstrate our strong support for the very laudable objectives of the Nik Zoricic Foundation the FIS is pleased to commit CAN \$ 250,000 over five years to the foundation.

Yours sincerely

**INTERNATIONAL SKI FEDERATION (FIS)**



Gian Franco Kasper  
President



Sarah Lewis  
Secretary General