

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

060930

1. NAME OF RESPONDENT [REDACTED]	2. PHONE NO. (HOME) [REDACTED]	(WORK) unknown
3. STREET ADDRESS [REDACTED]	4. CITY McKinney	ST TX ZIPCODE 75070
4a. EMAIL ADDRESS	4b. INCIDENT CITY McKinney	ST TX ZIPCODE 75070

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 The 76" tall, 190 lb., consumer was traveling at speed of about 25 miles per hour when he hit a gust of wind and became airborne.  
 - cont -

6. DATE OF INCIDENT(S) 05/29/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 38 Y/M AND DESCRIBE INJURY dislocation to the 4th tarsal in the left foot	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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COMMENTS: YES  NO   
 OCCURRED  ATWORK

9. DESCRIPTION OF PRODUCT inflated rubber tube used in water	EXCISE FOR RECALL <input checked="" type="checkbox"/> Reasons	228 BRAND NAME Wegi Kite Tube
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DO NOT RE-NOTIFY  RE-NOTIFY

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown 866-831-5524 unknown	12. MODEL, SERIAL #'s, DATE OF MFR unknown	13. DEALER'S NAME, ADDRESS & PHONE on-line retailer unknown unknown unknown
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**ISSUE 43**  
**07/27/2006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 05/25/2006 AGE 2 M	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: None pertaining to the problem.
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17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? yes	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? NO
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/25/2006	21. RECEIVED BY (NAME & OFFICE) mij/HL	22. DOCUMENT NO. H0670241A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1124
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE mij 07/26/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0670241A

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**Narrative Continued**

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While in the air, the consumer and the inflated tube turned a complete 360 degrees (once) and the consumer landed upright on the tube. The consumer estimates that he hit the water at about 20 miles per hour. The consumer landed on the tube, but his foot was wedge between the tube and himself. In the process of getting on the boat after the incident, the consumer noticed that his left foot looked abnormal.

The consumer was taken to E-Care/Urgent Care ER, 2810 Harden Blvd, McKinney, TX. The consumer did not need surgery, but a surgeon examined his left foot. X-rays were taken, a black book was placed on the consumer's foot to stabilize it and he was given crutches. The surgeon referred the consumer to an Orthopedic Surgeon.

The following day, the consumer saw an Orthopedic Surgeon, who deadened the consumer's left foot and popped the bone back into place. The consumer also suffered some ligament damage. X-rays were taken and they showed that the bones were back in place, where they were suppose to be. Pain killers were prescribed and the consumer had to wear the boot for several days after the procedure.

The consumer plans to contact the manufacturer to inform them of this incident.

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**Distributor Phone #:**

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**CPSC Source: CO**

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CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0670241A

Narrative Continued

While in the air, the consumer and the inflated tube turned a complete 360 degrees (once) and the consumer landed upright on the tube. The consumer estimates that he hit the water at about 20 miles per hour. The consumer landed on the tube, but his foot was wedge between the tube and himself. In the process of getting on the boat after the incident, the consumer noticed that his left foot looked abnormal.□□

□□ The consumer was taken to E-Care/Urgent Care ER, 2810 Harden Blvd, McKinney, TX. The consumer did not need surgery, but a surgeon examined his left foot. X-rays were taken, a black ~~boot~~ was placed on the consumer's foot to stabilize it and he was given crutches. The surgeon referred the consumer to an Orthopedic Surgeon. □□

protective  
boot

on The following day, the consumer saw an Orthopedic Surgeon, who deadened the consumer's left foot and popped the bone back into place. The consumer also suffered some ligament damage. X-rays were taken and they showed that the bones were back in place, where they were suppose to be. Pain killers were prescribed and the consumer had to wear the Soot for several days after the procedure.□□

□□ The consumer plans to contact the manufacturer to inform them of this incident.

Distributor Phone #:

CPSC Source: CO

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

The first sentence in #5 is ~~more~~ inaccurate. I was already airborne at a height of about 15 feet for approximately 30 seconds when a gust of wind sent me and the tube up to around 60 feet, maybe higher. I have a photo showing this, and the angle of the rope indicates the height was ~~is~~ likely more than 60 feet.

#7 The bone dislocated is the 4<sup>th</sup> metatarsal in the left foot.

#10 The product is the Wego Kite Tube

#18 Product is not still available.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

1/31/07

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

Doc No: 10660483A

Issue: 39

06/30/2006

060930

06/28/2006 19:50:36

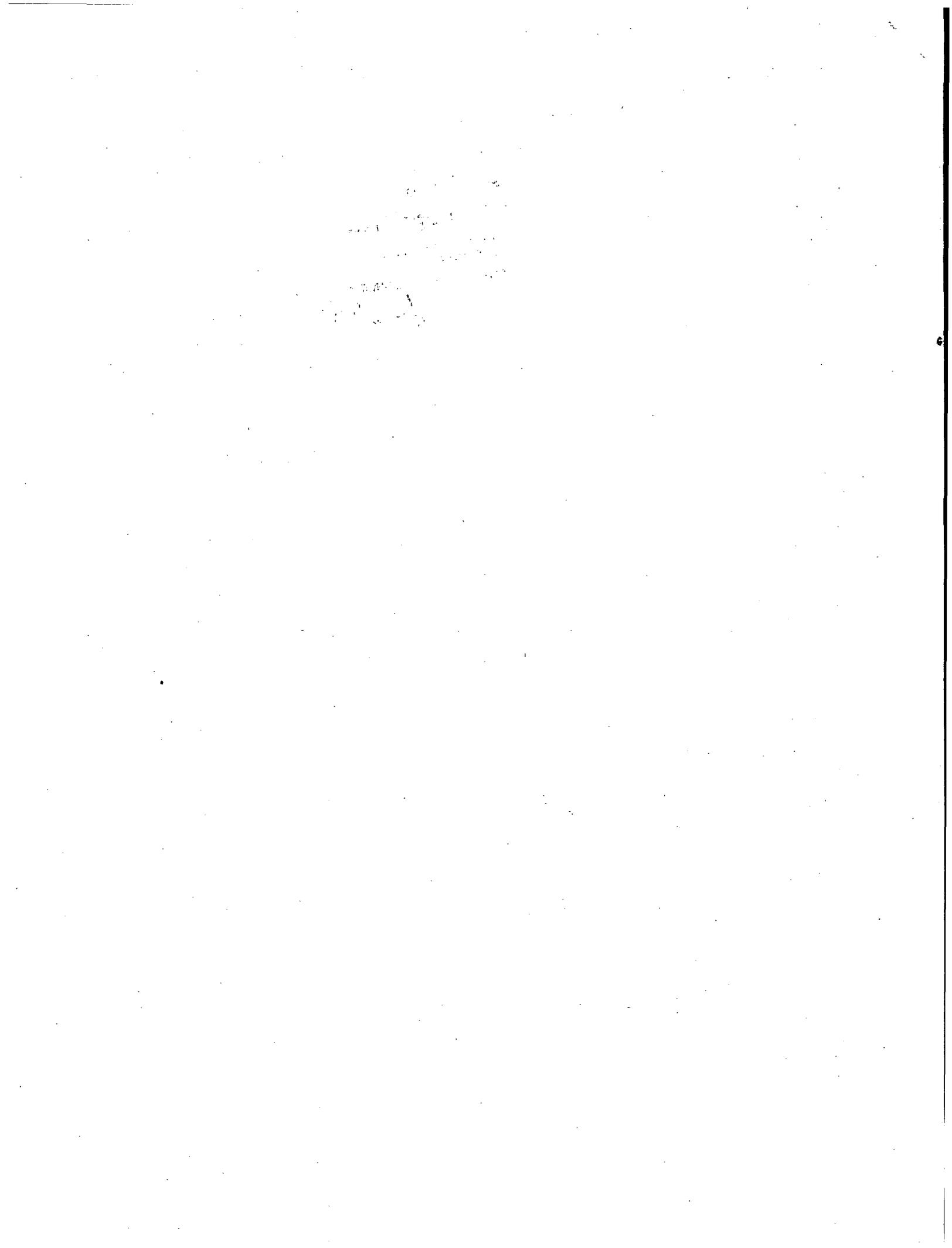
Name = John Schreve  
Address = 2848 Femrite Drive  
City = Cottage Grove  
State = Wisconsin  
Zip = 53527  
Email = jackyikes@aol.com  
Telephone = 608-838-7749  
Name of Victim = Greg  
Victim's Address =  
Victim's City = Delafield  
Victim's State = Wisconsin  
Victim's Zip =  
Victim's Telephone =

MEMORANDUM NOTIFIED  
COMMENTS:  YES  NO  
 OVERRULED  ATTACHED  
EXCISIONS/FOIA Exs  
 Redactions  
 DO NOT RE-NOTIFY  RE-NOTIFY

*Jim 2/14/08*

Incident Description: I can give you more information in the next few days, or give you other names that can. Greg, the friend of a friend, died of internal injuries after using the Wego Kite Tube on Little St. Germain lake, in St. Germain, Wisconsin. He had a broken clavicle, lacerated liver and spleen, and possibly other injuries. He died of a heart attack, caused by the stress of the lacerated liver, which was bleeding profusely, according to reports I received by voice, from a second party, reportedly after the coroner's report. I want to make you aware of this DEATH since I saw a report that you have just started an investigation into this inherently dangerous product. I hope you can get it removed from the marketplace. The victim was only 2 to 6 feet off the ground, yet still sustained significant bodily damage when the "kite tube" pummeled him into the water.

Victim's age at time of incident = 44  
Victim's sex = Male  
Date of incident = 6-26-06  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = Sportsstuff, Inc.  
Manufacturer street address = 11213 "E" Circle (A) Omaha, NE 68137  
Place where manufactured (City and State or Country) =  
Product involved still available = Yes  
Product model and serial number, manufacture date =  
Date product purchased = June 2006  
Name Release = Do not release name  
death = yes

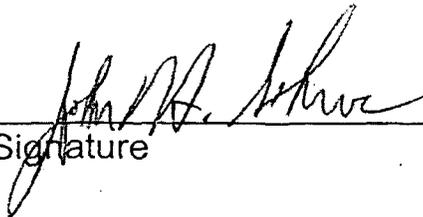


If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

Greg Bykowski (name of victim)

Age 42, not 44 (correction)

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature

7/11/2006  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

Doc No: I0670367A

Issue: 42

07/20/2006

07/19/2006 14:42:23

Name = [REDACTED]

Address = [REDACTED]

City = Seattle

State = Washington

Zip = 98108-1226

Email [REDACTED]

Telephone = [REDACTED]

Name of Victim = n/a

Victim's Address = n/a

Victim's City = n/a

Victim's State =

Victim's Zip = n/a

Victim's Telephone = n/a

USER/PRIVACY NOTIFIED

COMMENTS: YES  NO

OVERRULED:  ATTACHED

EXCISIONS FOR A: 25c

Restored

DO NOT RECOPY  RE-COPY

*2/24/08*

Incident Description: Product flipped, daughter broke vertebrae when she hit the water from 14' and 25mph.

A product safety incident was submitted in the Amazon.com Customer Review section of an item/ASIN detail page. URL regarding the product safety review: [http://www.amazon.com/gp/product/B000ENJSSI/ref=sr\\_11\\_1/103-3454615-2294221?%5Fencoding=UTF8&v=glance&n=3375251](http://www.amazon.com/gp/product/B000ENJSSI/ref=sr_11_1/103-3454615-2294221?%5Fencoding=UTF8&v=glance&n=3375251)

A customer's review posting had a product concern with the Overton's Wego Kite Tube; AMAZON.COM ASIN: B000ENJSSI. The customer's review, titled: This is not a toy!!!!, July 9, 2006. "This is not a toy to be taken lightly. The weekend of the Fourth my daughter was seriously injured. She was at least 14' in the air and travelling about 24 mph when she was flipped upside down and slammed to the water headfirst. She fractured her C1 vertebrae and is very very fortunate not to have been paralyzed."

Read news stories on the web from reputable sources. There have been deaths and very serious injuries reported with this device. It is not a toy and it cannot be controlled by the tube rider or the driver of the boat as suggested by the manufacturer. You are at the mercy of the waves and any wind current that can flip the tube. BE VERY CAREFUL BEFORE DECIDING TO PURCHASE THIS ITEM.

Victim's age at time of incident = n/a

Victim's sex =

Date of incident = n/a

Product involved = Wego Kite Tube

Product brand name/manufacturer = Overton's

Manufacturer street address = n/a

Place where manufactured (City and State or Country) = n/a

Product involved still available =

Product model and serial number, manufacture date = n/a

Date product purchased = n/a

Name Release = Do not release name

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

*No new information; customer declined to give contact info.*

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature

07/26/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

060430

Doc No: I0670192A

Issue: 41

07/13/2006

07/11/2006 15:12:49

Name = [REDACTED]  
 Address = [REDACTED]  
 City = Salisbury  
 State = North Carolina  
 Zip = 2846  
 Email = [REDACTED]  
 Telephone = [REDACTED]  
 Name of Victim = [REDACTED]  
 Victim's Address = [REDACTED]  
 Victim's City = Salisbury  
 Victim's State = North Carolina  
 Victim's Zip = 28146  
 Victim's Telephone = [REDACTED]

*2/14/08*

MEMORIAL NOTIFIED

COMMENTS:  YES  NO

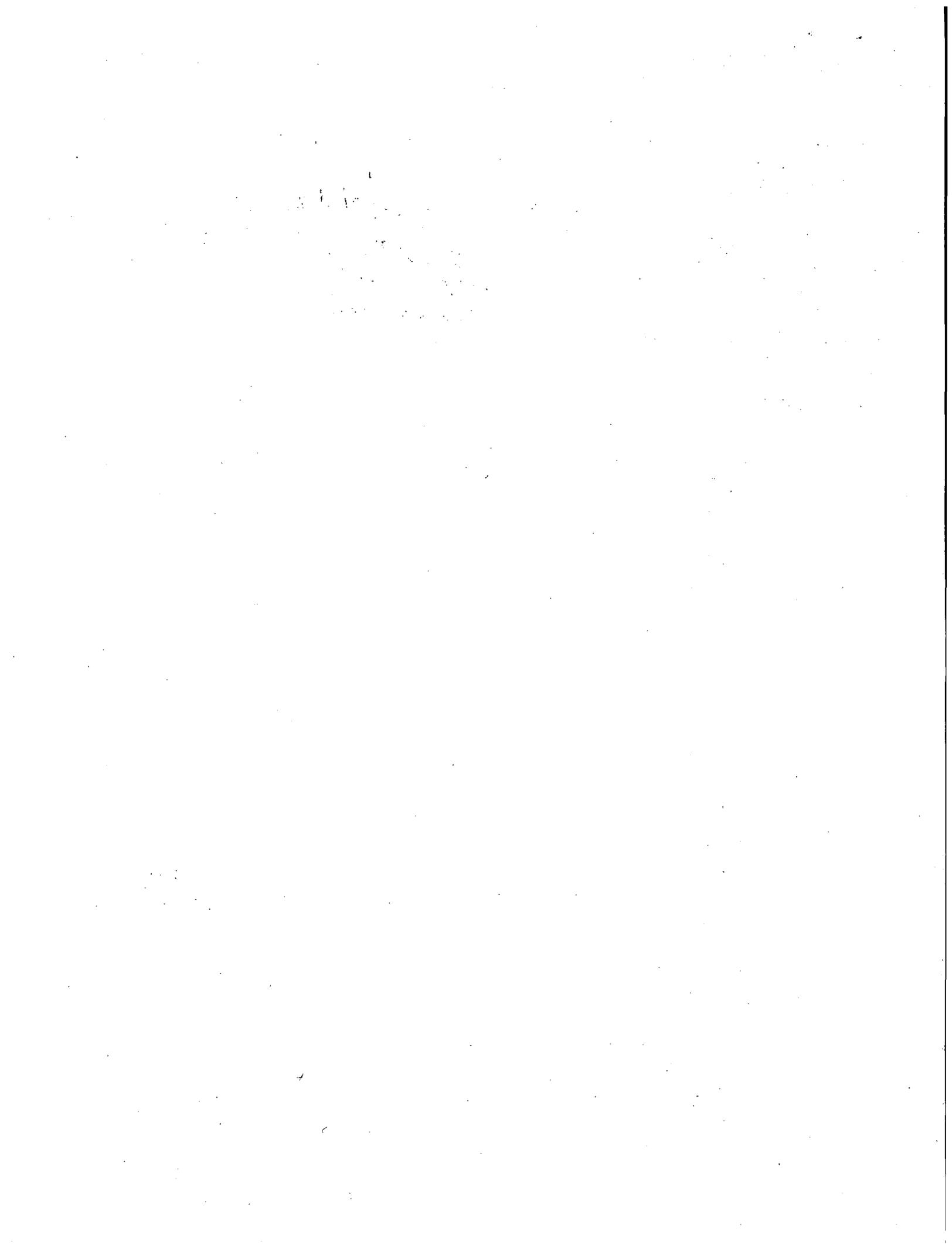
OVERRULED:  ATTACHED

EXEMPTIONS FOR A: *250*

DO NOT RE-NOTIFY  RE-NOTIFY

Incident Description: Crashed into water on SportsStuff Away WEGO Kite tube. One second I was about 5 ft off wather, next I was 20+ feet and unstable. I am significantly bruised from waist down, torn muscles in both legs. When I hit, I was unconscious for almost 10 min and suffered from memory loss.

Victim's age at time of incident = 45  
 Victim's sex = Female  
 Date of incident = 7/4/2006  
 Product involved = WEGO Kite Tube  
 Product brand name/manufacturer = SportsStuff  
 Manufacturer street address =  
 Place where manufactured (City and State or Country) =  
 Product involved still available = Yes  
 Product model and serial number, manufacture date =  
 Date product purchased = Morganton, NC  
 Name Release = Do not release name



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
\_\_\_\_\_  
Signature

7-24-06  
\_\_\_\_\_  
Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

060930

## CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT Lorie Robertson		2. PHONE NO. (HOME) (WORK) 919-499-4905 unknown	
3. STREET ADDRESS 111 Riviera Lane		4. CITY ST ZIPCODE Sanford NC 27332	
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY ST ZIPCODE Sanford NC 27332	
5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES 165 lb., 5'9" tall, son was riding the kite tube while being pulled by boat (speed unknown), driven by husband, and was - cont -			
6. DATE OF INCIDENT(S) 07/05/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 15 Y/M AND DESCRIBE INJURY see narrative <i>2/14/08</i> MFR/PRIVILEG NOTIFIED COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO OVERRULED: <input type="checkbox"/> <input checked="" type="checkbox"/> ATTACHED		8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP Kirstopher Cole Robertson son
9. DESCRIPTION OF PRODUCT kite tube <del>EXEMPTION FOR AER. PRODUCTS</del> <del>DO NOT RECALL BY</del> <del>RECALL</del>		10. BRAND NAME Wego Kite Tubes	
11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown <b>ISSUE 42</b> <b>07/17/2006</b>		12. MODEL, SERIAL #'S, DATE OF MFR M# unknown DOM unknown	
		13. DEALER'S NAME, ADDRESS & PHONE KC Marine unknown Sanford, NC unknown	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:		15. PRODUCT PURCHASED NEW DATE PURCHASED 06/30/2006 AGE 5 D	
		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown	
17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION		19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
FOR ADMINISTRATION USE			
20. DATE RECEIVED 07/14/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670136A	
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200	
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/14/2006	

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670136A

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**Narrative Continued**

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approximately 16' height in air. As the kite tube started to come down, the tube went down on its side, the abruptly positioned upright, injuring son's right ankle.

Consumer, who is a nurse, examined son's injury and conducted Rx at home.

The following day, consumer re-examined son's ankle and noticed that this ankle had become swollen.

Consumer said prior to riding the kite tube, both son and husband watched a video instruction, demonstrating proper riding.

07/06/2006 Consumer took son to Health Pavilion North in Fayetteville, NC, where x-rays were performed. Physician Assistant (name unknown) determined the bone remained intact. PA placed son's right ankle in a temporary cast. Son was released same day. Consumer said medical registration rep. (name unknown) commented that another patient had come in with similar injuries as result of riding kite tube.

07/13/2006 Consumer took son to visit with orthopedic physician, Dr. Bradley Broussard, 4140 Fern Creek Drive, Suite 801, Fayetteville, 28314, 910-484-2171, who conducted another x-ray and confirmed break to son's ankle. Physician determined surgery was not needed and placed another temporary cast.

Consumer feels the kite tube presents a serious injury hazard.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670136A

Narrative Continued

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Consumer, who is a nurse, examined son's injury and conducted Rx at home.

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*fractured @ Ankle*

07/13/2006 Consumer took son to visit with orthopedic physician, Dr. Bradley Broussard, 4140 Fern Creek Drive, Suite 801, Fayetteville, 28314, 910-484-2171, who conducted another x-ray and confirmed break to son's ankle. Physician determined surgery was not needed and placed another temporary cast.

Consumer feels the kite tube presents a serious injury hazard.

Distributor Phone #:

CPSC Source: DIRECTORY

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

060930

1. NAME OF RESPONDENT [REDACTED]	2. PHONE NO. (HOME) (WORK) [REDACTED] unknown
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3. STREET ADDRESS [REDACTED]	4. CITY ST ZIPCODE Fowlerville MI 48836
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4a. EMAIL ADDRESS unknown	4b. INCIDENT CITY ST ZIPCODE Fowlerville MI 48836
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5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 170 lb., 5'11" tall, husband was riding the kite tube while being pulled by boat (driven by nephew) at about 30 miles per hour,  
 - cont -

6. DATE OF INCIDENT(S) 07/06/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 37 Y/M AND DESCRIBE INJURY see narrative <small>MEMORIALIZED</small> <small>COMMENTS: YES NO</small> <small>OVERRUL: ATTACHED</small> <small>EXCISES FOR EVIDENCE</small> <small>DO NOT REPRODUCE</small>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE e-bay unknown unknown unknown
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**ISSUE 42**  
**07/17/2006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/30/2006 AGE 2 W	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
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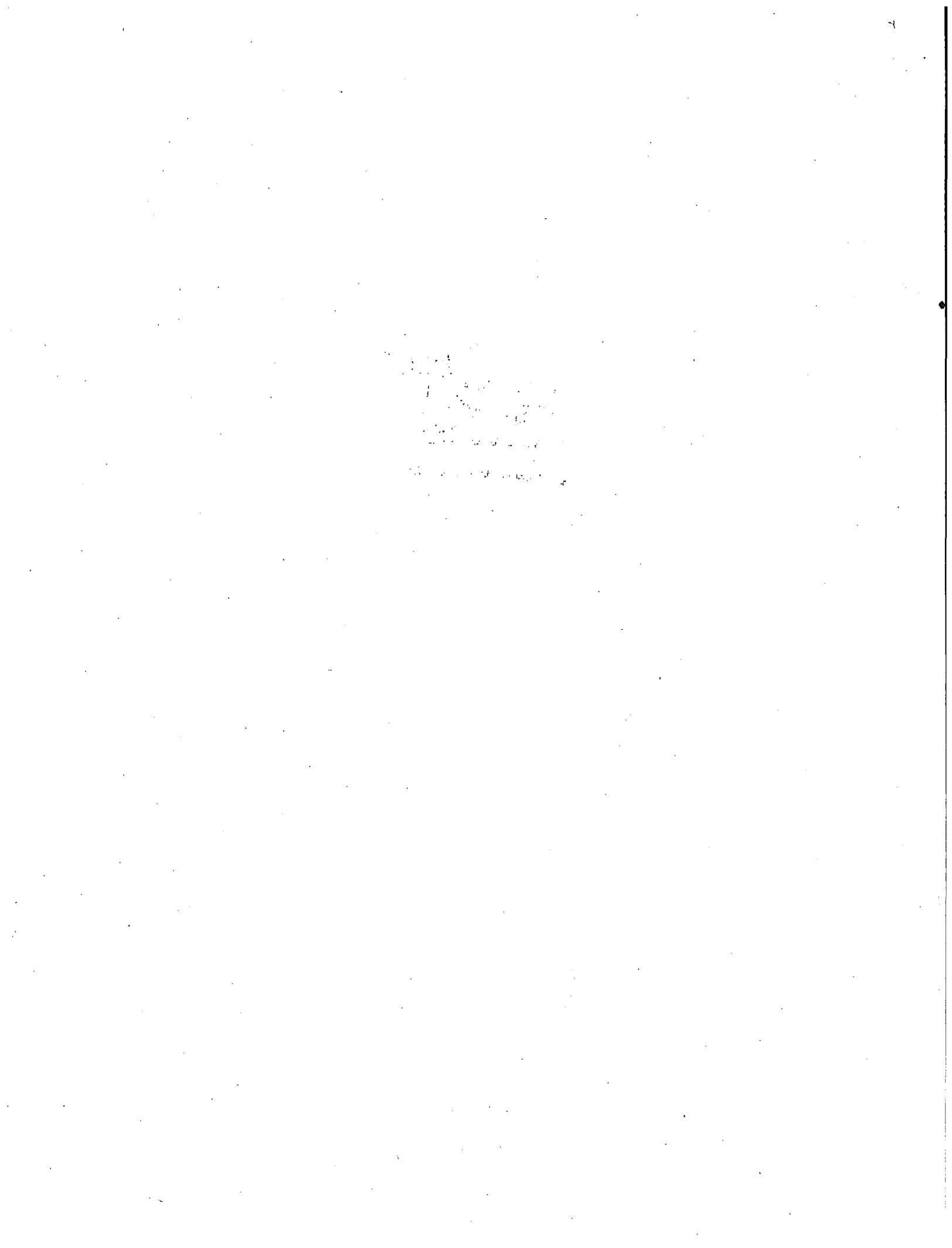
17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/14/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670134A
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23. FOLLOW-UP ACTION	24. PRODUCT CODE(S) 3200
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25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE myg 07/14/2006
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CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670134A

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**Narrative Continued**

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when suddenly the kite tube elevated approximately 25' to 30' into the air. Nephew, who was operating the boat, noticed that the kite tube had gotten abnormally high and proceeded to reduce the boat's speed (speed unknown). As the kite tube started to come down, consumer's left foot hit the tube. The tube then flipped over, throwing consumer into the water.

Wife took consumer to Cookeville Regional Medical Center in Cookeville, TN where ER staff sent consumer for x-rays. ER physician, Dr. Johns examined x-ray and determined consumer had sustained a bi-maleolar fracture, requiring surgical intervention. Dr. Roberts performed surgery where he inserted pins and a plate into consumer's left ankle. Consumer was kept overnight and discharged the following day. Consumer said ER physician, Dr. Johns, mentioned that this is her 3rd patient she has treated as result of kite tube.

Consumer is concerned the kite tube presents serious injury hazard.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT [REDACTED]		2. PHONE NO. (HOME) (WORK) [REDACTED] unknown	
3. STREET ADDRESS [REDACTED]		4. CITY ST ZIPCODE Fowlerville MI 48836	
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY ST ZIPCODE Fowlerville MI 48836	
5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES 170 lb., 5'11" tall, husband was riding the kite tube while being pulled by boat (driven by nephew) at about 30 miles per hour, - cont -			
6. DATE OF INCIDENT(S) 07/06/2006	7. IF INJURY OR NEAR MISS; OBTAIN AGE/SEX 37 Y/M AND DESCRIBE INJURY see narrative		8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
9. DESCRIPTION OF PRODUCT kite tube <i>wego kite Tube</i>		10. BRAND NAME Wego Kite Tube	
11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown		12. MODEL, SERIAL #'S, DATE OF MFR M# unknown DOM unknown	
<p style="text-align: center;"><b>ISSUE 42</b></p> <p style="text-align: center;"><b>07/17/2006</b></p>		13. DEALER'S NAME, ADDRESS & PHONE e-bay unknown unknown unknown	
		14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	
15. PRODUCT PURCHASED NEW DATE PURCHASED 06/30/2006 AGE 2 W		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown	
17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES	
FOR ADMINISTRATION USE			
20. DATE RECEIVED 07/14/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670134A	
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200	
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/14/2006	

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

 \_\_\_\_\_ 7-28-06  
Signature Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT [REDACTED]		2. PHONE NO. (HOME) [REDACTED]		(WORK) [REDACTED]	
3. STREET ADDRESS [REDACTED]		4. CITY Saginaw		ST MI	ZIP CODE 48609
4a. EMAIL ADDRESS		4b. INCIDENT CITY Saginaw		ST MI	ZIP CODE 48609

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube may be under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT(S) 06/24/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 20 Y/M AND DESCRIBE INJURY broken left eardrum	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME not given RELATIONSHIP son
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME unknown
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown, DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE Spicer's Boat City Marina unknown unknown unknown
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**ISSUE 42**  
**07/17/2006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/01/2006 AGE 23 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Unknown
---	---	---

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/14/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670130A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/14/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670130A

**Narrative Continued**

5'9" tall, 185lb. son was on kite tube being pulled by a boat (speed unknown). Son was approximately 16' in the air when kite tube tipped sideways causing him to fall into the water. Son injured his left ear.

6/24/2006 Son went to Mercy Hospital in Grayling, MI where he was examined and treated by physician (name unknown) for a broken left eardrum. Physician told son that his ear will heal on its own in a couple of weeks.

7/2006 Son experienced an ear infection in his left ear.

7/1/2006 Victim (daughter's friend) was riding kite tube (height unknown) being pulled by a boat (speed unknown) when her left knee became stuck in kite tube before she struck the water. Victim injured her left leg.

7/2006 Victim went to hospital (name unknown) where she was examined and treated by physician (name unknown). Physician told victim that her left leg was fractured above knee and below knee.

7/2006 Daughter visited the manufacturer's web site to obtain instructions on how to return kite tube.

Vict #	Sex	Age	Name	Relationship
2	F	26 Y	not given	victim

Vict #	Victim Injury Description
2	two fractures in left leg

Distributor Phone #:

CPSC Source: INTERNET

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT [REDACTED]		2. PHONE NO. (HOME) [REDACTED]		(WORK) [REDACTED]	
3. STREET ADDRESS [REDACTED]		4. CITY Saginaw	ST MI	ZIP CODE 48609	
4a. EMAIL ADDRESS		4b. INCIDENT CITY Saginaw Higgins Lake, <del>MI</del>		ST MI	ZIP CODE 48609 48627

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube may be under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT(S) 06/24/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 20 Y/M AND DESCRIBE INJURY broken left eardrum	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME not given RELATIONSHIP son
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME unknown
--	---------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown, DOM unknown
	13. DEALER'S NAME, ADDRESS & PHONE Spicer's Boat City Marina unknown unknown unknown

ISSUE 42

07/17/2006

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/01/2006 AGE 23 D
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Unknown

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES (NOT SURE, BUT DON'T BELIEVE SO.) IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
--	---	--

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/14/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670130A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/14/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670130A

Narrative Continued

5'9" tall, 185lb. son was on kite tube being pulled by a boat (speed unknown). Son was approximately 16' in the air when kite tube tipped sideways causing him to fall into the water. Son injured his left ear.□□

□□  
6/24/2006 Son went to Mercy Hospital in Grayling, MI where he was examined and treated by physician (name unknown) for a broken left eardrum. Physician told son that his ear will heal on its own in a couple of weeks.□□ *OR MAY NEED A GRAFT.*

*(DR. HYDE)*

□□  
7/2006 Son experienced an ear infection in his left ear.□□

□□  
7/1/2006 Victim (daughter's friend) was riding kite tube (height unknown) being pulled by a boat (speed unknown) when her left knee became stuck in kite tube before she struck the water. Victim injured her left leg.□□

□□  
7/2006 Victim went to hospital *Mercy Hospital, Grayling* (name unknown) where she was examined and treated by physician (name unknown). Physician told victim that her left leg was fractured above knee and below knee.

□□  
7/2006 Daughter visited the manufacturer's web site to obtain instructions on how to return kite tube.

Vict #	Sex	Age	Name	Relationship
2	F	26 Y	not given	victim <i>friend</i>

Vict #	Victim Injury Description
2	two fractures in left leg

Distributor Phone #:

CPSC Source: INTERNET

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature \_\_\_\_\_ Date 7-26-06

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT Clarke Roberts		2. PHONE NO. (HOME) (WORK) 937-439-5058 937-208-7140	
3. STREET ADDRESS 140 South Village Drive		4. CITY Centerville	ST ZIPCODE OH 45459
4a. EMAIL ADDRESS		4b. INCIDENT CITY Centerville	ST ZIPCODE OH 45459

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube appears to be under recall for CAP NR# 06-210.

- cont -

6. DATE OF INCIDENT(S) 06/17/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 53 Y/M AND DESCRIBE INJURY see narrative <small>NEVER PREPARED</small> COMMENTS: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OVERSUADED: <input type="checkbox"/> ATTACHED: <input type="checkbox"/>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT kite tube <small>EXCISE RESPONSIBLE Revisions</small> <input checked="" type="checkbox"/> DO NOT RE-IDENTIFY <input type="checkbox"/> RE-IDENTIFY	10. BRAND NAME Wego <i>2/14/08</i>
--	--

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown <b>ISSUE 42</b> <b>07/17/2006</b>	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown, DOM unknown
	13. DEALER'S NAME, ADDRESS & PHONE unknown

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/01/2006 AGE 16 D
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? no	18. IS THE PRODUCT STILL AVAILABLE? NO IF NOT, ITS DISPOSITION discarded	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
--	---	---

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/14/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670126A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/14/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670126A

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**Narrative Continued**

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Consumer believes kite tube poses a risk of injury.

(Height and weight unknown) Consumer was on kite tube being pulled by a boat going approximately 25-30 MPH. Consumer was approximately 10' in the air when a gust of wind caused consumer to fall into the water head first. Consumer experienced pain to his right shoulder and right ear.

6/20/2006 Consumer went to Dayton Head and Neck Surgeons Clinic (location unknown) where he was examined and treated by physician Wolfgang Dietz for a ruptured right eardrum.

6/27/2006 Consumer went to orthopedist John Lochner (location unknown) where he was examined for a torn right shoulder rotator cup. Consumer was also examined for a torn right shoulder tendon.

7/2006 Consumer went to clinic (name unknown) where physician (name unknown) performed surgery to repair his shoulder.

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**Distributor Phone #:**

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**CPSC Source: INTERNET**

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CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670126A

Narrative Continued

Consumer believes kite tube poses a risk of injury.[]

[]  
[] (Height and weight unknown) Consumer was on kite tube being pulled by a boat going approximately 25-30 MPH. Consumer was approximately 10' in the air when a gust of wind caused consumer to fall into the water head first. Consumer experienced pain to his right shoulder and right ear.[]

Height 5' 11"  
Weight 180 lbs

[]  
6/20/2006 Consumer went to Dayton Head and Neck Surgeons Clinic (location unknown) where he was examined and treated by physician Wolfgang Dietz for a ruptured right eardrum.[]

[]  
6/27/2006 Consumer went to orthopedist John Lochner (location unknown) where he was examined for a torn right shoulder rotator cup. Consumer was also examined for a torn right shoulder tendon. []

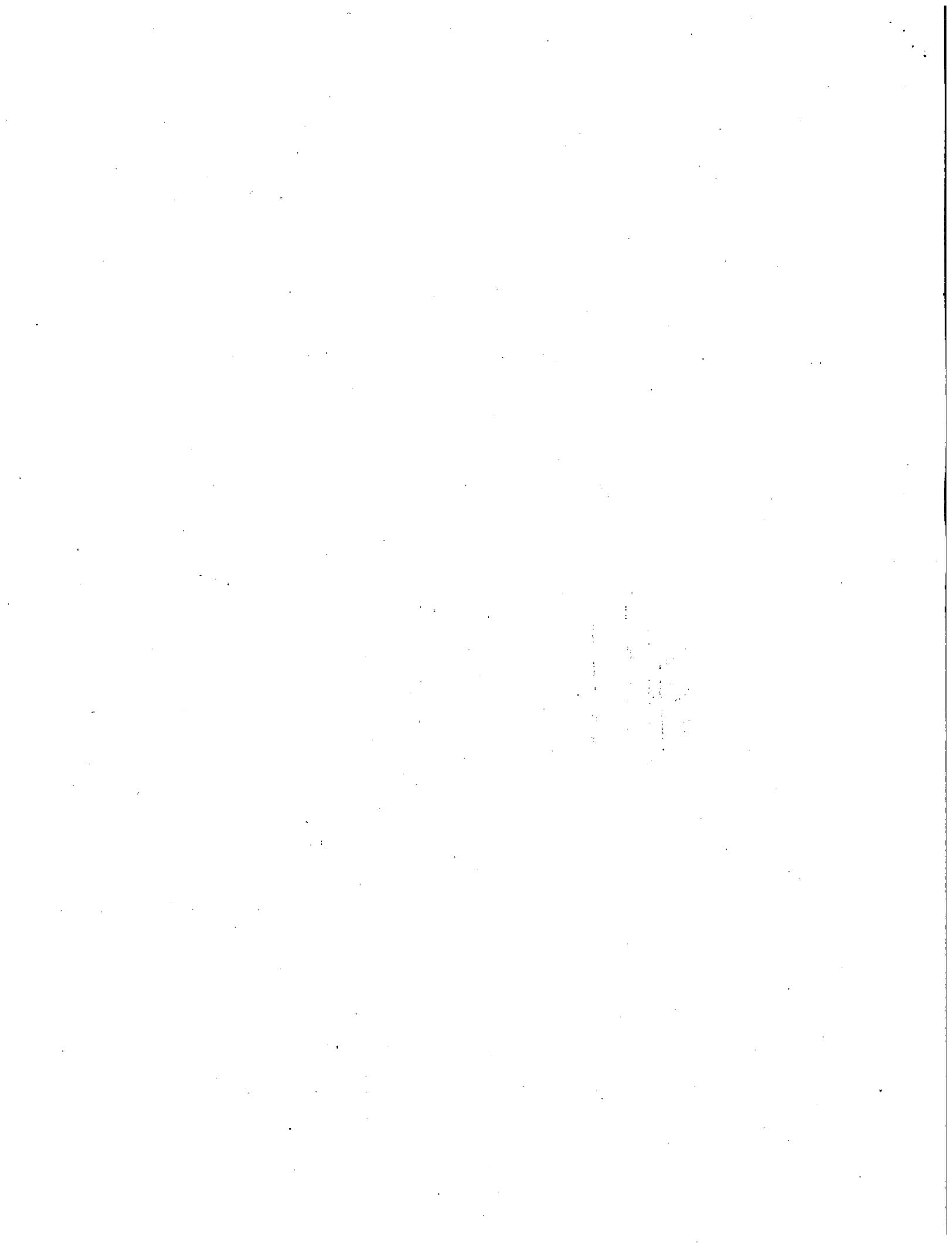
→ FAR HILLS SURGICAL CENTER  
6601 CENTERVILLE BUSINESS PKWY  
SUITE 301  
CENTERVILLE OHIO 45459

[]  
7/2006 Consumer went to clinic (name unknown) where physician (name unknown) performed surgery to repair his shoulder.

Distributor Phone #:

CPSC Source: INTERNET





CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

060930

1. NAME OF RESPONDENT Craig Watson		2. PHONE NO. (HOME) (WORK) 916-929-6955 unknown	
3. STREET ADDRESS 2218 Rockbridge rd		4. CITY ST ZIPCODE Sacramento CA 95815	
4a. EMAIL ADDRESS		4b. INCIDENT CITY ST ZIPCODE Sacramento CA 95815	

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 175 lb., 5'8" tall, consumer was riding the kite tube while being towed by boat, at about 20 mph. Consumer pulled back on tube,  
 - cont -

6. DATE OF INCIDENT(S) 05/27/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX AND DESCRIBE INJURY 44 Y/M see narrative <i>2/14/08</i>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP self self
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE Marinemax unknown El Camino, CA unknown
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**ISSUE 43**  
**07/24/2006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 05/25/2006 AGE 2 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
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17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? yes	18. IS THE PRODUCT STILL AVAILABLE? NO IF NOT, ITS DISPOSITION returned to dealer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/21/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670206A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/21/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0670206A

Narrative Continued

and tube elevated to about 25', when the tube suddenly made a sharp left turn, then dove into the water. Consumer hit the water hit at an angle, injuring his left side, shoulder and head. Consumer was knocked unconscious, but came to as boat returned. Friend pulled consumer into boat. Consumer said he was unable to move his left arm.

Consumer was taken to Damron Hospital in Stockton, CA 95203, where ER staff conducted x-rays. No fractures were found. Staff placed consumer's left arm in a temporary cast. Consumer was discharged same day.

(same day) (height and weight unknown) son was riding the kite tube while being pulled by boat, at about 20 mph, when the tube suddenly elevated to about 25' high. The tube then suddenly took a sharp turn, throwing son and tube into water, injuring his chest muscle. Son was pulled into boat. Consumer was at hospital at time of son's incident.

6/2006 Consumer & son visited with primary physician (name not given) who examined consumer first. Physician advised consumer to visit ER for an MRI. Physician examined son and determined he had sustained injury to his chest muscle. Physician expects full recovery.

Consumer visited Mercy General Hospital where an MRI was performed and determined consumer sustained nerve damage to left arm. Neurologist, physician (name not given) stated that it will take sometime for the nerves to grow back, with the exception of one, which could may or may not grow back. Physician is uncertain whether surgery will be necessary.

Consumer said primary physician recommended physical therapy. Consumer is currently undergoing physical therapy.

(date unknown) Consumer took the kite tube back to dealer for a refund.

Consumer feels the kite tube presents a serious injury hazard.

Vict #	Sex	Age	Name	Relationship
2	M	18 Y	not given	son

Vict #	Victim Injury Description
2	see narrative

Distributor Phone #:

CPSC Source: DIRECTORY

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1. NAME OF RESPONDENT Craig Watson		2. PHONE NO. (HOME) (WORK) 916-929-6955 916-713-2778 unknown	
3. STREET ADDRESS 2218 Rockbridge rd		4. CITY Sacramento	ST ZIPCODE CA 95815
4a. EMAIL ADDRESS SIRCRAIG100@HOTMAIL.COM		4b. INCIDENT CITY Sacramento	ST ZIPCODE CA 95815
5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES 175 lb., 5'8" tall, consumer was riding the kite tube while being towed by boat, at about 20 mph. Consumer pulled back on tube, - cont -			
6. DATE OF INCIDENT(S) 05/27/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX AND DESCRIBE INJURY 44 Y/M see narrative <i>Brachial Plexus injury (nerve)</i>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self	
9. DESCRIPTION OF PRODUCT kite tube		10. BRAND NAME Wego Kite Tube	
11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff INC unknown 11213 E. CIRCLE SUITE A unknown OMAHA NE. unknown 68137 unknown 07/24/2006  1-888-814-8833		12. MODEL, SERIAL #'S, DATE OF MFR M# unknown DOM unknown	
		13. DEALER'S NAME, ADDRESS & PHONE Marinemax unknown El Camino, CA unknown	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:		15. PRODUCT PURCHASED NEW DATE PURCHASED 05/25/2006 AGE 2 D	
		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown	
17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? yes	18. IS THE PRODUCT STILL AVAILABLE? NO IF NOT, ITS DISPOSITION returned to dealer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES	

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/21/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670206A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE myg 07/21/2006	

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0670206A

Narrative Continued

and tube elevated to about 25', when the tube suddenly made a sharp left turn, then dove into the water. Consumer hit the water hit at an angle, injuring his left side, shoulder and head. Consumer was knocked unconscious, but came to as boat returned. Friend pulled consumer into boat. Consumer said he was unable to move his left arm. □□

□□ Consumer was taken to Damron Hospital in Stockton, CA 95203, where ER staff conducted x-rays. No fractures were found. Staff placed consumer's left arm in a temporary cast. Consumer was discharged same day. □□

□□ (same day) (height and weight unknown) son was riding the kite tube while being pulled by boat, at about 20 mph, when the tube suddenly elevated to about 25' high. The tube then suddenly took a sharp turn, throwing son and tube into water, injuring his chest muscle. Son was pulled into boat. Consumer was at hospital at time of son's incident. □□

□□ 6/2006 Consumer & son visited with primary physician (name not given) who examined consumer first. Physician advised consumer to visit ER for an MRI. Physician examined son and determined he had sustained injury to his chest muscle. Physician expects full recovery. □□

□□ Consumer visited Mercy General Hospital where an MRI was performed and determined consumer sustained nerve damage to left arm. Neurologist, physician (name not given) stated that it will take sometime for the nerves to grow back, with the exception of one, which could may or may not grow back. Physician is uncertain whether surgery will be necessary. □□

*cervical/Brachial Plexus injury*

□□ Consumer said primary physician recommended physical therapy. □□ Consumer is currently undergoing physical therapy. □□

□□ (date unknown) Consumer took the kite tube back to dealer for a refund. □□

□□ Consumer feels the kite tube presents a serious injury hazard.

Vict #	Sex	Age	Name	Relationship
2	M	18Y	not given C.J. WATSON	son

Vict #	Victim Injury Description
2	see narrative

Distributor Phone #:

CPSC Source: DIRECTORY



CONSUMER PRODUCT INCIDENT REPORT

060930  
Region: WESTERN

1. NAME OF RESPONDENT Nickolas Joe Williams (Respondent)		2. PHONE NO. (HOME) (WORK) 405-884-2382 405-884-2382	
3. STREET ADDRESS P.O. Box 899		4. CITY Hinton	ST ZIPCODE OK 73047
4a. EMAIL ADDRESS		4b. INCIDENT CITY Hinton	ST ZIPCODE OK 73047

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube may be under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT(S) 05/27/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 28 Y/M AND DESCRIBE INJURY broken bones in left leg, and left ankle	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown MFR/PRIVILEGE NOTIFIED COMMENTS: YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED EXEMPTIONS/FOIA Exs. <input type="checkbox"/> Revisions: <input type="checkbox"/> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input checked="" type="checkbox"/> RE-NOTIFY ISSUE 43 07/24/2006 for 2/14/08	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown, DOM unknown
	13. DEALER'S NAME, ADDRESS & PHONE unknown

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 01/01/2006 AGE 4 M
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Unknown

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? no	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/21/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670200A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/21/2006

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**Narrative Continued**

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Respondent believes kite tube poses a risk of injury.

5'10" tall, 180 lb respondent was riding kite tube and being pulled by a boat going approximately 25-30 MPH. Respondent let go of the handles as he was landing. Respondent was approximately 5' in the air when his left foot became entangled in kite tube. Kite tube began spinning and respondent landed in the water. Consumer and friends pulled respondent from the water and into the boat.

Friends took respondent to the ER at McCalester Hospital in McCalester, OK where he was examined by physician (name unknown). Physician took x-rays and told respondent that both bones in the lower portion of his left leg were broken. Physician also told respondent that his left ankle was broken. Physician told respondent that he would have to see an orthopedic surgeon.

5/31/2006 Respondent went to Southwest Orthopedic in Oklahoma City, OK where he was examined by physician (name unknown). Physician took x rays to confirm his injuries and placed his leg in a splint. Respondent went home.

6/1/2006 Respondent returned to Southwest Orthopedic where physician (name unknown) performed surgery on his left leg. Physician put a plate on respondent's broken bones and put screws and pins in his ankle.

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**Distributor Phone #:**

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**CPSC Source:** INTERNET

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CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1. NAME OF RESPONDENT Nickolas Joe Williams (Respondent)		2. PHONE NO. (HOME) 405-884-2382	(WORK) 405-884-2382
3. STREET ADDRESS P.O. Box 899	4. CITY Hinton	ST OK	ZIPCODE 73047
4a. EMAIL ADDRESS	4b. INCIDENT CITY Hinton	ST OK	ZIPCODE 73047

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube may be under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT(S) 05/27/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX AND DESCRIBE INJURY 28 Y/M broken bones in left leg, and left ankle	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego
--	------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown, DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE unknown
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ISSUE 43

07/24/2006

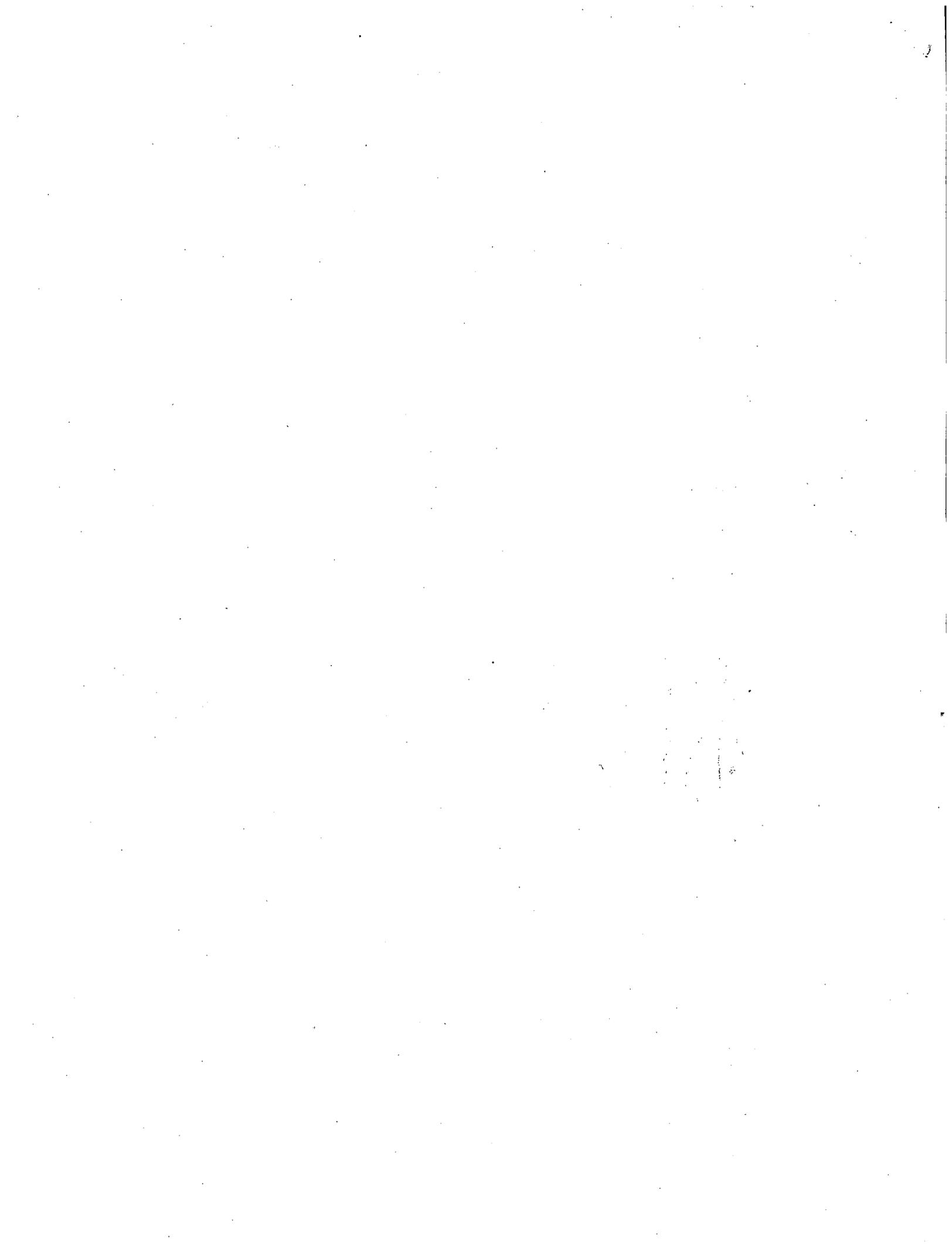
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 01/01/2006 AGE 4 M	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Unknown
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17. HAVE YOU CONTACTED THE MANUFACTURER? <del>NO</del> <i>yes</i> IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? <i>yes</i> <del>NO</del> IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/21/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670200A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/21/2006





CONSUMER PRODUCT INCIDENT REPORT

060930  
Region: EASTERN

1. NAME OF RESPONDENT Alisa Hayes		2. PHONE NO. (HOME) (WORK) 910-323-2481 unknown	
3. STREET ADDRESS 517 Rob Road		4. CITY ST ZIPCODE Stedman NC 28391	
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY ST ZIPCODE Stedman NC 28391	

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
170 lb., 5'11" tall, son was riding the kite tube as it was being pulled by a boat at about 25 miles per hour, when it suddenly  
- cont -

6. DATE OF INCIDENT(S) 06/04/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 23 Y/M AND DESCRIBE INJURY see narrative. <i>2/14/08</i>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP Zachary hayes son
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego Kite Tube
--	----------------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE Overtons unknown Greenville, NC unknown
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14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 05/29/2006 AGE 5 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
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17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? no	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
---	---	---

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/19/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670181A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE myg 07/19/2006	

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670181A

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**Narrative Continued**

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started going side to side, the took a nose dive. Son was thrown out the side of kite tube and into water, where he was knocked unconscious. Other son jumped into water and took his face out water. Son regained consciousness after 2 minutes.

Son started vomiting in route to to hospital.

Consumer took son to Bladen Regional hospital in Elizabethtown, NC, where ER staff performed X-ray and MRI's and determined son sustained bruising to rib cage, and a severe concussion. Son was discharged same day.

6/19/2006 Consumer called and explained incident to dealer's rep. (name unknown) who offered consumer a full refund and stated that he will have the kite tube taken off the shelves. Rep. also commented that they have had too many reports of problems with the product.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT Alisa Hayes		2. PHONE NO. (HOME) (WORK) 910-323-2481 unknown	
3. STREET ADDRESS 517 Rob Road		4. CITY Stedman	ST ZIPCODE NC 28391
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY Stedman	ST ZIPCODE NC 28391
5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES 170 lb., 5'11" tall, son was riding the kite tube as it was being pulled by a boat at about 25 miles per hour, when it suddenly - cont -			
6. DATE OF INCIDENT(S) 06/04/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX AND DESCRIBE INJURY 23 Y/M see narrative.	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP Zachary hayes son	
9. DESCRIPTION OF PRODUCT kite tube		10. BRAND NAME Wego Kite Tube	
11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown		12. MODEL, SERIAL #'S, DATE OF MFR M# unknown DOM unknown	
<p><b>ISSUE 42</b></p> <p><b>07/20/2006</b></p>		13. DEALER'S NAME, ADDRESS & PHONE Overtons 111 Red Banks Rd. unknown Greenville, NC 27835 unknown 1800334-6541	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:		15. PRODUCT PURCHASED NEW DATE PURCHASED 05/29/2006 AGE 5 D	
16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown		17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? no	
18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION		19. MAY WE USE YOUR NAME WITH THIS REPORT? YES	
FOR ADMINISTRATION USE			
20. DATE RECEIVED 07/19/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670181A	
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200	
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/19/2006	



060930

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT Matthew Thomas		2. PHONE NO. (HOME) (WORK) 847-515-8411 unknown	
3. STREET ADDRESS 10931 Cape Cod Lane		4. CITY Huntley	ST ZIPCODE IL 60142
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY Huntley	ST ZIPCODE IL 60142

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 155 lb., 5'7" tall, consumer was riding the kite tube as it was being pulled by a boat, driven by friend, at about 20 to 25 mph.  
 - cont -

6. DATE OF INCIDENT(S) 06/25/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 34 Y/M AND DESCRIBE INJURY see narrative MFR/PUBLR MODIFIED COMMENTS: <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> OVERRULED <input type="checkbox"/> ATTACHED	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT kite tube EXCISIONS/FOIA Etc. Reasons <input checked="" type="checkbox"/> DO NOT REPRODUCE <input checked="" type="checkbox"/> REMOVE 2/14/08	10. BRAND NAME Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown 866-831-5524 unknown  <b>ISSUE 42</b>  <b>07/20/2006</b>	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown
	13. DEALER'S NAME, ADDRESS & PHONE e-bay unknown unknown unknown

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/01/2006 AGE 24 D
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? yes	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
--	---	---

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/19/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670176A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE myg 07/19/2006	

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670176A

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**Narrative Continued**

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Consumer said the kite tube was holding steady at approximately 5' to 8' high in air, elevating to about 10' high, when it drastically increase its height. Once it reached about 25' high, the kite tube started to become unstable, swaying back and forth, at high speed, where consumer began to lose control for about a second. The kite tube then inverted and dove into water. Friend turned the boat around and pulled consumer out of water, who appeared to be in a daze. 30 minutes later, consumer started to regain consciousness.

Consumer was taken to Skaggs Hospital in Branson, MO, Tel: 417-335-7000, where ER staff performed a cat scan and x-ray. Physician determined consumer had sustained a severe concussion, with pulled ligaments in neck and back. Physician prescribed pain medication and advised to be woken up, from sleep, every 2 hours. If his pupils appeared to be of different dilation, he will need to re-visit hospital. Consumer was discharged same day.

Consumer feels the kite tube presents a serious injury hazard.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT Matthew Thomas		2. PHONE NO. (HOME) (WORK) 847-515-8411 unknown	
3. STREET ADDRESS 10931 Cape Cod Lane		4. CITY Huntley	ST ZIPCODE IL 60142
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY <del>Huntley</del> Brunson, MO	ST ZIPCODE <del>IL</del> MO <del>60142</del> 65616-6153

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
155 lb., 5'7" tall, consumer was riding the kite tube as it was being pulled by a boat, driven by friend, at about 20 to 25 mph.  
- cont -

6. DATE OF INCIDENT(S) 06/25/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 34 Y/M AND DESCRIBE INJURY see narrative	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME: Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown 866-831-5524 unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown 53-5000	13. DEALER'S NAME, ADDRESS & PHONE e-bay Spieth Marine unknown 4191 E. Mt. Gilead Ln. unknown Dundas, IL 62425 unknown
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**ISSUE 42**  
**0712012006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 0610112006 AGE 24 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown "Never Kite Higher Than You're Willing To Fall"
---	---	---

17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? yes	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
--	---	---

FOR ADMINISTRATION USE

20. DATE RECEIVED 07119/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670176A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/1912006



CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

660930

1. NAME OF RESPONDENT James Howard		2. PHONE NO. (HOME) (WORK) 503-409-4798 unknown	
3. STREET ADDRESS 110 Browney Avenue Apt 7 D		4. CITY ST ZIPCODE Salem OR 97302	
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY ST ZIPCODE Salem OR 97302	

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 135 lb., 5'11" tall, son was riding the kite tube as it was being pulled by boat, driven by consumer, at about 20 to 25 miles per  
 - cont -

6. DATE OF INCIDENT(S) 07/16/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 22 Y/M AND DESCRIBE INJURY see narrative.	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP not given son
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Sportsstuff
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown
	13. DEALER'S NAME, ADDRESS & PHONE e-bay unknown unknown unknown

**ISSUE 42**  
**07/18/2006**

**MFR/PRV/DR NOTIFIED**  
COMMENTS: YES  NO  
OVERRULLED; ATTACHED  
EXCISIONS/FOIA  
Revisions  
DO NOT RECORRY RECORRY  
*2/14/08*

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/15/2006 AGE 1 M
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown

17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/17/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670145A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE myg 07/17/2006	



CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0670145A

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**Narrative Continued**

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hour, when it suddenly went 25' to 30' up in air, then turned sideways. Son was thrown into water.

Son was transported by ambulance to Stayton Memorial Hospital in Stayton, OR, where ER staff, issued son with pain son had sustained 2 crushed vertebrae in neck. ER physician, Dr. Charles Stringham, referred son to a neurosurgeon for further treatment. Son was released same day.

Consumer scheduled appt. with neurosurgeon, Dr. Jerry Hubbard's, office for July 27th.

07/17/2006 Consumer called and explained incident to manufacturer's rep. (name unknown) who offered to send consumer a replacement tube; consumer has not accepted.

Consumer feels the kite tube presents a serious injury hazard.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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060930

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT [REDACTED]		2. PHONE NO. (HOME) (WORK) [REDACTED] unknown	
3. STREET ADDRESS [REDACTED]		4. CITY	ST ZIPCODE
		Terre Haute	IN 47802
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY	ST ZIPCODE
		Terre Haute	IN 47802

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 170 lb., 6' tall, son was riding the kite tube while being pulled by a jet ski, at about 30 to 35 miles per hour. Per son's  
 - cont -

6. DATE OF INCIDENT (S) 06/01/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 17 Y/M AND DESCRIBE INJURY see narrative	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME not given RELATIONSHIP son
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9. DESCRIPTION OF PRODUCT water kite tube	10. BRAND NAME Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportstuff Inc. unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE Cope Marine unknown O'fallon, IL 618-632-6353
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**ISSUE 41**  
**07/14/2006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 02/11/2006 AGE 4 M	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: "adult supervision"
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17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 07/13/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670119A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/13/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670119A

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**Narrative Continued**

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description, the tube was lifted approximately 9 to 15' in the air, where it became inverted, slamming him onto the water. Son was taken to shore. After returning home, son started coughing up blood with severe back pain.

(same day) Consumer took son Union Hospital in Terre Haute, IN, where a CT scan and an MRI was performed. Physician reviewed and son had sustained a mild concussion, bruising to lung, bruising to spleen and a possible fracture to T8 vertebra, which was later ruled out. Physician issued son with pain medication. Consumer was kept for 2 nights and was later discharged. Per physician, advised son 3 months of no contact sports.

Consumer feels the water tube presents a serious injury hazard.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

Name of respondent -



I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



7-31-06

Signature

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1. NAME OF RESPONDENT ██████████		2. PHONE NO. (HOME) (WORK) ██████████ unknown	
3. STREET ADDRESS ██████████		4. CITY ██████████	ST ZIPCODE MN 56308
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY ██████████ Alexandria	ST ZIPCODE MN 56308
5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES Consumer feels the kite tube presents a serious injury hazard.			

- cont -

6. DATE OF INCIDENT (S) 06/27/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 17 Y/M AND DESCRIBE INJURY see narrative MFR/PRVLR NOTIFIED COMMENTS: YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED: <input type="checkbox"/>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP self self
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9. DESCRIPTION OF PRODUCT 10' kite tube	<input checked="" type="checkbox"/> EXCISIONS/FOIA Ex. 25c <input checked="" type="checkbox"/> Revisions <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY	10. BRAND NAME Sportsstuff Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff Wego Kite Tube unknown unknown 866-831-5524 unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# 53-5000 DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE Stubs Marine unknown Alexandria, MN unknown
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ISSUE 41  
07/14/2006

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/27/2006 AGE 1 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
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17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? maybe	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? NO
--	---	--

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/13/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670111A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/13/2006

**CONSUMER PRODUCT INCIDENT REPORT**

Region: WESTERN

**H0670111A**

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**Narrative Continued**

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180 lb., 6'1 tall, consumer was riding the kite tube while being pulled by boat at no more than 20 miles per hour, when a gust of wind lifted the kite tube approximately 45 to 50' up in the air, and turning the kite tube to its side. Consumer was "shot down" into the water. Consumer experienced temporary loss of breath and began bleeding from his mouth and nose. Consumer rested on boat to regain breath while in severe pain. Consumer returned back home.

The following day, consumer visited Douglas County Clinic where ER staff performed a CT scan and an x-ray. Physician, Dr. Dittburner, reviewed the CT scan and x-ray and determined consumer sustained a partially collapsed and punctured lung with a bleb of air that was squeezed out. Physician scheduled consumer f follow-up CT scan and advised consumer to stay off his feet. Consumer was discharged same day.

06/29/2006 Consumer suddenly started coughing up blood.

06/29/2006 Consumer visited ER at Douglas County Hospital where ER physician, Dr. Begheler, reviewed CT scan, performed by ER staff, where he determined consumer experienced increased air around lung and a lot of internal bruising. Consumer was given medication by IV. Physician explained that if the air does not subside, they will need to have it surgically removed. Consumer was discharged same day.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

A large, dark, irregularly shaped redaction mark covers the signature area.

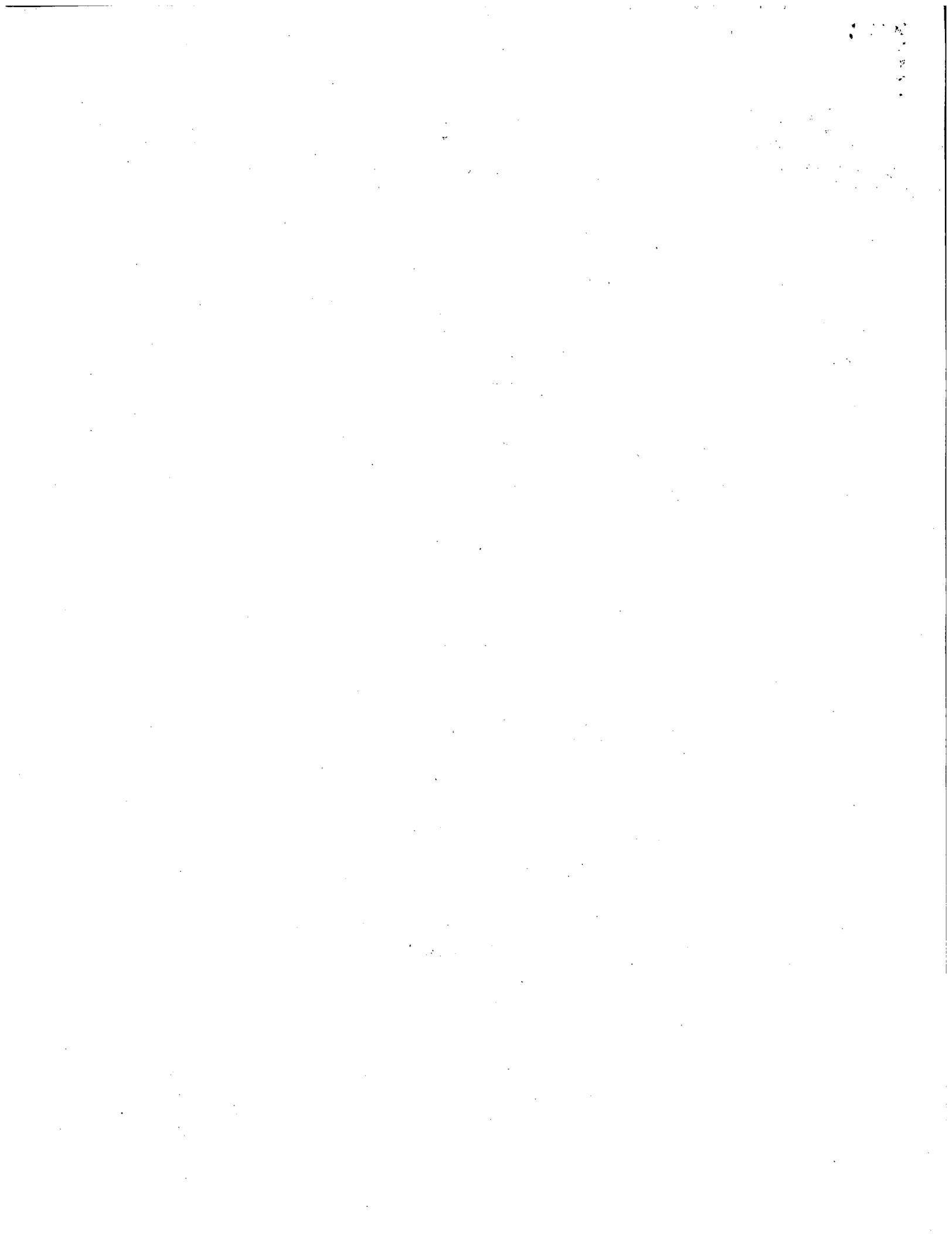
Signature

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT ██████████	2. PHONE NO. (HOME) (WORK) ██████████ ██████████
3. STREET ADDRESS ██████████	4. CITY ST ZIPCODE Somers CT 06071
4a. EMAIL ADDRESS	4b. INCIDENT CITY ST ZIPCODE Somers CT 06071

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube appears to be under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT(S) 07/09/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 14 Y/M AND DESCRIBE INJURY injured neck  MFR/PRVLR NOTIFIED COMMENTS: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED EXCISIONS/FOIA Exs. <u>25c</u> Revisions <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME unknown RELATIONSHIP son
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego
--	------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'S, DATE OF MFR M# unknown, DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE West Shore Marina unknown unknown 860-267-1764
--	---	---

ISSUE 42  
07/19/2006

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 07/08/2006 AGE 1 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Only kite as high as you're willing to fall.
---	---	--

17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
---	---	--

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/18/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670155A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/18/2006

100

**CONSUMER PRODUCT INCIDENT REPORT**

Region: EASTERN

**H0670155A****Narrative Continued**

Consumer believes kite tube poses a risk of injury.

5'4" tall, 120 lb. son was riding kite tube being pulled by boat at between 20 to 25 MPH. Son was coming down from the air (height unknown) and landed in the water when he suddenly fell onto the kite tube and injured his neck. Rx at home.

5'11" tall, 180 lb. husband was riding kite tube being pulled by boat at approximately 30 MPH. Husband was approximately 1' in the air when he was blown off of kite tube. Husband landed in water on his side and injured the right side of his body.

Consumer took husband to the ER at Backus Hospital in Norwich, CT where he was examined by physician (name unknown). Physician told consumer that the ribs on his right side were severely bruised. Physician prescribed pain killers and told husband that the bruising will heal on its own.

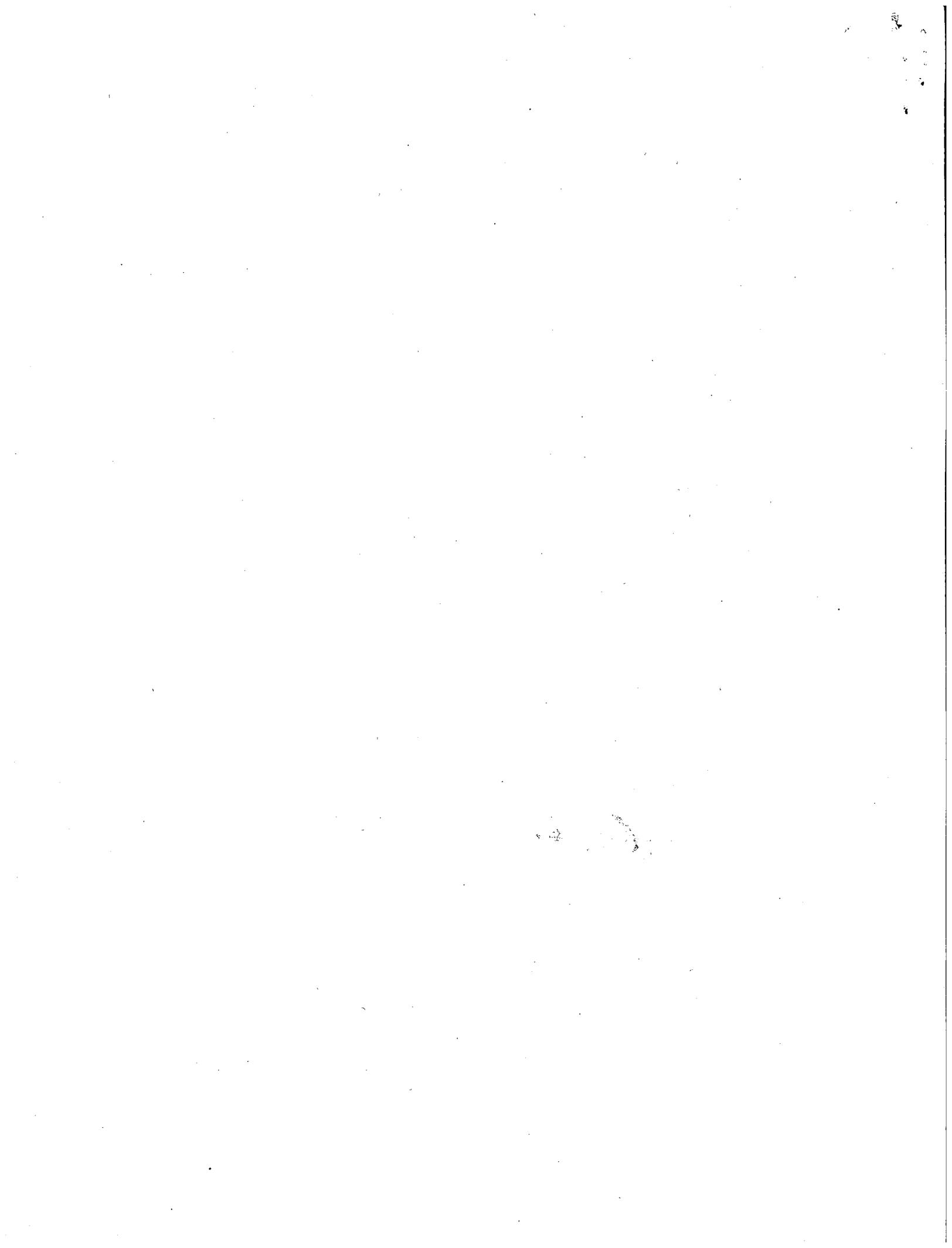
7/13/2006 Consumer contacted the manufacturer and explained the incident to rep., (name unknown). Rep., told consumer that there was a replacement program and to go online and pick out the products that she wanted. Consumer requested a refund of her money. Rep., told consumer that they were not offering refunds.

Vict #	Sex	Age	Name	Relationship
2	M	47 Y	Ricky Wylot	husband

Vict #	Victim Injury Description
2	bruised ribs

Distributor Phone #:

CPSC Source: INTERNET

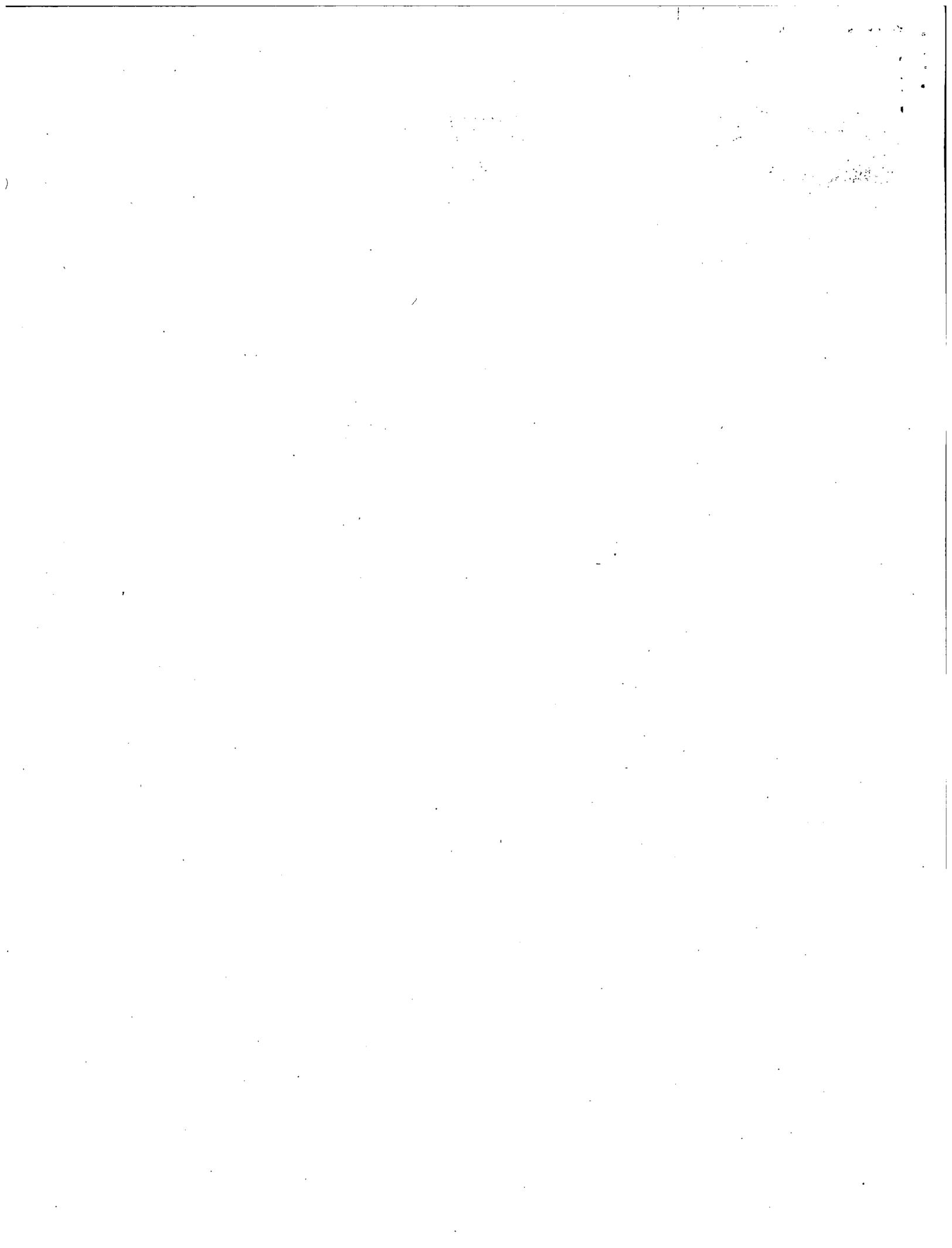


If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

 7/24/00  
Signature Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.



CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1. NAME OF RESPONDENT [REDACTED]		2. PHONE NO. (HOME) (WORK) [REDACTED] unknown	
3. STREET ADDRESS [REDACTED]		4. CITY [REDACTED]	ST ZIPCODE CA 93065
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY Simi Valley	ST ZIPCODE CA 93065

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 6'2" 170 lb., nephew was riding the kite tube as it was being pulled by boat, driven by consumer, at about 30 miles mph. While  
 - cont -

6. DATE OF INCIDENT (S) 06/27/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 45 Y/M AND DESCRIBE INJURY see narrative <i>Am 1/18/07</i>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
---------------------------------------	--	---

9. DESCRIPTION OF PRODUCT kite tube	COMMENTS: YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <i>25c</i> <small>Revisions</small> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY	10. BRAND NAME Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# unknown DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE The Anchor unknown Rasida, CA unknown
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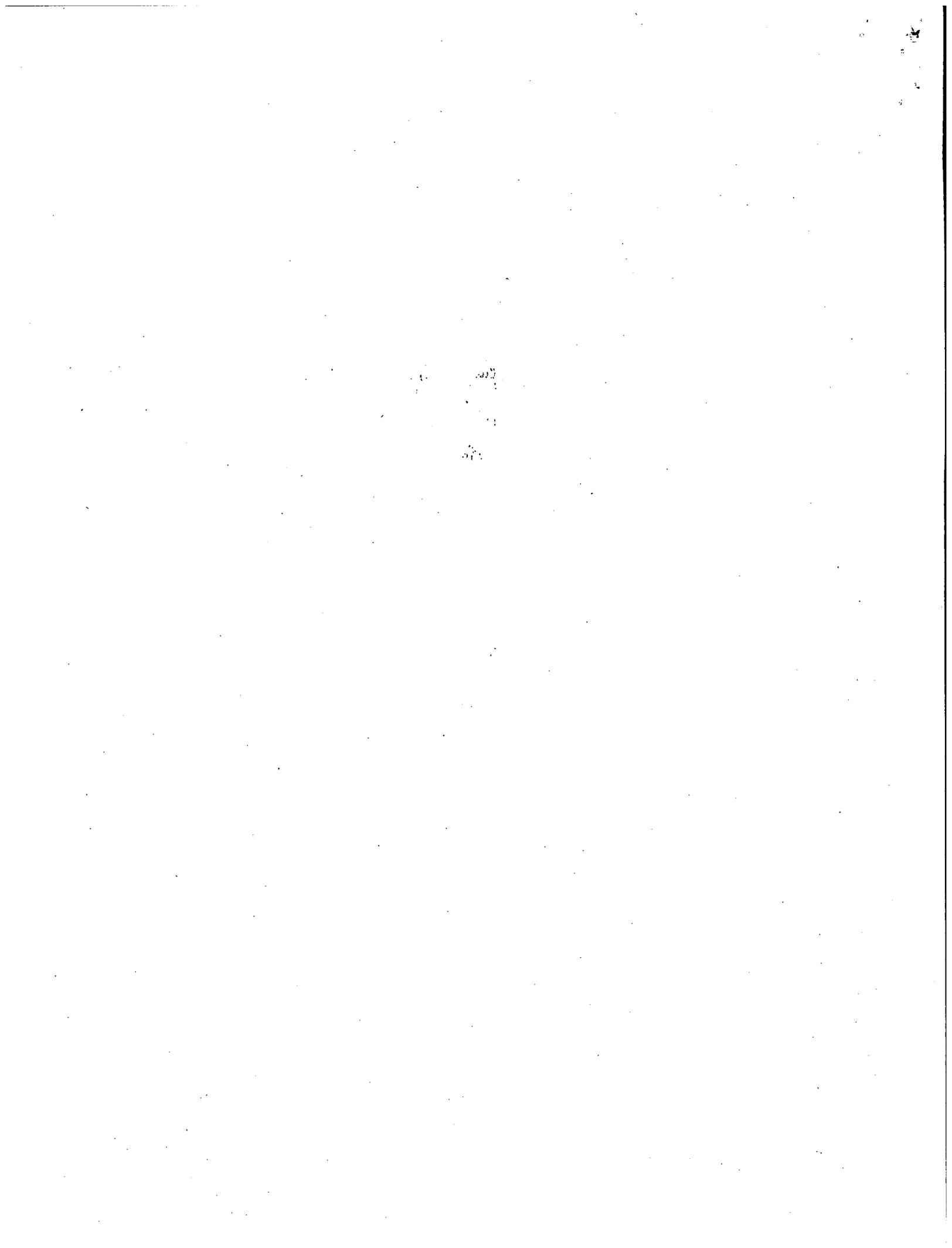
ISSUE 42  
07/20/2006

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 05/01/2006 AGE 1 M	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
--	--	---

17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
--	--	--

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/19/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670177A
23. FOLLOW-UP ACTION		24. PRODUCT CODE (S) 3200
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE myg 07/19/2006	



CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0670177A

Narrative Continued

approximately 15' to 20' in air, he caught a gust of wind. As consumer decreased the boat speed, the kite tube hit the water, and nephew was thrown off. Consumer returned and picked up nephew, who was in a state of shock and was spitting up blood.

Brother, who is a paramedic for the Los Angeles, CA fire dept. and sister, who is a registered nurse, and other 2 brothers, who were at the scene, are EMTs, examined nephew. Nephew's bleeding stopped on its own. No further treatment was needed.

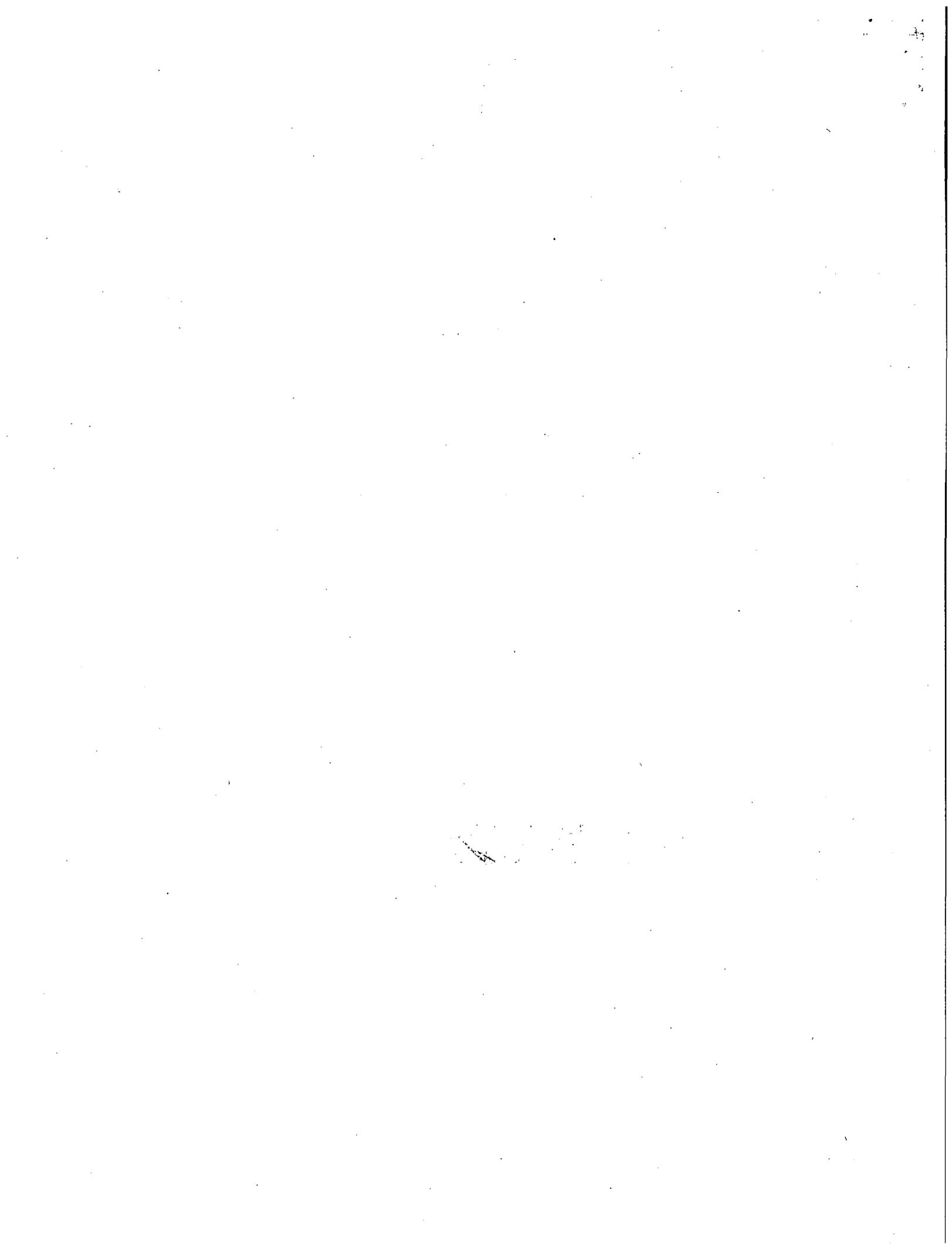
6/2006 180 lb., 5'8 tall, consumer was riding the kite tube, as it was being pulled by boat, driven by nephew, at about 30 miles per hour. As the kite tube reached approximately 20' high in air, he suddenly caught a gust of wind, taking the kite tube to one side and throwing consumer into water. Consumer experienced temporary loss of memory for a day and sustained a concussion. consumer was examined by Brothers and sister, who also kept close observation of consumer.

Vict #	Sex	Age	Name	Relationship
2	M	26 Y	Timothy M. Keane	nephew

Vict #	Victim Injury Description
2	see narrative

Distributor Phone #:

CPSC Source: DIRECTORY



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

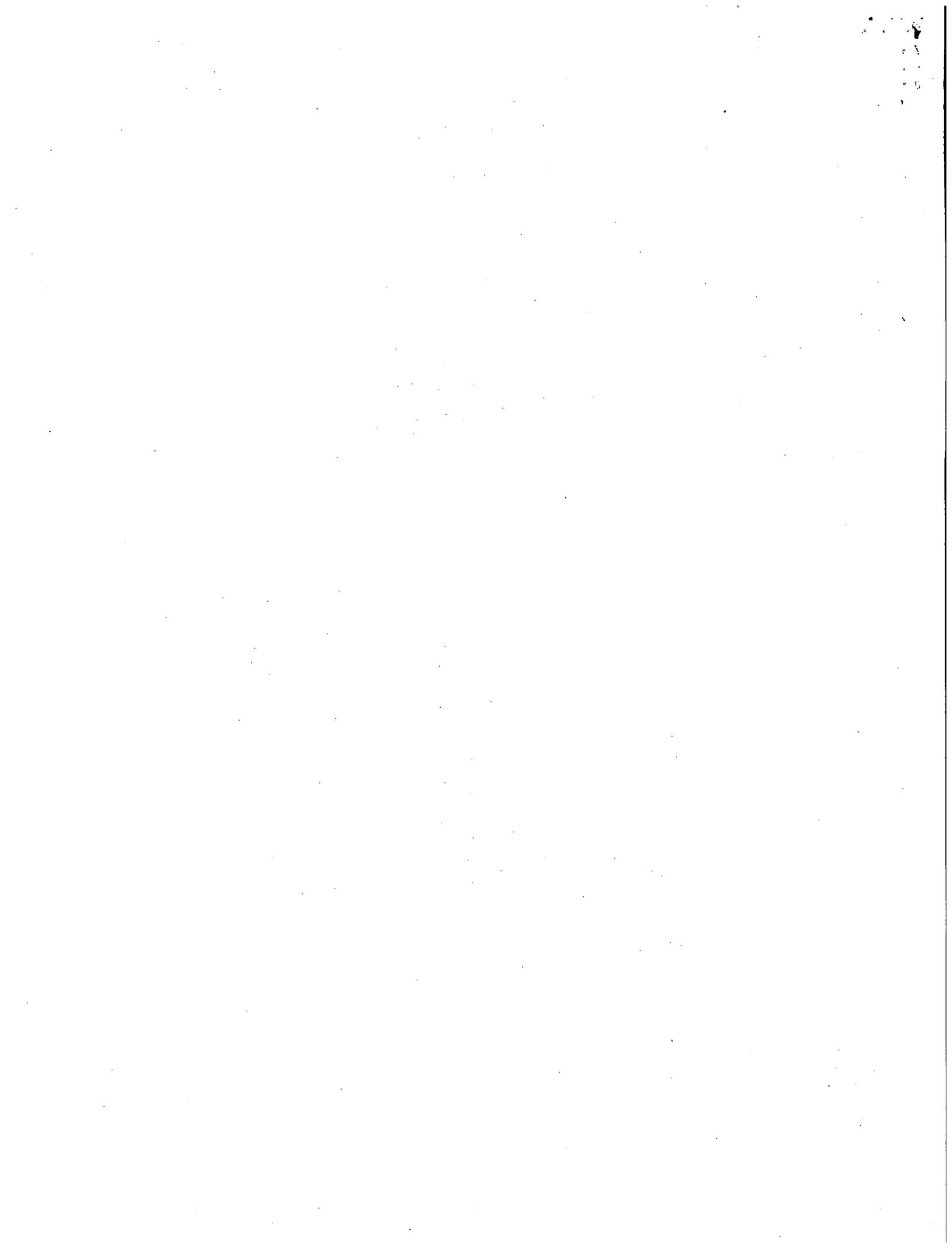
07-27-06

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT Nick Robertson		2. PHONE NO. (HOME) 317-507-7790	(WORK) 317-788-6340
3. STREET ADDRESS 5715 Churchman Avenue Suite N		4. CITY Indianapolis	ST ZIPCODE IN 46203
4a. EMAIL ADDRESS		4b. INCIDENT CITY Indianapolis	ST ZIPCODE IN 46203

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube is under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT(S) 07/15/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 18 Y/M AND DESCRIBE INJURY broken right collar bone <i>Am 1/18/07</i> <del>MFR PRIOR NOTIFIED</del> COMMENTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <del>OVERRULED</del> <input type="checkbox"/> ATTACHED	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME James Robertson RELATIONSHIP brother
--------------------------------------	---	--

9. DESCRIPTION OF PRODUCT kite tube  <input type="checkbox"/> EXCISIONS/FOIA Exe. <input type="checkbox"/> Revisions <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY	10. BRAND NAME Wego
--	------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff Inc. unknown unknown unknown unknown	12. MODEL, SERIAL #'s, DATE OF MFR M# 53-5000, DOM unknown	13. DEALER'S NAME, ADDRESS & PHONE Buster's Marine ebay dealer unknown unknown unknown
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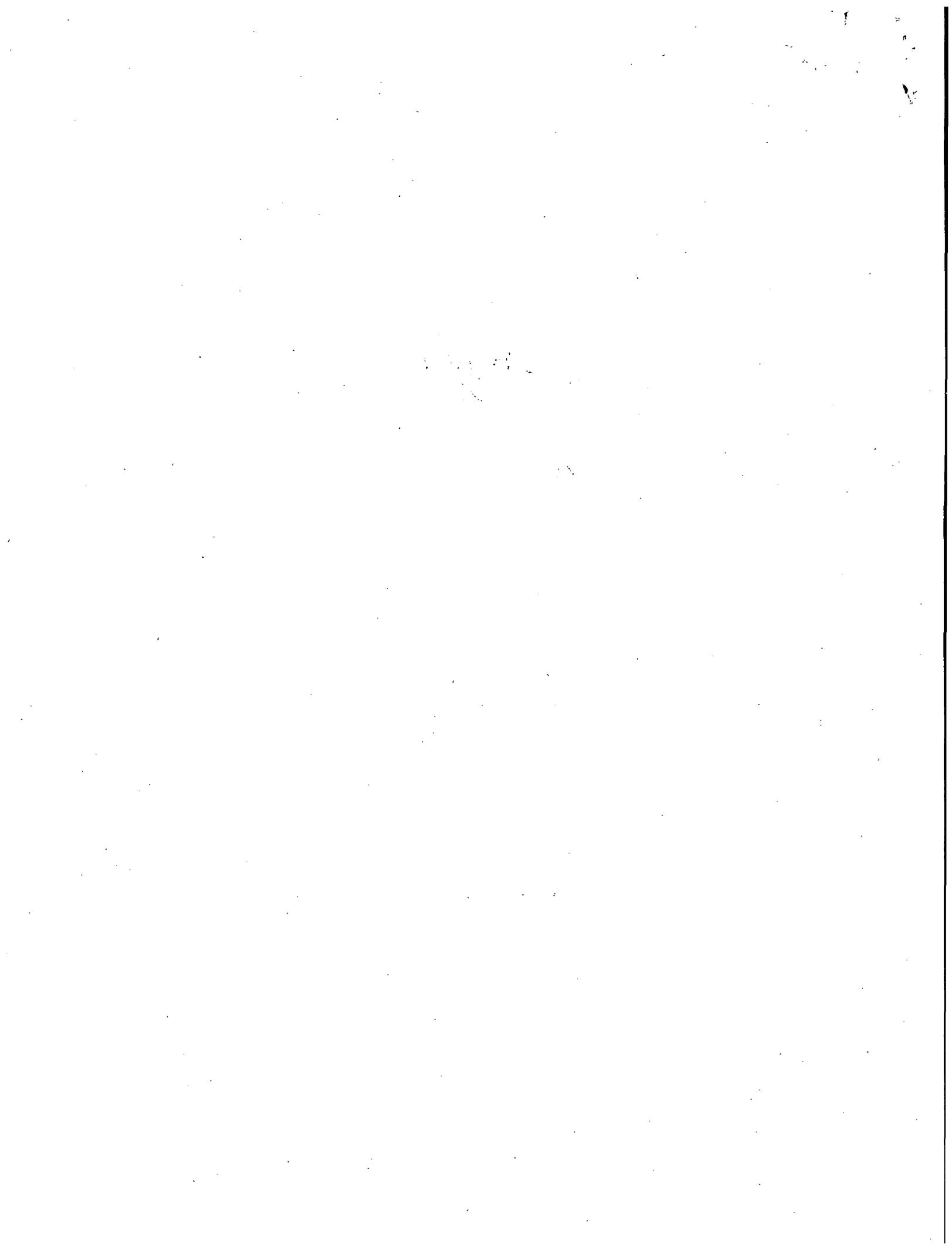
**ISSUE 43**  
**07/25/2006**

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 07/06/2006 AGE 9 D	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Never kite higher than you're willing to fall.
---	--	---

17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
--	--	---

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/21/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0670210A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 07/24/2006



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**Narrative Continued**

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Consumer believes kite tube poses a risk of injury.

6' tall, 155 lb. brother was riding kite tube being pulled by a boat going approximately 30 MPH. Brother was approximately 15-20' in the air when a gust of wind caused kite tube to flip over. Brother lost control of kite tube and fell into the water head and shoulder first. Consumer helped brother climb onto the boat and out of the water.

7/15/2006 Ambulance took brother to the ER at Bloomington Hospital in Bloomington, IN where he was examined by physician (name unknown). Physician told brother that his right collar bone was broken. Physician prescribed pain killers for brother and put his right arm into a sling.

7/19/2006 Consumer contacted the manufacturer and explained the incident to rep., (name unknown). Rep., offered consumer free manufacturer products. Consumer declined offer.

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**Distributor Phone #:**

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**CPSC Source:** CPO

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If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

*Neil Robertson*                      7-28-06  
Signature                                      Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT [REDACTED]		2. PHONE NO. (HOME) [REDACTED] (WORK) [REDACTED]	
3. STREET ADDRESS [REDACTED]		4. CITY [REDACTED]	ST ZIPCODE [REDACTED] 33556
4a. EMAIL ADDRESS unknown		4b. INCIDENT CITY Odessa	ST ZIPCODE FL 33556

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Consumer feels the kite tube presents a serious injury hazard.

- cont -

6. DATE OF INCIDENT (S) 05/14/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 50 Y/F AND DESCRIBE INJURY floater to right eye <i>Apr 18/07</i>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
---------------------------------------	--	---

9. DESCRIPTION OF PRODUCT kite tube	COMMENTS: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED <input type="checkbox"/> EXCISIONS/FOIA EXEMPTIONS <i>25c</i> Revisions DO NOT RE-NOTIFY <input checked="" type="checkbox"/> RE-NOTIFY <input type="checkbox"/>	10. BRAND NAME Wego Kite Tube
--	--	----------------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown	ISSUE 43  07/26/2006	12. MODEL, SERIAL #'s, DATE OF MFR M# 12063 DOM unknown
		13. DEALER'S NAME, ADDRESS & PHONE Overtons (internet purchase) unknown Greenville, NC unknown

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES IF YES, BEFORE OR AFTER THE INCIDENT? AFTER DESCRIBE: damage: see narrative.	15. PRODUCT PURCHASED NEW DATE PURCHASED 03/11/2006 AGE 2 M
16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown	

17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? NO IF NOT, ITS DISPOSITION discarded	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
---	---	--

FOR ADMINISTRATION USE

20. DATE RECEIVED 07/25/2006	21. RECEIVED BY (NAME & OFFICE) myg/HL	22. DOCUMENT NO. H0670234A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE myg 07/25/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670234A

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**Narrative Continued**

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113 lb., 5'1-2" tall, consumer was riding the kite tube on lake, while being towed by boat (speed unknown), driven by husband, who is a physician. As consumer was riding the kite tube, she suspects a gust of wind came through, lifting her and the kite tube approximately 20' high into air, which then plummeted into the water. Consumer said impact of water was to right side of her face. Consumer felt numbness to face, with light headache for the day.

Shortly after incident (within one or 2 days), in morning, consumer noticed a floater in her right eye.

05/15/2006 Consumer visited with ophthalmologist, Raymond Sever, for the Florida Eye Center in Tampa, FL, who examined consumer's eye and confirmed consumer she had sustained a floater in her right eye. Ophthalmologist indicated that the floater may be permanent.

Consumer poked a hole in kite tube to prevent further usage and discarded.

7/2006 Consumer became aware of CAP for NR# 06-210.

7/24/2006 Consumer called mfr. and explained incident to rep. (name unknown) who said due to consumer no longer having possession of the kite tube, she will need a "receipt of purchase" to receive a replacement.

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**Distributor Phone #:**

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**CPSC Source: DIRECTORY**

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If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0670234A

Narrative Continued

113 lb., 5'1-2" tall, consumer was riding the kite tube on lake, while being towed by boat (speed unknown), driven by husband, who is a physician. As consumer was riding the kite tube, she suspects a gust of wind came through, lifting her and the kite tube approximately 20' high into air, which then plummeted into the water. Consumer said impact of water was to right side of her face. Consumer felt numbness to face, with light headache for the day. □□

husband was driving a responsible Speed

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

Date

8-25-06

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

1. NAME OF RESPONDENT ██████████	2. PHONE NO. (HOME) (WORK) ██████████ unknown
3. STREET ADDRESS ██████████	4. CITY ST ZIPCODE ██████████ WI 54703
4a. EMAIL ADDRESS	4b. INCIDENT CITY ST ZIPCODE Oclair WI 54703

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
 The 6'3" tall, 215 lb., consumer was being pulled approx 20 miles per hour, when the tube became airborne. The tube hit the water  
 - cont -

6. DATE OF INCIDENT(S) 06/18/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 41 Y/M AND DESCRIBE INJURY broken right ankle <del>MFR/DIV/LBR NOTIFIED</del> COMMENTS: YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> <del>OVERRULED</del> <del>ATTACHED</del> EXCISIONS/FOIA Exs 25 Revisions <del>DO NOT RE-NOTIFY</del> <del>RE-NOTIFY</del>	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME self RELATIONSHIP self
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9. DESCRIPTION OF PRODUCT inflatable tube for water activity	10. BRAND NAME Wego Kite Tube
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11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown ISSUE 45 08/09/2006	12. MODEL, SERIAL #'s, DATE OF MFR unknown	13. DEALER'S NAME, ADDRESS & PHONE Shields Sporting Goods unknown Eau Claire, WI unknown
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14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/01/2006 AGE 2 M	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown
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17. HAVE YOU CONTACTED THE MANUFACTURER? NO IF NOT, DO YOU PLAN TO CONTACT THEM? yes	18. IS THE PRODUCT STILL AVAILABLE? NO IF NOT, ITS DISPOSITION The owner has the product.	19. MAY WE USE YOUR NAME WITH THIS REPORT? NO
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FOR ADMINISTRATION USE

20. DATE RECEIVED 08/08/2006	21. RECEIVED BY (NAME & OFFICE) mlj/HL	22. DOCUMENT NO. H0680061A
23. FOLLOW-UP ACTION		24. PRODUCT CODE(S) 3200
25. DISTRIBUTION	26. ENDORSER'S NAME & TITLE mlj 08/08/2006	

CONSUMER PRODUCT INCIDENT REPORT

Region: WESTERN

H0680061A

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**Narrative Continued**

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and became airborne a second time. When the tube hit the water the 2nd time, the consumer wrenched his right ankle. Both ankles were in the pockets of this tube, that are designated for the feet.

The consumer was taken to St. Joseph's Hospital, Chippewa Fall, WI. X-rays were taken and the consumer's right foot was placed in a temporary cast, because his right ankle was broken. The consumer was scheduled to see an orthopedic surgeon the following week.

The consumer saw the the orthopedic surgeon the following week and based on his x-rays, surgery was recommended. The consumer had surgery the following week.

The consumer plans to contact the firm at a later time.

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**Distributor Phone #:**

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**CPSC Source: INTERNET**

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If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

When the tube hit the water a second time it became airborne & took a hard dive to the right & the Right Side of the tube hit the water on its edge & threw me out, with my feet still in the pockets.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

 8-16-06  
Signature Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

1. NAME OF RESPONDENT ██████████	2. PHONE NO. (HOME) (WORK) ██████████ ██████████
3. STREET ADDRESS ██████████	4. CITY ST ZIPCODE ██████████ SC 29681
4a. EMAIL ADDRESS	4b. INCIDENT CITY ST ZIPCODE ██████████ SC 29681

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES  
Kite tube appears to be under recall for CAP NR#06-210.

- cont -

6. DATE OF INCIDENT (S) 07/02/2006	7. IF INJURY OR NEAR MISS, OBTAIN AGE/SEX 15 Y/M AND DESCRIBE INJURY laceration to liver; bruised lower right lung	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME not given RELATIONSHIP son
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9. DESCRIPTION OF PRODUCT kite tube	10. BRAND NAME Wego
--	------------------------

11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Sportsstuff unknown unknown unknown unknown  ISSUE 46  08/14/2006	12. MODEL, SERIAL #'S, DATE OF MFR M# unknown, DOM unknown
	13. DEALER'S NAME, ADDRESS & PHONE Sportsstuff unknown unknown unknown  <input checked="" type="checkbox"/> PR/PRVLR NOTIFIED COMMENTS: <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> EXCISONS/FOIA Ex. 25c Revisions <input checked="" type="checkbox"/> DO NOT NOTIFY <input type="checkbox"/> RECALL

14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? NO IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	15. PRODUCT PURCHASED NEW DATE PURCHASED 06/30/2006 AGE 2 D
	16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: unknown

17. HAVE YOU CONTACTED THE MANUFACTURER? YES IF NOT, DO YOU PLAN TO CONTACT THEM?	18. IS THE PRODUCT STILL AVAILABLE? YES IF NOT, ITS DISPOSITION with consumer	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES
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FOR ADMINISTRATION USE

20. DATE RECEIVED 08/11/2006	21. RECEIVED BY (NAME & OFFICE) emj/HL	22. DOCUMENT NO. H0680123A
23. FOLLOW-UP ACTION		24. PRODUCT CODE (S) 1200
25. DISTRIBUTION		26. ENDORSER'S NAME & TITLE emj 08/11/2006

CONSUMER PRODUCT INCIDENT REPORT

Region: EASTERN

H0680123A

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**Narrative Continued**

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Consumer believes kite tube poses a risk of injury.

5'7" tall, 140 lb. son was riding kite tube being pulled by a boat traveling approximately 30 MPH. Kite tube and son were approximately 20' in the air when the boat turned causing a gust of wind to take kite tube up an additional 10'. Kite tube flipped causing son to fall approximately 30' into the water on his right side. Son became unconscious and was floating face down in the water. Husband turned son over and son regained consciousness. Four people pulled son out of the water and slid him onto the back of the boat. Son was coughing up small amounts of blood. Husband contacted 911.

7/2/2006 Son was taken by ambulance to Oconee Memorial Hospital in Seneca, SC where he was examined and treated by physician (name unknown). Physician performed a CAT scan and took X-rays. Physician told husband that son had a laceration of the liver and a bruised lower right lung.

7/2/2006 Son was transferred to Greenville Memorial Hospital in Greenville, SC where he was observed for two days.

7/2006 Husband contacted the manufacturer and explained the incident to rep., (name unknown). Rep., told husband that they were not offering refunds and that they were only offering other merchandise.

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**Distributor Phone #:**

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**CPSC Source:** WOM

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If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

8/27/06

Date

- I request that you do not release my name.
- You may release my name to the manufacturer but I request that you not release it to the general public.
- You may release my name to the manufacturer and to the public.

07/10/2006 20:11:03

Name = [REDACTED]  
 Address = [REDACTED]  
 City = [REDACTED]  
 State = [REDACTED]  
 Zip = 56308  
 Email = [REDACTED]  
 Telephone = [REDACTED]  
 Name of Victim = [REDACTED]  
 Victim's Address = [REDACTED]  
 Victim's City = [REDACTED]  
 Victim's State = [REDACTED]  
 Victim's Zip = 56308  
 Victim's Telephone = [REDACTED]

**REF/PRVLR NOTED**  
 COMMENTS: YES  NO   
 OVERRULED:  ATTACHED   
 EXCISIONS/FOIA Exs. 25c  
 Revisions  
 DO NOT RE-NOTIFY  RE-NOTIFY   
*Jan 1/18/07*

Incident Description: While using the Wego Kitetube Tyler was violently thrown into the water from an estimated height of 15 to 20 feet the boat speed was approximately 15 mph. He landed on his back and was unable to respond for approximately 30 to 45 seconds. He was unable to stand and was in very severe pain. We took him to the emergency room of our local hospital and x-rays and CT scan and lab work. He did have blood in his urine and all other tests came back normal. He had very large bruises on his lower back from the impact. I believe that the speed of the boat in thier demonstration video in excess of the speed they recomend for the Kite tube. He was unable to get out of bed for 36 hours and after that amount of time he started to feel better. He still has some discomfort in his left rib area and lower back pain. We watched and followed the manufacturers DVD. This product is very unsafe and even on calm days without a gust of wind is very unpredictable. We are very thankful that Tyler is doing as well as he is but I fear for the people who purchase and use this kitetube not knowing the dangers that it presents. If any further information is needed from us feel free to contact me Lee Ostendorf at work 320-763-4111. Home 320-762-8540. Thank-you for your help. Regards Lee Ostendorf

Victim's age at time of incident = 15  
 Victim's sex = Male  
 Date of incident = 6-27-06  
 Product involved = Wego Kitetube  
 Product brand name/manufacturer = Wego  
 Manufacturer street address = Sportstuff Inc. 11213 E Circle Suite A Omaha, NE 68137  
 Place where manufactured (City and State or Country) =  
 Product involved still available = Yes  
 Product model and serial number, manufacture date = 53-5000  
 Date product purchased = 06-24-06  
 Name Release = Release name to manufacturer only

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

7-20-06

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

Doc No: I0670217A

Issue: 41

07/14/2006

07/12/2006 16:08:04

Name = Sonja Witt  
Address = POB 295  
City = Palmer  
State = Texas  
Zip = 75152  
Email = sonjawitt@247365.com  
Telephone = 9728462901  
Name of Victim = Zack Witt  
Victim's Address = PO Box 295  
Victim's City = Palmer  
Victim's State = Texas  
Victim's Zip = 75152  
Victim's Telephone = 9728462901

MEMBER NOTIFIED

COMMENTS: YES  NO   
OVERRULED: ATTACHED

EXCISIONS/FOIA Exs.   
Revisions

DO NOT RE-NOTIFY  RE-notify

*Am 1/18/07*

Incident Description: I was driving the boat, and pulling my son on the Wego Kite Tube. He was in the air at varying heights and stable for a while. A sudden gust of wind caused the tube to rise, then rotate right, catapulting my son into the water. It appeared that he was approximately 30-35 feet in the air. The impact knocked the air out of him. He got back into the boat, with bruises already visible on his back and complaining of pain in his back and left leg. He was taken by ambulance to a local hospital, and then careflighted to Baylor Hospital in Dallas. It was later determined that he had fractured three vertebrae. We are blessed that there was no spinal cord involvement, and he is expected to make a full recovery. He was wearing a new neoprene life vest. It is my belief that he would have sustained more injuries had he been wearing the standard type life vest.

It is also my belief that these kite tubes are inherently dangerous. Neither the rider nor the driver can react quickly enough to changes in the wind direction or velocity nor shifting of the rider's weight nor boat direction or speed which adversely affects the tube. The tube is poorly designed and it is my sincere desire that they be taken off the market.

Victim's age at time of incident = 14  
Victim's sex = Male  
Date of incident = 7/1/06  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = Sportsstuff  
Manufacturer street address = www.sportsstuff.com  
Place where manufactured (City and State or Country) =  
Product involved still available = Yes  
Product model and serial number, manufacture date =  
Date product purchased = 5/7/06  
Name Release = Release name to the manufacturer and public

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

Sonya Witt  
Signature

7/17/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

Doc No: I0670223A

Issue: 41

07/14/2006

07/12/2006 18:26:40

Name = Quinn Eades  
Address = 6499 N Lakeshore Dr  
City = Shreveport  
State = Louisiana  
Zip = 71107  
Email = qeades@sport.rr.com  
Telephone = 318-309-8507  
Name of Victim = Quinn Eades  
Victim's Address = 6499 N Lakeshore Dr  
Victim's City = Shreveport  
Victim's State = Louisiana  
Victim's Zip = 71107  
Victim's Telephone = 318-309-8507

REFER/PRV/BR NOTIFIED

COMMENTS:  YES  NO

OVERRULED:  ATTACHED

EXCISIONS/FOIA Exs. \_\_\_\_\_  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Ann 1/18/07*

Incident Description: I was using the Wego Kite Tube on Cross Lake according to the instructions/video. I was about 15 feet off the water and wind hit the tube making it EXTREMELY unsteady. I hit the water so hard it knocked the breath out of me. I was in severe pain. We took the tube back and deflated it. I had to see a doctor twice. My doctor said I probably tore muscle or pulled the cartilage away from me ribs. This tube is highly dangerous and very unsteady. The video never states that. The manual does reference it, but to no great degree.

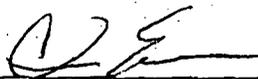
Victim's age at time of incident = 41  
Victim's sex = Male  
Date of incident = 06/08/06  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = Sportstuff  
Manufacturer street address = 11213 E Cir Suite A  
Place where manufactured (City and State or Country) = Omaha, NE 68137  
Product involved still available = Yes  
Product model and serial number, manufacture date =  
Date product purchased = 05/06  
Name Release = Release name to the manufacturer and public

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

As I stated I was on the wego kite tube on Cross Lake in Shreveport LA. I was approximately 15 Feet off the water when a gust of wind flipped the tube and slammed me into the water. I was in severe pain & could barely breath.

I took the tube back to shore. I took pain medication but that did not help. I saw a quick cure doctor and he took X-rays. He stated I had badly bruised ribs. He said if I did not feel better in 2 or 3 days to see my doctor and prescribed pain medication and muscle relaxers. After 5 days I was not better. I saw my doctor and he stated I probably tore muscle or tore cartilage away from my ribs he prescribed more pain killers and muscle relaxers. It was well over a month before I

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief. <sup>stopped being</sup> <sup>in pain</sup> whenever I moved.

  
Signature

7/17/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

Doc No: I0670258A

Issue: 42

07/17/2006

07/14/2006 14:27:20

Name = [REDACTED]  
Address = [REDACTED]  
City = [REDACTED]  
State = [REDACTED]  
Zip = [REDACTED]  
Email = [REDACTED]@m  
Telephone = [REDACTED]  
Name of Victim = [REDACTED]  
Victim's Address = 288 [REDACTED] NY  
Victim's City = [REDACTED]  
Victim's State = [REDACTED]  
Victim's Zip = 83642  
Victim's Telephone = 2 [REDACTED]

**REF/PRV/RR NOTIFIED**

COMMENTS:  YES  NO

OVERRULED:  ATTACHED

EXCISIONS/FOIA Exs. 25c

Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Am* 1/18/07

Incident Description: On Saturday July 8th 2006 Lisa was riding on a SportsStuff Wego KITE Tube on Saturday at Owyhee Reservoir. After about 1 minute she was trown from it. She sustained a broken back and 3 broken ribs

Victim's age at time of incident = 37  
Victim's sex = Female  
Date of incident = 07/08/2006  
Product involved = SportsStuff Wego KITE Tube  
Product brand name/manufacturer = SportsStuff  
Manufacturer street address = ???  
Place where manufactured (City and State or Country) = Omaha, Neb  
Product involved still available = Yes  
Product model and serial number, manufacture date = Wego Kite tube  
Date product purchased = ??  
Name Release = Do not release name

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

8/31/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

Doc No: I0670263A

Issue: 42

07/18/2006

07/14/2006 18:21:50

Name = David Meyer  
Address = 908 11th Avenue NE  
City = Aberdeen  
State = South Dakota  
Zip = 57401  
Email = itsallgreettome@abe.midco.net  
Telephone = 605-226-8101  
Name of Victim = David Meyer  
Victim's Address = 908 11th Avenue Northeast  
Victim's City = Aberdeen  
Victim's State = South Dakota  
Victim's Zip = 57401  
Victim's Telephone = 605-226-8101

**WFR/PRV/BR NOTIFIED**

COMMENTS:  YES  NO  
OVERRULED:  ATTACHED

EXCISIONS/FOIA Exs. \_\_\_\_\_  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Am 1/18/07*

Incident Description: Injury suffered while using the Wego Kite Tube. Was thrown while in the air and suffered a torn AC in the left shoulder.

Victim's age at time of incident = 34  
Victim's sex = Male  
Date of incident = 6/25/2006  
Product involved = Wego Kite Tube  
Product brand name/manufacture = Sportsstuff  
Manufacturer street address = 11213 E. Circle, Suite A  
Place where manufactured (City and State or Country) = Omaha, Nebraska  
Product involved still available = Yes  
Product model and serial number, manufacture date = Wego Kite Tube, Model #53-5000  
Date product purchased = June of 2006  
Name Release = Release name to the manufacturer and public

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

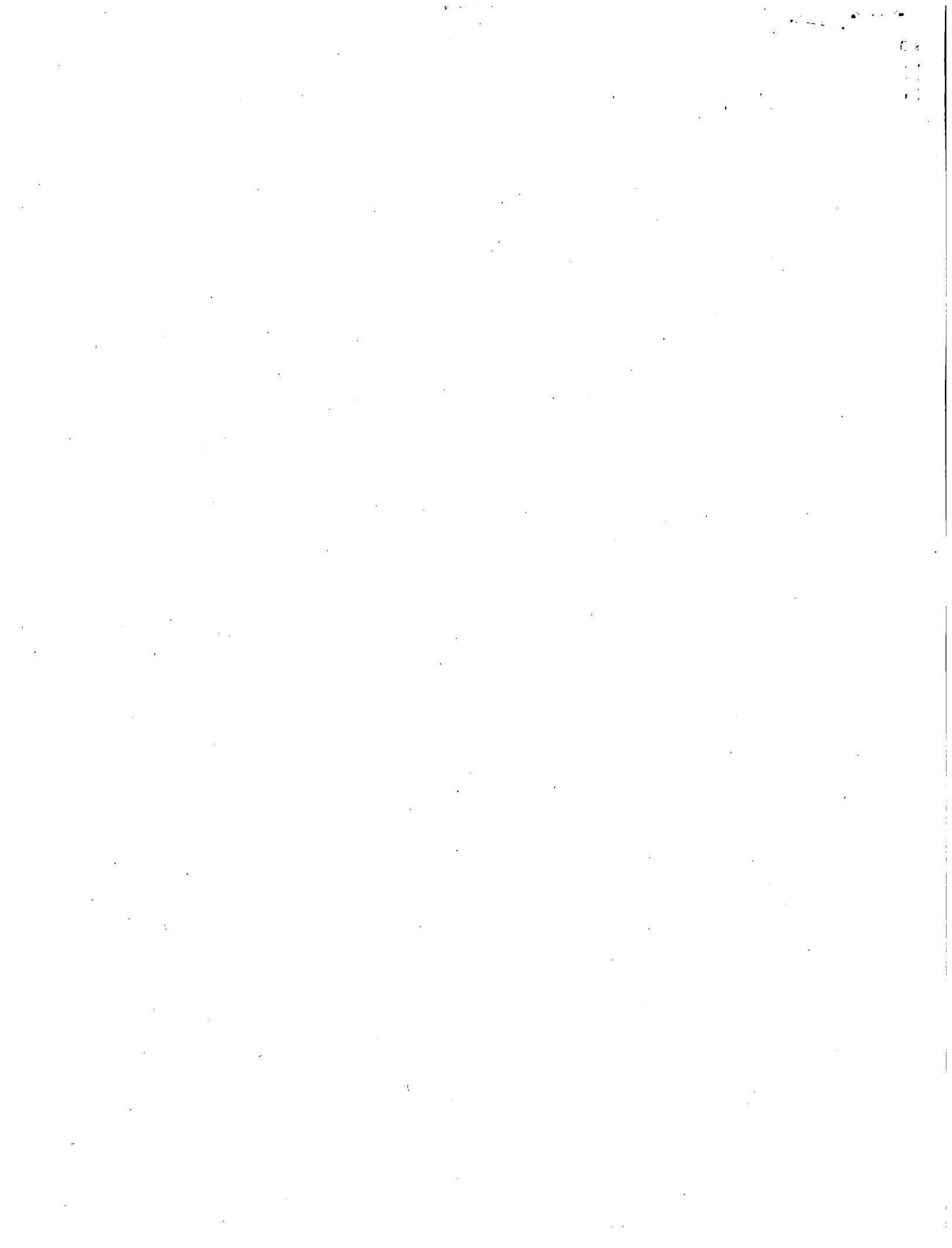
I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature DAVID MEYER Date 7-25-06

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



Doc No: **10670288A**

Issue: **42**

**07/18/2006**

07/15/2006 12:37:21

Name = mike little  
Address = 930 w blue ridge dr  
City = sanford  
State = Michigan  
Zip = 48657  
Email = mike.little@tds.net  
Telephone = 989-687-6933  
Name of Victim = mike little  
Victim's Address = 930 w blue ridge dr  
Victim's City = sanford  
Victim's State = Michigan  
Victim's Zip = 48657  
Victim's Telephone = 989-687-6933

**MPR/PRVLR NOTIFIED**

COMMENTS:  YES  NO  
OVERRULED:  **ATTACHED**

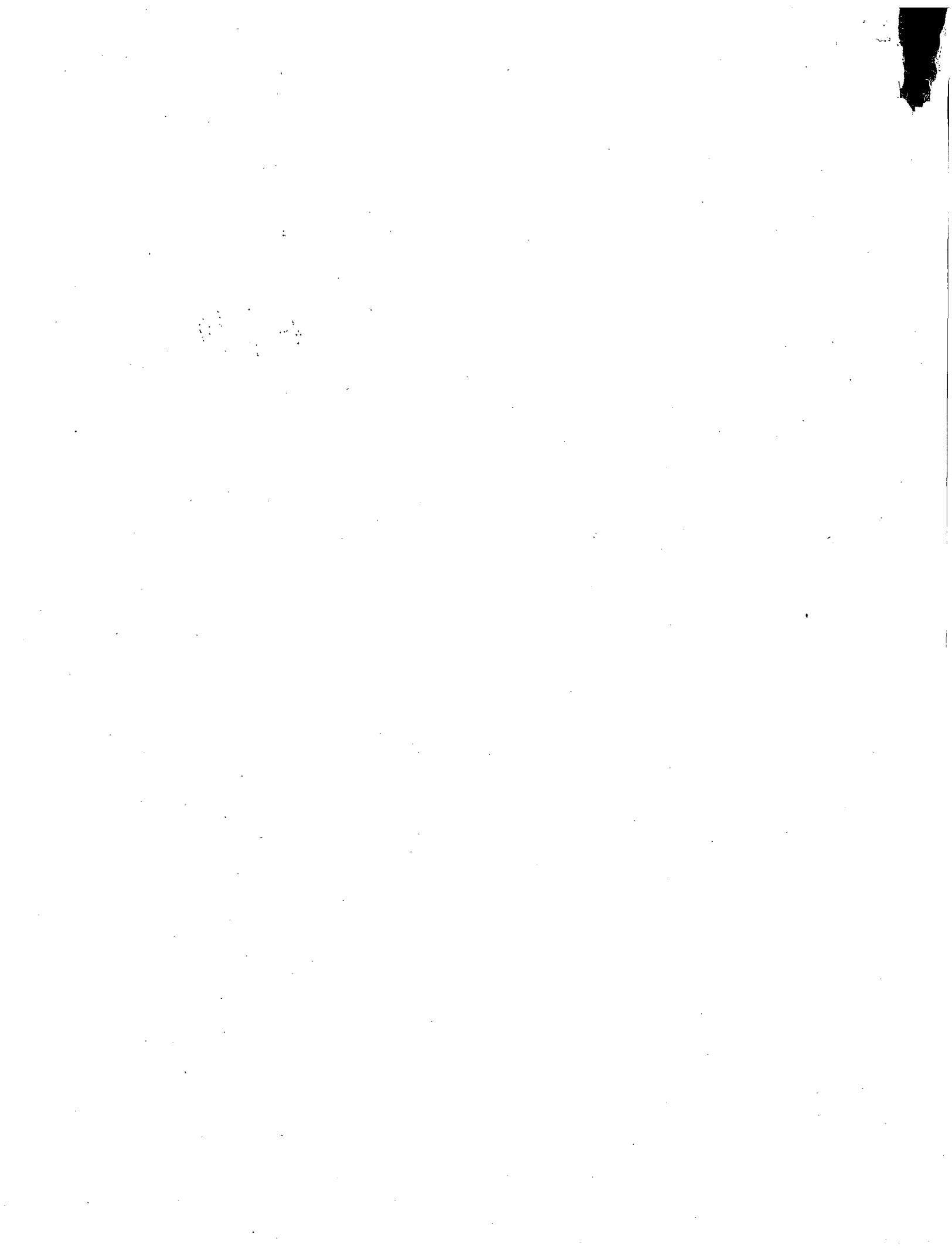
EXCISIONS/FOIA Exs.  
Revisions

**DO NOT RE-NOTIFY**  **RE-NOTIFY**

*Am 1/18/07*

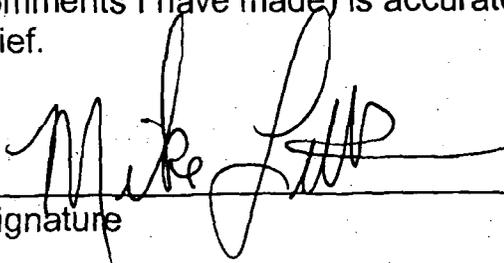
Incident Description: Wego Kite Tube crashed into water on top of victim. Victim sustained concussion and injury to neck, back and right leg.

Victim's age at time of incident = 50  
Victim's sex = Male  
Date of incident = 05/03/2006  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = Wego  
Manufacturer street address =  
Place where manufactured (City and State or Country) = omaha, ne  
Product involved still available = Yes  
Product model and serial number, manufacture date = wego kite tube  
Date product purchased = 4/3/2006  
Name Release = Release name to the manufacturer and public



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

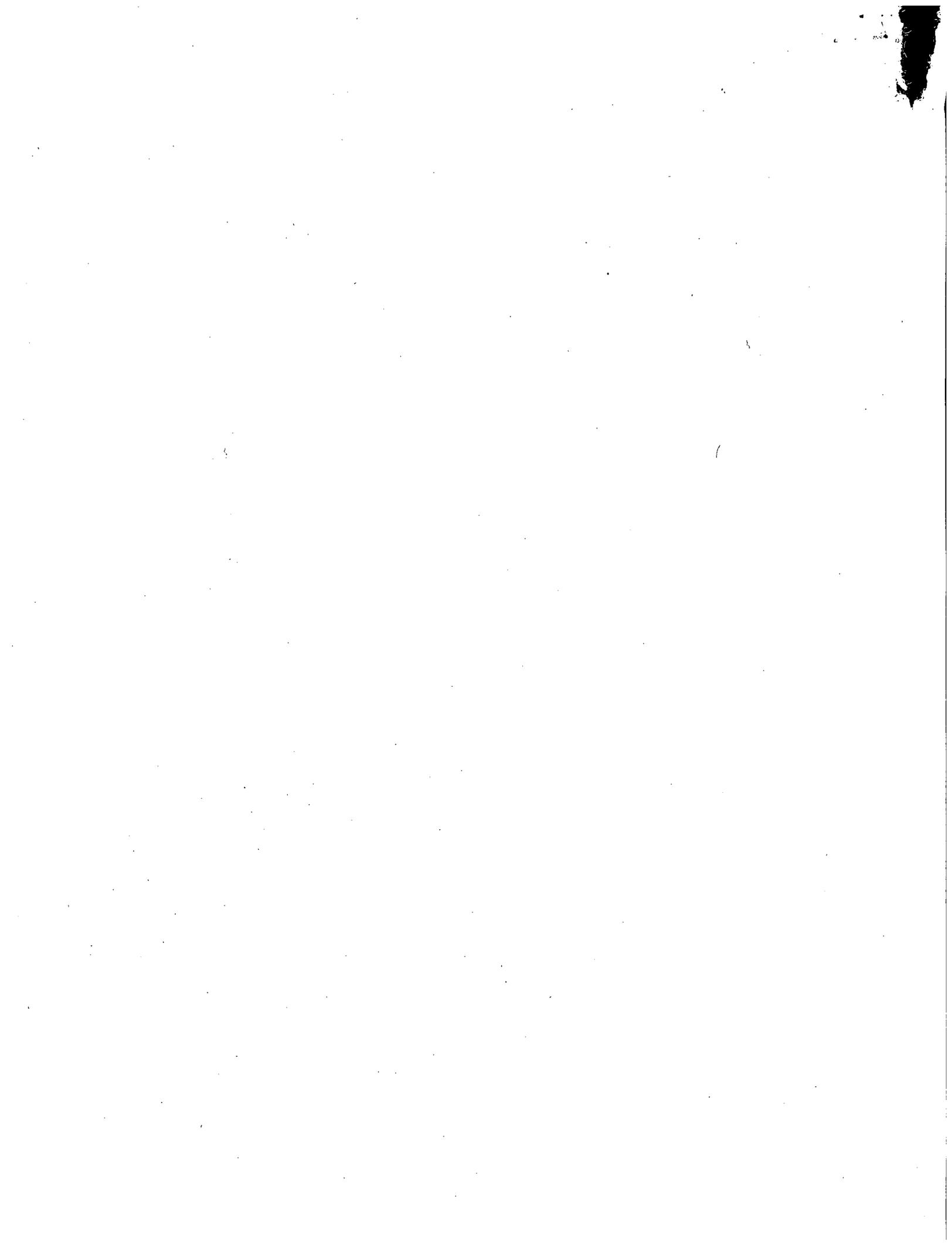
I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature \_\_\_\_\_ Date 7/30/06

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



Doc No: I0670304A

Issue: 42

07/18/2006

07/16/2006 20:03:31

Name = robert marlow  
Address = PO 83  
City = Lakeside  
State = Montana  
Zip = 59922  
Email = robzilla@yahoo.com  
Telephone = 6198517591  
Name of Victim = Robert Marlow  
Victim's Address = PO 83  
Victim's City = Lakeside  
Victim's State = Montana  
Victim's Zip = 59922  
Victim's Telephone = 6198517591

~~PRIVACY NOTIFIED~~

COMMENTS:  YES  NO  
 OVERRULED;  ATTACHED

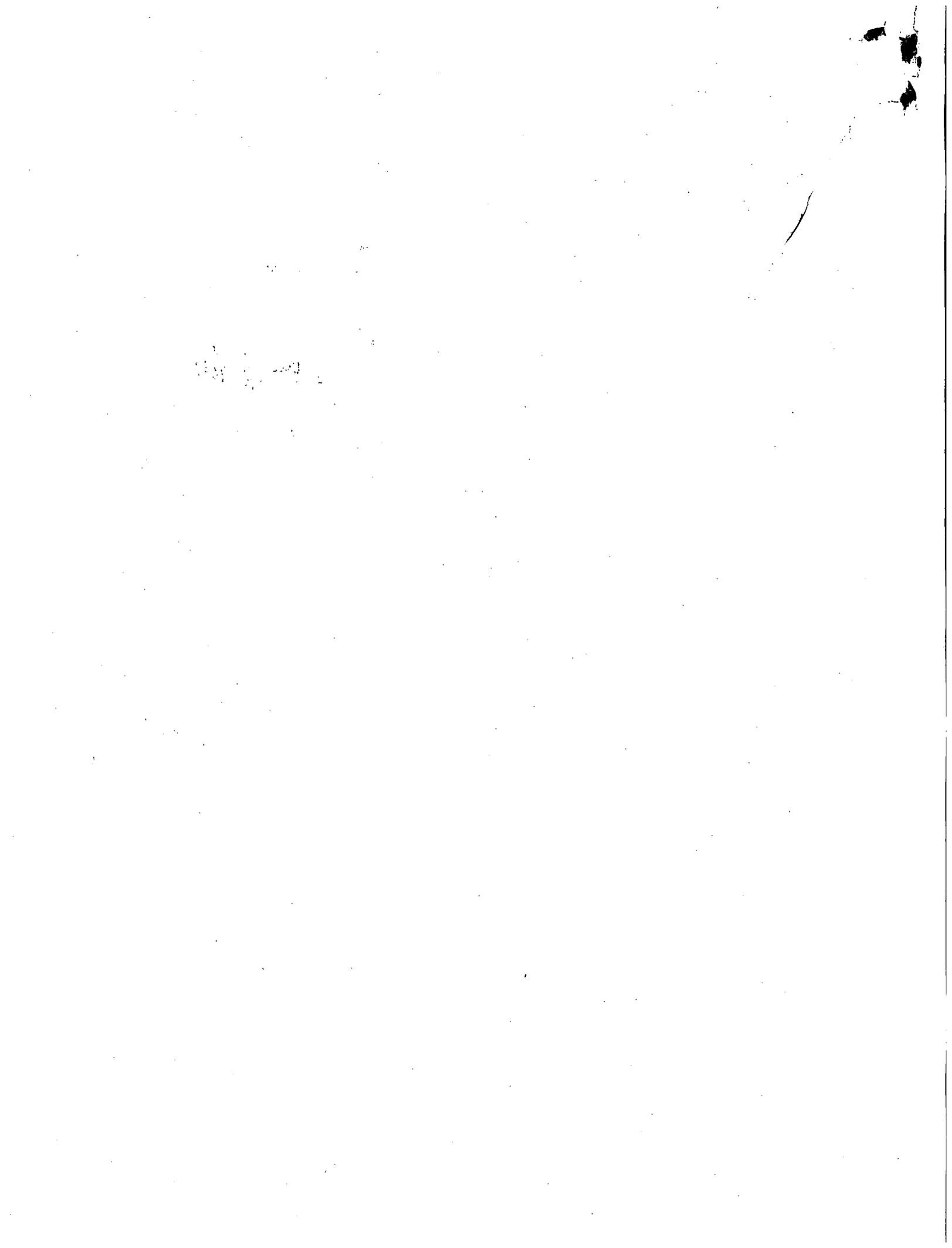
EXCISIONS/FOIA Exs. \_\_\_\_\_  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Jim 1/18/07*

Incident Description: While being towed on the Sportstuff Kite Tube, the tube sharply dove from an altitude of 15 feet uncontrollably. Tube then collapsed and threw the rider (Robert) into the air causing violent crash. The impact caused cracked and bruised ribs. Breathing difficulties and lung problems. Doctor claims 6 months to recover fully. I am unable to work, and unable to enjoy summer activities. The product did not perform as the manufacturer stated. The tube is very misleading and is dangerous.

Victim's age at time of incident = 43  
Victim's sex = Male  
Date of incident = 07092006  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = Sportstuff inc  
Manufacturer street address = 11213 E Circle Suite A  
Place where manufactured (City and State or Country) = Omaha, NE United States  
Product involved still available = Yes  
Product model and serial number, manufacture date = Wego Kite Tube  
Date product purchased = 07092006  
Name Release = Release name to the manufacturer and public



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

Robert A. Miller

Signature

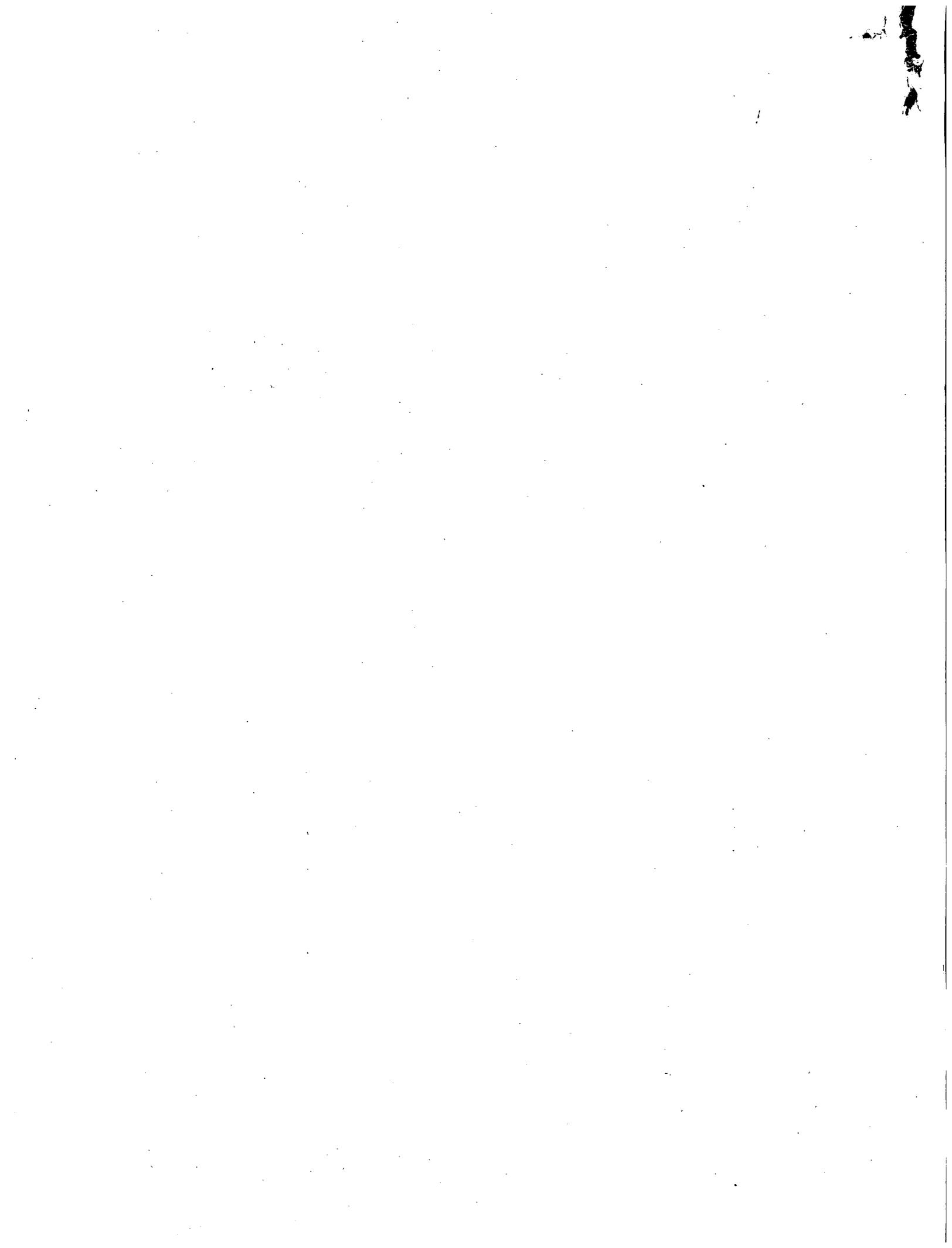
07/27/03

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



Doc No: I0680320A

Issue: 46

08/17/2006

08/15/2006 19:25:19

Name = Robert Beebe  
Address = 175 Old Mountain Rd. P.O. Box 203  
City = Marion  
State = Connecticut  
Zip = 06444  
Email = Putsz@sprintmail.com  
Telephone = (860)628-7516  
Name of Victim = Michael Beebe  
Victim's Address = 175 old Mountain Rd. P.O. Box 203  
Victim's City = Marion  
Victim's State = Connecticut  
Victim's Zip = 06444  
Victim's Telephone = (860)628-7516

**REF/PRV/LR NOTIFIED**

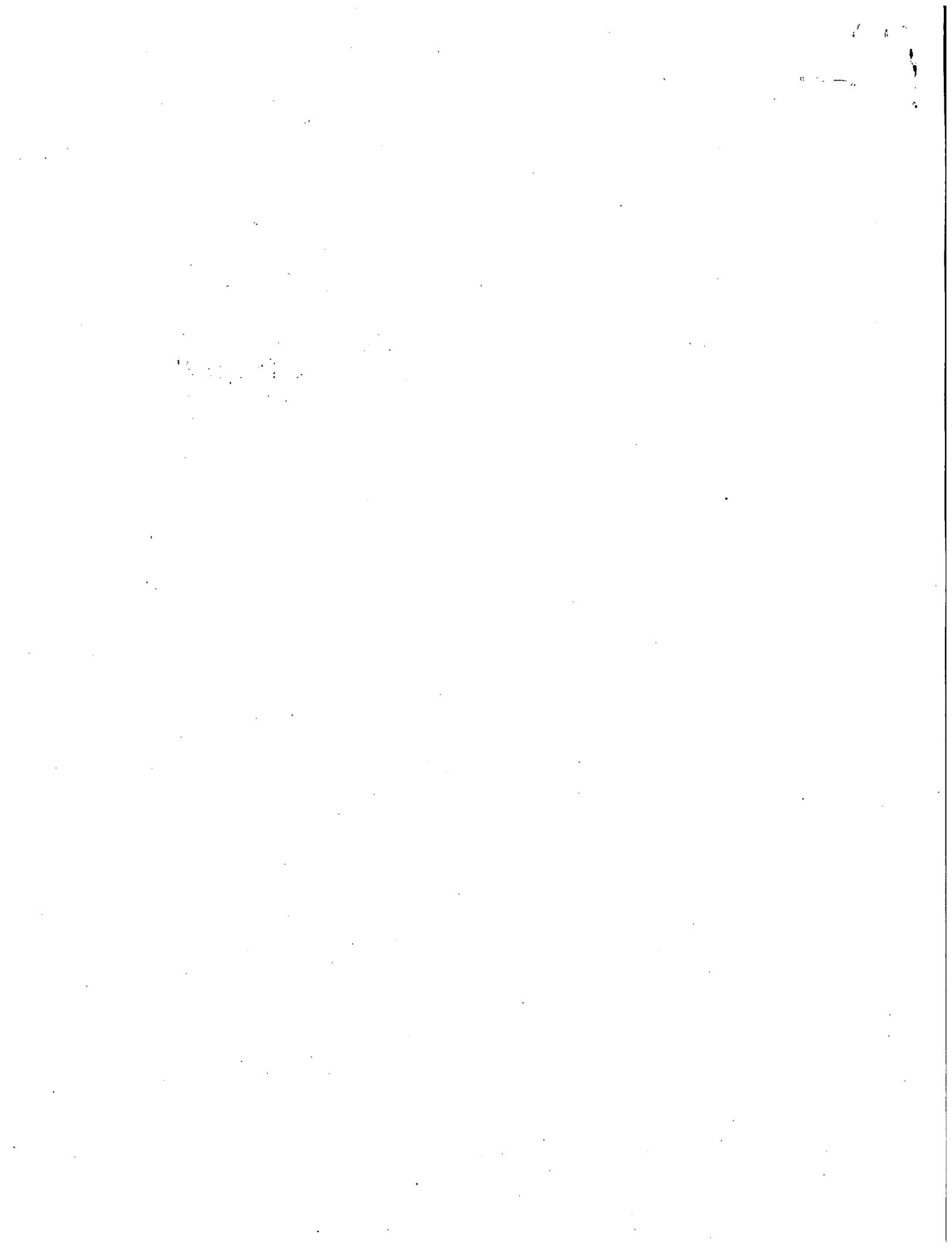
COMMENTS:  YES  NO  
OVERRULED:  ATTACHED

EXCISIONS/FOIA Exs. \_\_\_\_\_  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

Incident Description: My son went tubing on the " Sportsstuff Wego Kite Tube" . It took him up approximately 25 feet in the air and threw him off causing him to hurt his legs and ankle. The empty tube then shot down into the water and ripped the ski bar out of the boat. One of the heavy duty braces broke in half and the other bent. The ski pole ripped and broke the back seat, then smashed against the engine causing extensive damage to the boat. If some was sitting in the back seat, the injury could have been tragic.

Victim's age at time of incident = 18  
Victim's sex = Male  
Date of incident = 7/3/06  
Product involved = Sportsstuff Wego Kite Tube  
Product brand name/manufacturer = Sportsstuff  
Manufacturer street address = 11213 E Circle, Suite A  
Place where manufactured (City and State or Country) = Omaha, NE. 68137  
Product involved still available = Yes  
Product model and serial number, manufacture date = Wego Kite Tube #53-5000  
Date product purchased = 6/28/2006  
Name Release = Release name to the manufacturer and public



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature

8/22/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



07/17/2006 22:15:22

Name = [REDACTED]  
 Address = [REDACTED] Dr  
 City = [REDACTED]  
 State = [REDACTED]  
 Zip = 55421  
 Email = [REDACTED]  
 Telephone = [REDACTED]  
 Name of Victim = [REDACTED]  
 Victim's Address = [REDACTED]  
 Victim's City = [REDACTED]  
 Victim's State = [REDACTED]  
 Victim's Zip = 55421  
 Victim's Telephone = [REDACTED]

**REF/PRVLR NOTIFIED**  
 COMMENTS:  YES  NO  
 OVERRULED:  ATTACHED  
 EXCISIONS/FOIA Exs. 25c  
Revisions  
 DO NOT RE-NOTIFY  RE-NOTIFY

*Mu 1/18/07*

Incident Description: After reviewing the dvd and instructions I took my first ride on the Wego Kite Tube. After traveling about 200 yards on the water surface the tube started to rise above the water. It was impossible to control and bounced up off the water a few times until soaring ~30-40 feet in the air and then turned and plummeted into the lake. I had the wind knocked out of me and my back was extremely sore. Since then I have had limited flexibility and serious back pain resulting in a loss of sleep and restrictions on my activities. Since the condition did not improve over time I visited my Doctor, with Health Partners on 6/29/2006 for an exam where I was told to continue monitoring for improvement. To this day I still have limited mobility, trouble sleeping and have had to eliminate all athletic activities.

Victim's age at time of incident = 46  
 Victim's sex = Male  
 Date of incident = 6/15/2006  
 Product involved = Wego Kite Tube  
 Product brand name/manufacturer = SportStuff  
 Manufacturer street address =  
 Place where manufactured (City and State or Country) =  
 Product involved still available = Yes  
 Product model and serial number, manufacture date =  
 Date product purchased = From Boattube.com  
 Name Release = Do not release name



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

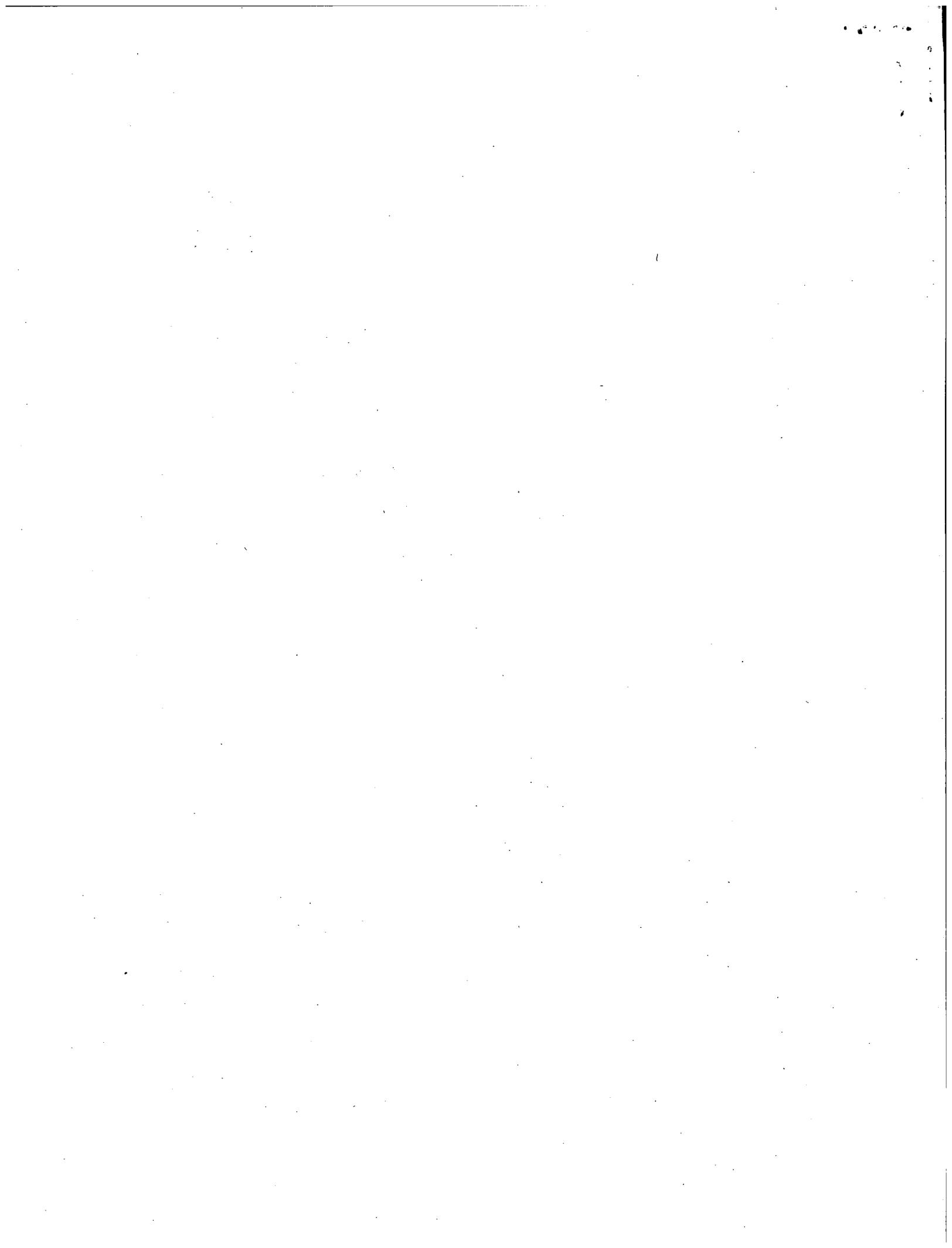
I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

  
Signature \_\_\_\_\_ Date 7/24/06

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



Doc No: I0670323A

Issue: 42

07/19/2006

07/17/2006 23:28:42

Name = Tracy Baublits  
Address = 5504 Valley Avenue East  
City = Fife  
State = Washington  
Zip = 98424  
Email = TBaub@aol.com  
Telephone = 253.926.1337  
Name of Victim = Tracy Baublits  
Victim's Address = 5504 Valley Avenue EAst  
Victim's City = Fife  
Victim's State = Washington  
Victim's Zip = 98424  
Victim's Telephone = 253.926.1337

~~REF/PRVLR NOTIFIED~~

COMMENTS:  YES  NO  
 OVERRULED;  ATTACHED

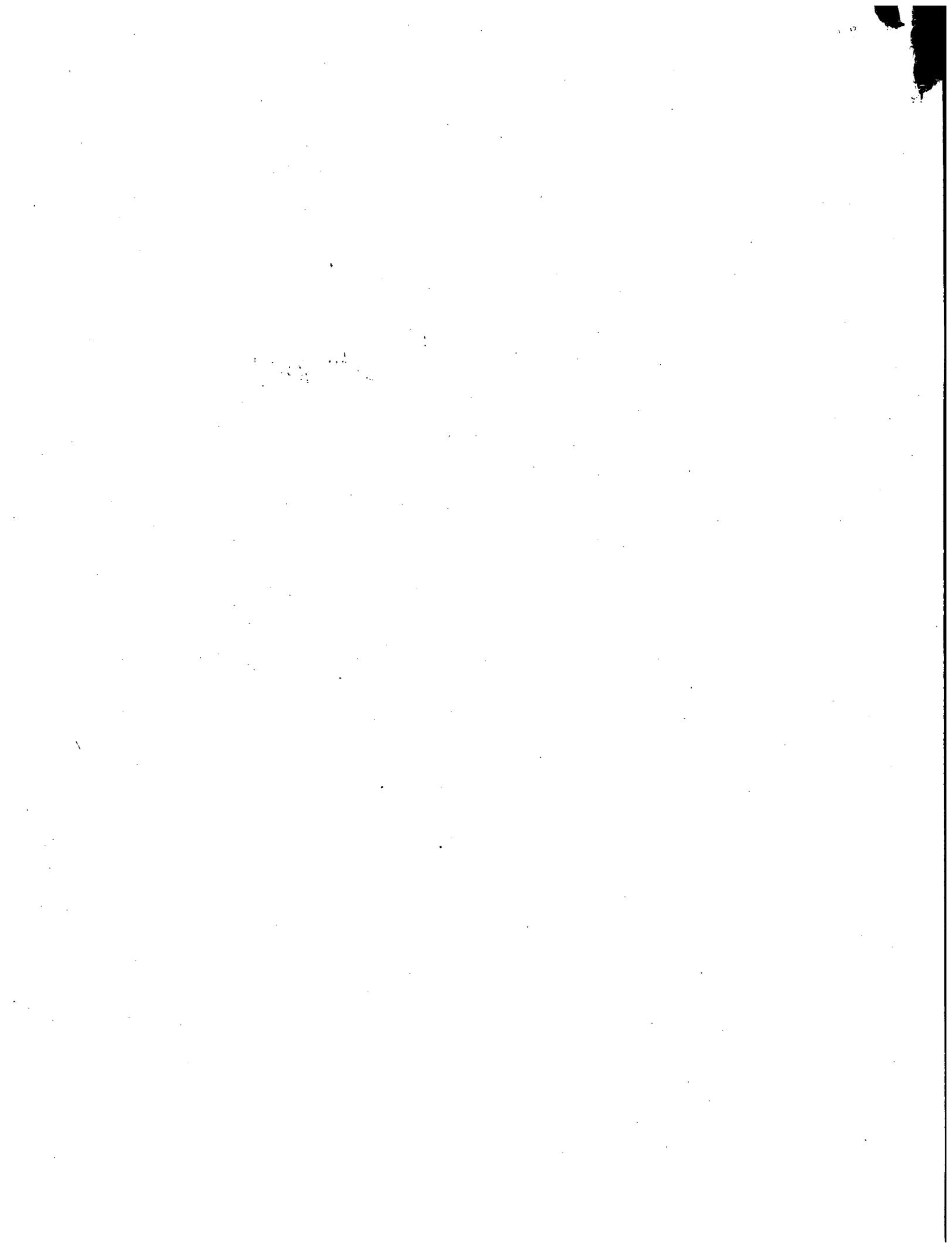
EXCISIONS/FOIA Exs. \_\_\_\_\_  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Apr 11/18/07*

Incident Description: On 7/1/06, while kiting on the intermediate rope length on the SportStuff WEGO, I suffered a concussion after falling from the WEGO kite tube from approx. 15 ft in the air. Upon impact (either with tube or water - still not sure) I was conscious, but unresponsive. Having had the breath knocked out of me very hard, I was having a hard time breathing. Once to shore, 911 was called & I was transported to St. Clare Hospital. After several hours of triage care there, it was decided to transport me to the Trauma Care Unit at St Joseph Hospital in Tacoma, Wa. The Trauma unit then admitted me to the ICU, where I stayed for 2 days before being discharged. Numerous tests were needed, since I had not been lucid for about 24 hours and was still in severe pain. An enlarged right heart, 2 dis-associated ribs, strained neck and a Grand Maul Siezure due to the closed head trauma. At one point in the ER, I also 'flat lined' for 20-30 seconds and also suffered a severe bruised hip & thigh. In other words, the whole right side of my body took the impact of my fall! 17 days later & I am just now back to work, only light duty, yet still in constant pain from my rib injury.

Victim's age at time of incident = 41  
Victim's sex = Male  
Date of incident = July 1, 2006  
Product involved = WEGO Kite Tube  
Product brand name/manufacturer = SportStuff  
Manufacturer street address = NE 11213 "E" Circle (A) Omaha, NE 68137 ...  
Place where manufactured (City and State or Country) = United States (?)  
Product involved still available = Yes  
Product model and serial number, manufacture date = Model 53-5000  
Date product purchased = April 2, 2006  
Name Release = Release name to manufacturer only



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

- I was unresponsive for an hour
- Also had Lower back pain and Neck pain
- About \$30,000.00 in Medical bills

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

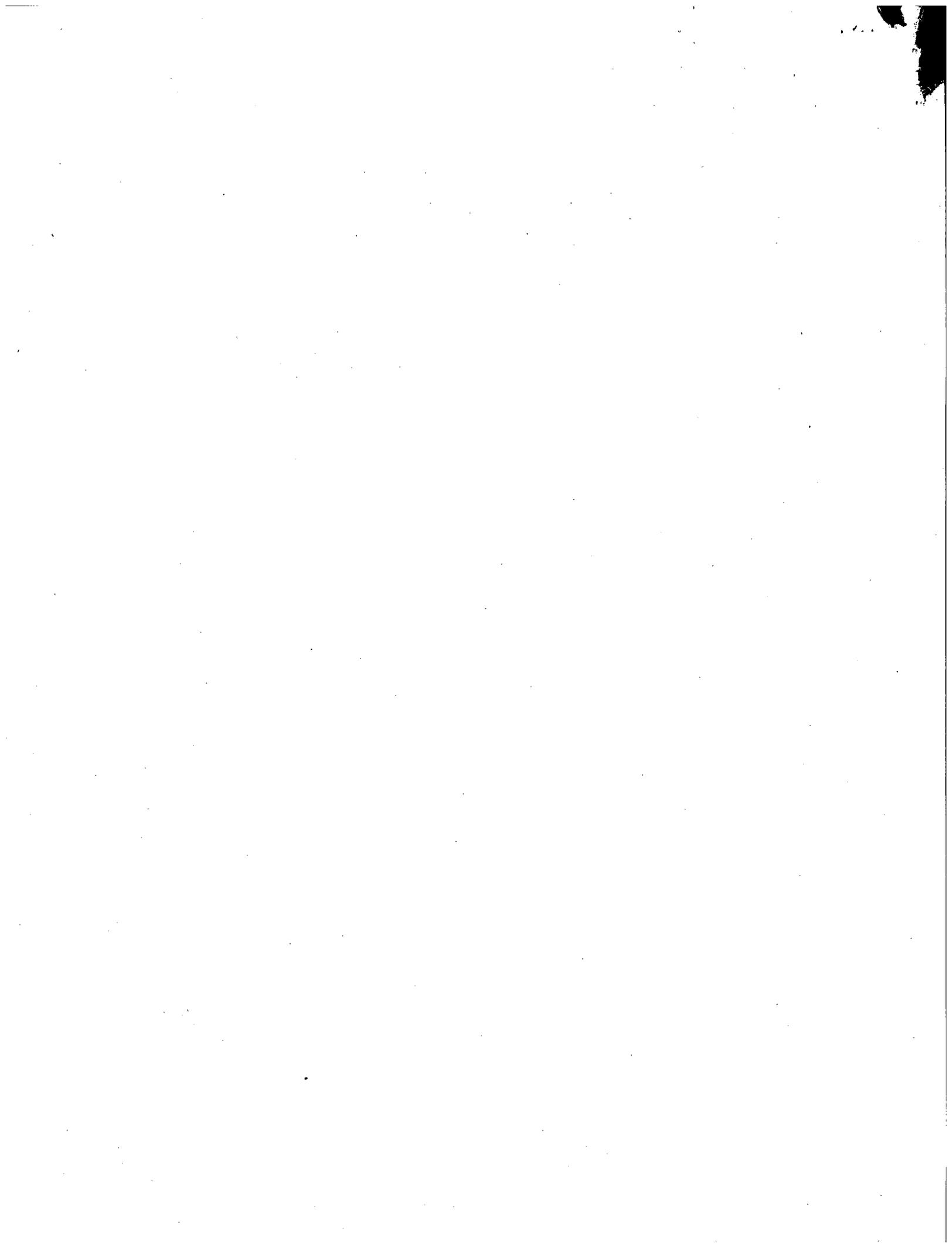
Dina Baulala  
Signature

8/3/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



Doc No: I0670325A

Issue: 42

07/19/2006

07/17/2006 18:29:58

Name = Mike Deeg  
Address = 5551 Choice Cut Ct  
City = Evansville  
State = Indiana  
Zip = 47720  
Email = iumad@excite.com  
Telephone = 812-963-5671  
Name of Victim = Abbey Deeg  
Victim's Address = 5551 Choice Cut Ct  
Victim's City = Evansville  
Victim's State = Indiana  
Victim's Zip = 47720  
Victim's Telephone = 812-963-5671

**MFR/PRVLR NOTIFIED**

COMMENTS:  YES  NO  
 OVERRULED;  ATTACHED

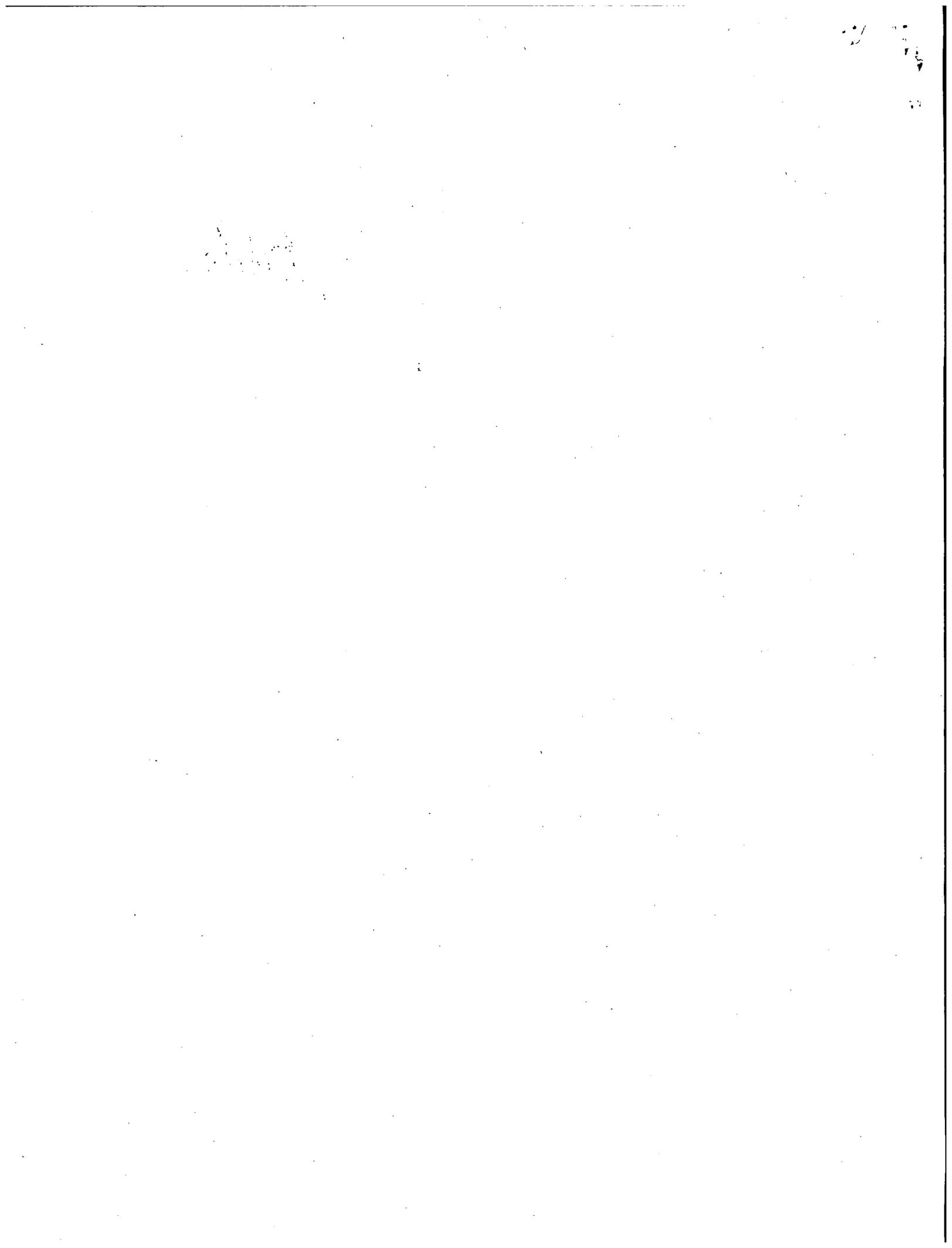
EXCISIONS/FOIA Exs.  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Jan 18/07*

Incident Description: Abbey was on tube and it climbed to approx. ten feet. It turned over in the air and she fell on her back. After seeking medical attention and getting her back x-rayed it was found that she has a compression fracture in her back.

Victim's age at time of incident = 23  
Victim's sex = Female  
Date of incident = 7-2-06  
Product involved = Sports Stuff Kite Tube  
Product brand name/manufacture = Sports Stuff  
Manufacturer street address = 11213 E Circle  
Place where manufactured (City and State or Country) = Omaha, Nebraska  
Product involved still available = Yes  
Product model and serial number, manufacture date = Wego Kite Tube  
Date product purchased = 6-1-06  
Name Release = Release name to the manufacturer and public



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

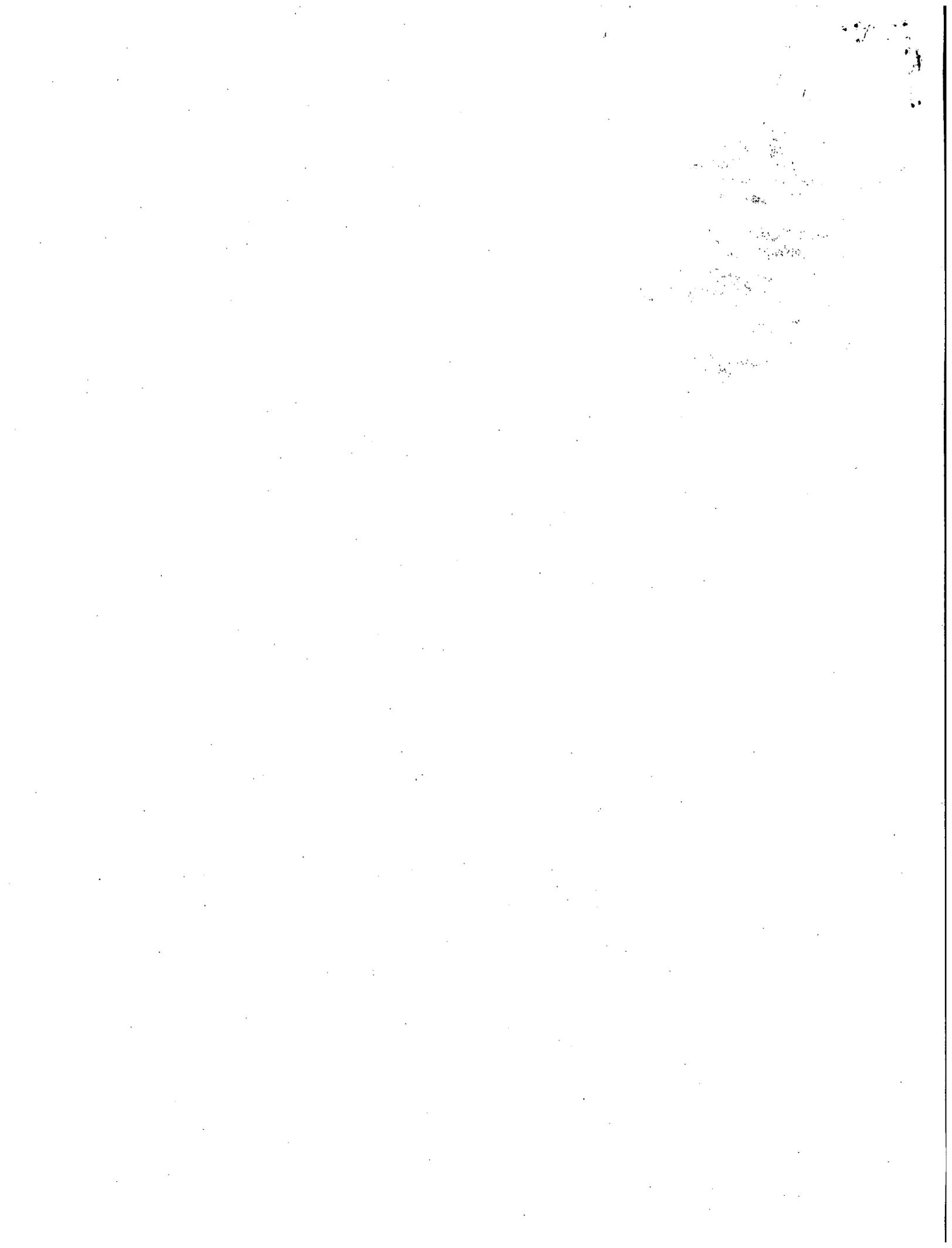
Michael A. Deeg  
Signature

7-24-06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



07/17/2006 18:33:08

Name = [REDACTED]  
 Address = [REDACTED]  
 City = [REDACTED]  
 State = [REDACTED]  
 Zip = 48237  
 Email = [REDACTED]  
 Telephone = [REDACTED]  
 Name of Victim = [REDACTED]  
 Victim's Address = [REDACTED]  
 Victim's City = [REDACTED]  
 Victim's State = [REDACTED]  
 Victim's Zip = [REDACTED]  
 Victim's Telephone = [REDACTED]

**REF/PRVLR NOTIFIED**

COMMENTS:  YES  NO  
 OVERRULED:  ATTACHED

EXCISIONS/FOIA Exs. 254  
 Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Apr 1/18/07*

Incident Description: My partner was severely injured on memorial day weekend on a Kite Tube. He fell from about 20 feet in the air and was knocked unconscious. Because of the water depth I couldn't perform proper cpr, so i proceeded to hit him in the back to get him to expell the water. He remembers being in the air and then does not remember anything until after he got to the hospital. He suffered a compressed neck. He bruised his abdomen, pelvis and groin. He tore his groin mucsle and the muscle from his neck to his shoulder. He was off work for 9 days and in a neck brace for weeks. Other then some reaccuring neck pain he has completely healed. I cant say how glad I am that you pulled this stupid product off the market. They forgot to mention on the box that you cant control wind velocity or air current. No thrill ride is worth a life. I promptly deflated the tube and threw it away.

Victim's age at time of incident = 33  
 Victim's sex = Male  
 Date of incident = 05/27/2006  
 Product involved = Water Tube  
 Product brand name/manufacturer = Sportstuff Wego Kite Tube  
 Manufacturer street address =  
 Place where manufactured (City and State or Country) = Omaha Nebraska  
 Product involved still available = No  
 Product model and serial number, manufacture date =  
 Date product purchased = March or April  
 Name Release = Release name to manufacturer only

44  
10/10/10

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature

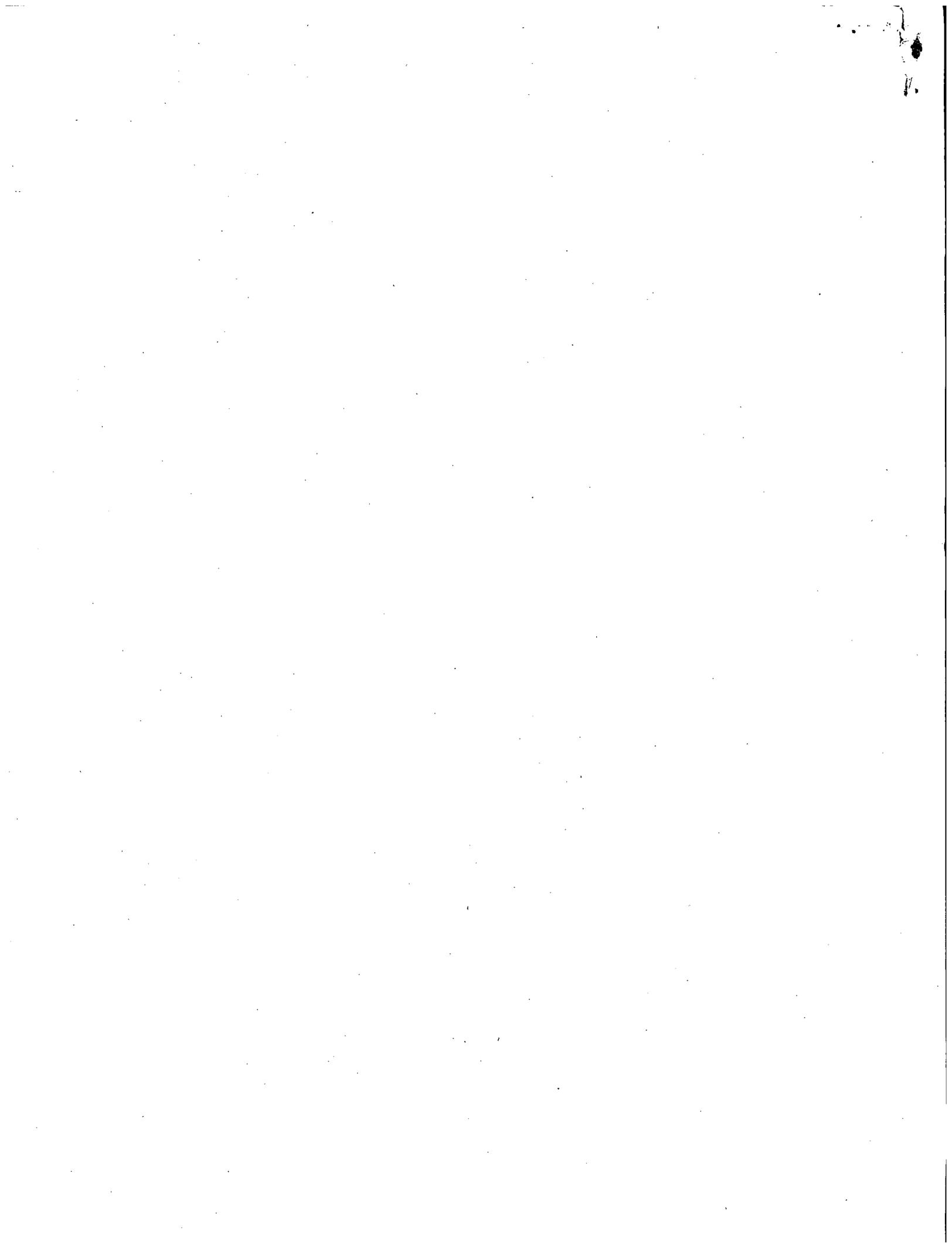
7-26-06

Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



Doc No: **I0680069A**

Issue: **45**

**08/07/2006**

08/03/2006 20:34:07

Name = Douglas M. Shald  
Address = 6723 E Telegraph St.  
City = Yuma  
State = Arizona  
Zip = 85365  
Email = cmshald@aol.com  
Telephone = 928-344-2048  
Name of Victim = Nicholas M. Shald  
Victim's Address = 6723 E Telegraph St.  
Victim's City = Yuma  
Victim's State = Arizona  
Victim's Zip = 85365  
Victim's Telephone = 928-344-2048

**WIFER/PRVLR NOTIFIED**

COMMENTS:  YES  NO  
OVERRULED:  **ATTACHED**

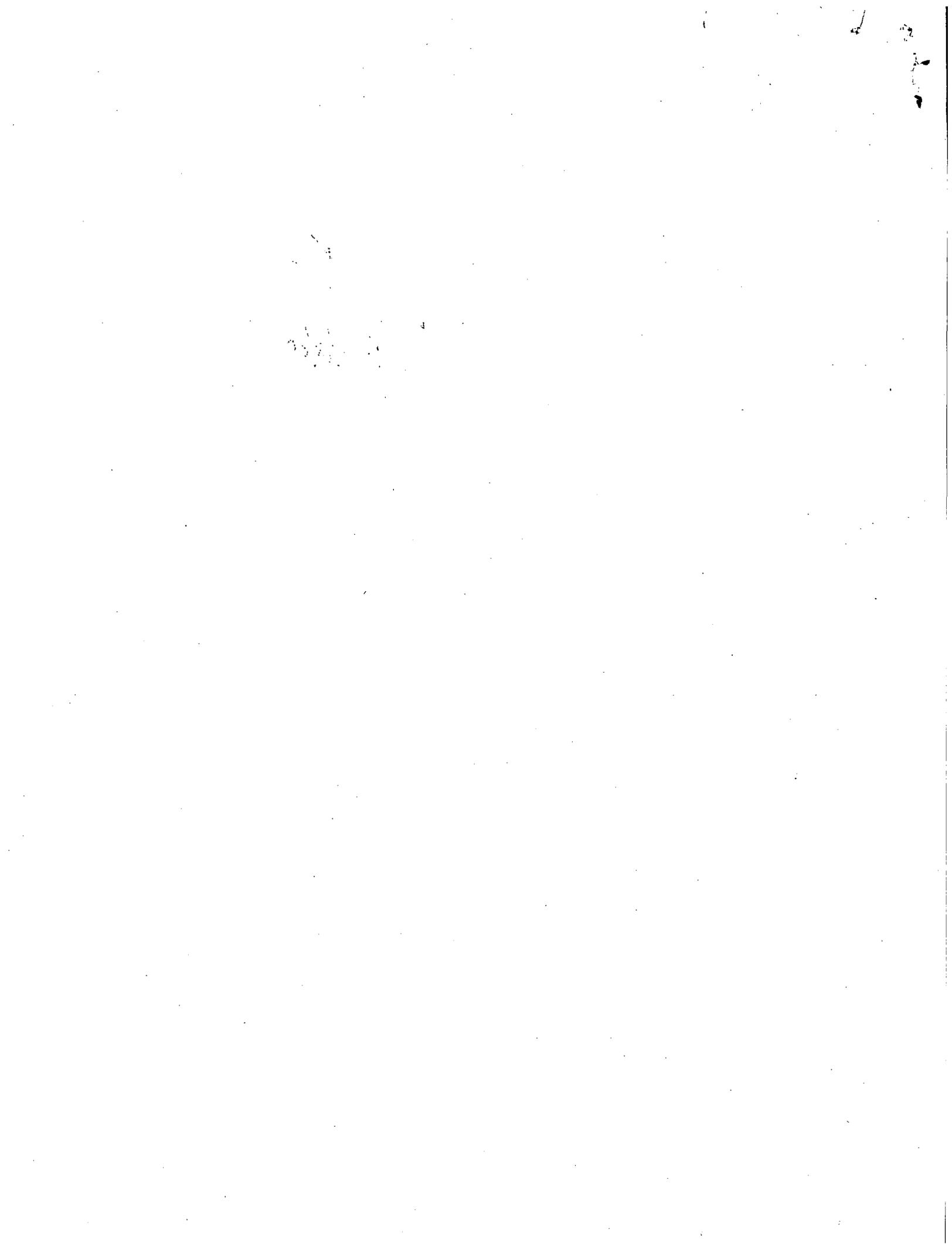
EXCISIONS/FOIA Ex.  
Revisions

**DO NOT RE-NOTIFY**  **RE-NOTIFY**

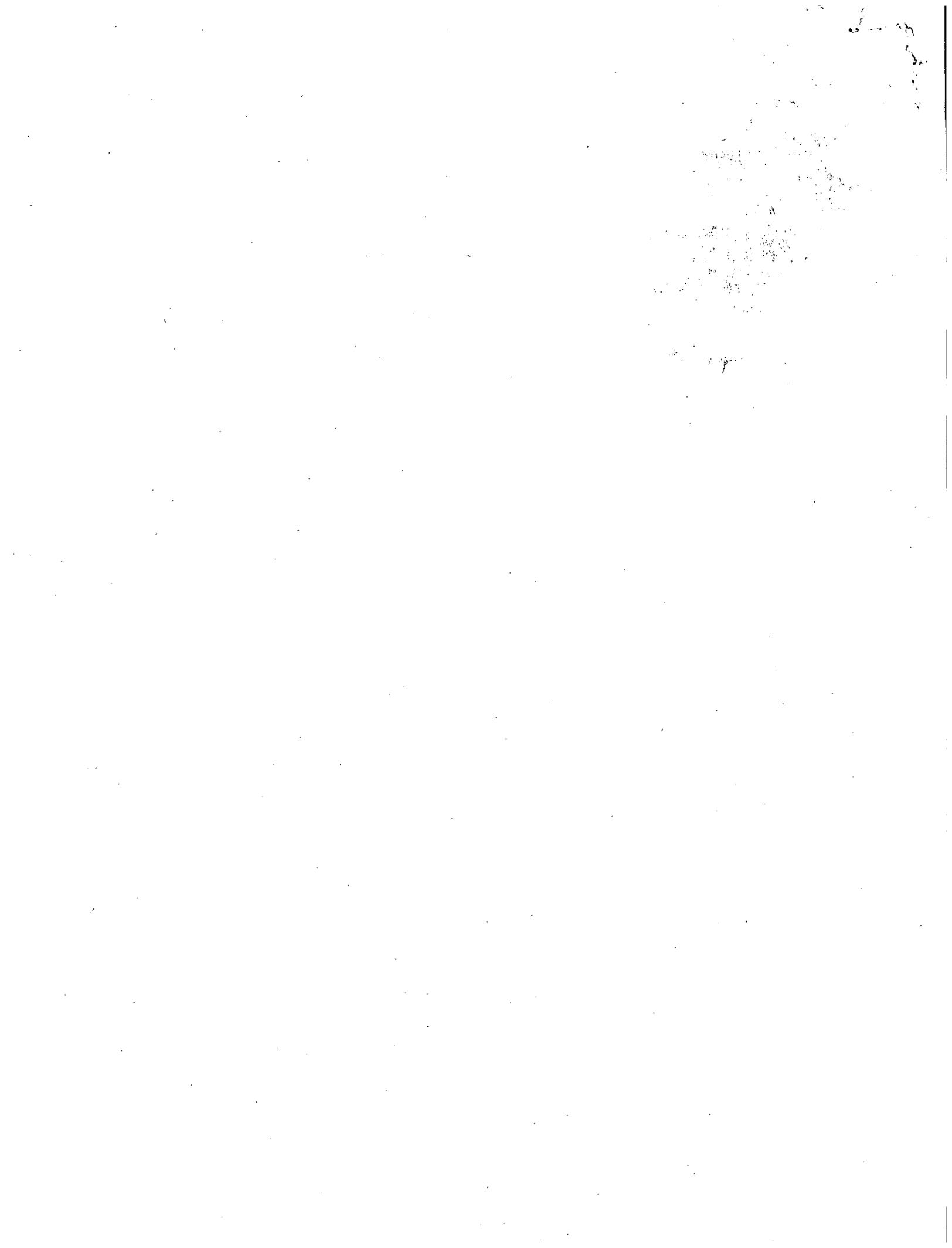
*Am 1/18/07*

Incident Description: The Wego Kite Tube was hovering at about 10 ft. above the water when it suddenly caught an unexpected amount of air. On its way down, it landed at an awkward angle, causing the victim's ankle to break in two places.

Victim's age at time of incident = 15  
Victim's sex = Male  
Date of incident = 6/17/06  
Product involved = 10 ft. wide kite tube  
Product brand name/manufacturer = Wego Kite Tube/Sportsstuff Inc.  
Manufacturer street address = 11213 E. Circle (Suite "A")  
Place where manufactured (City and State or Country) = Omaha, Nebraska 68137  
Product involved still available = No  
Product model and serial number, manufacture date = N/A  
Date product purchased = 6/16/06  
Name Release = Release name to the manufacturer and public







Doc No: I0680136A

Issue: 45

08/09/2006

08/07/2006 21:21:07

Name = [REDACTED]  
Address = [REDACTED]  
City = [REDACTED]  
State = [REDACTED]  
Zip = [REDACTED]  
Email = [REDACTED]  
Telephone = [REDACTED]  
Name of Victim = [REDACTED]  
Victim's Address = [REDACTED]  
Victim's City = [REDACTED]  
Victim's State = [REDACTED]  
Victim's Zip = [REDACTED]  
Victim's Telephone = [REDACTED]

**REF/PRV/BR NOTIFIED**

COMMENTS:  YES  NO  
 OVERRULED:  ATTACHED

EXCISIONS/FOIA Exs. 25c  
Revisions

DO NOT RE-NOTIFY  RE-NOTIFY

*Am 1/18/07*

Incident Description: Fell from a Wego Kite Tube approximately 40' (caught a gust of wind that sent him up too high and kite got out of control). His life jacket busted open when he hit the water, and an ambulance lifted him out of the boat. At the hospital, it was found that he had ruptured a kidney that was not a healthy kidney prior to the accident.

Victim's age at time of incident = 30  
Victim's sex = Male  
Date of incident = 5/28/06  
Product involved = Wego kite tube  
Product brand name/manufacturer = Sportsstuff  
Manufacturer street address =  
Place where manufactured (City and State or Country) = online - www.sportsstuff.com  
Product involved still available = No  
Product model and serial number, manufacture date =  
Date product purchased = 2006  
Name Release = Release name to manufacturer only

1000

1000

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

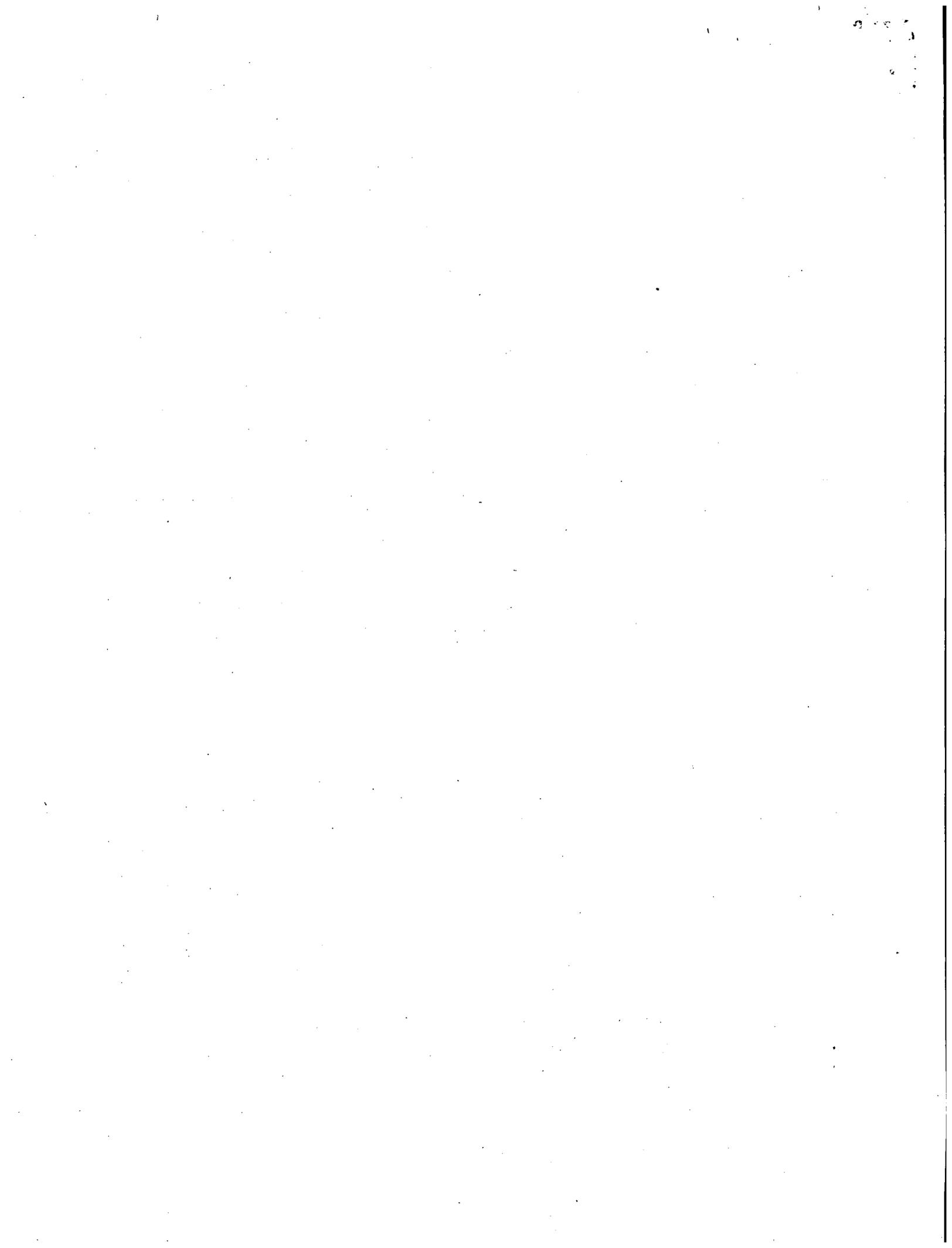
  
\_\_\_\_\_  
Signature ✓

8/11/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

Yo I may release my name to the manufacturer and to the public.



08/25/2006 23:55:17

Name = Nichols Melancon  
 Address = 10209 Coronado Ave NE  
 City = Albuquerque  
 State = New Mexico  
 Zip = 87122  
 Email = nmelancon@qwest.net  
 Telephone = 505-235-9905  
 Name of Victim = Andre Melancon  
 Victim's Address = 10209 Coronado Ave NE  
 Victim's City = Albuquerque  
 Victim's State = New Mexico  
 Victim's Zip = 87122  
 Victim's Telephone = 505-235-9905

**WFR/PRV/BR NOTIFIED**

COMMENTS:  YES  NO  
 OVERRULED:  ATTACHED

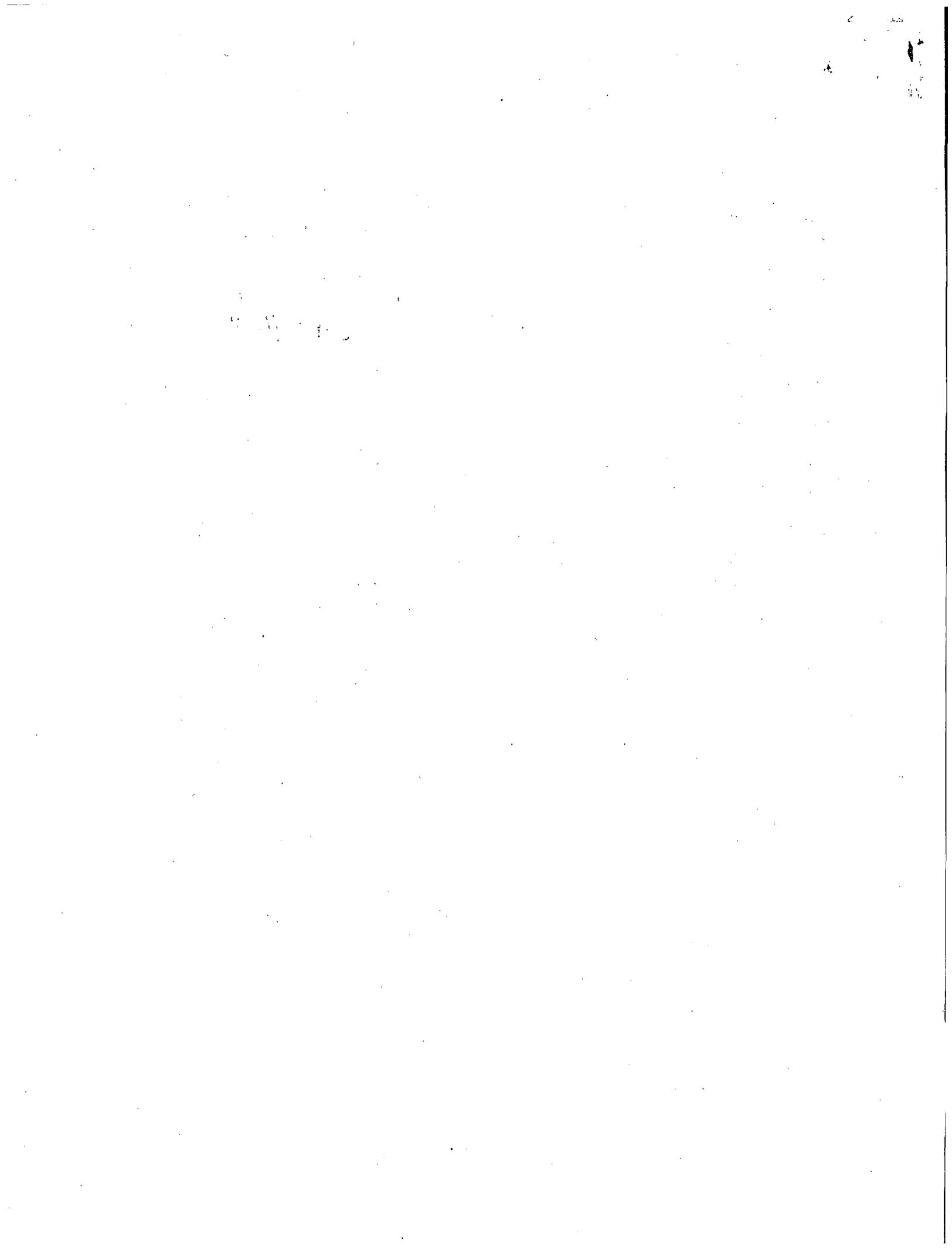
EXCISIONS/FOIA Exs. \_\_\_\_\_  
 Revisions \_\_\_\_\_

DO NOT RE-NOTIFY  RE-NOTIFY

*Apr 18/07*

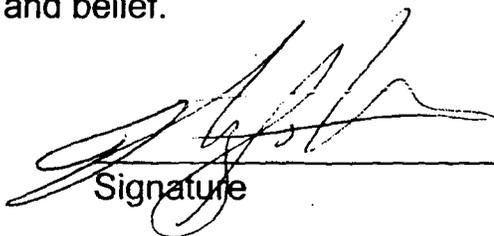
Incident Description: While riding the kitetube a wind gust caused the rider to loose control and was thrown violently into the water knocking him unconscious. He was taken to the emergency room and treated for a ruptured lung.

Victim's age at time of incident = 19  
 Victim's sex = Male  
 Date of incident =  
 Product involved = WEGO Kite Tube  
 Product brand name/manufacturer = Sportstuff  
 Manufacturer street address =  
 Place where manufactured (City and State or Country) =  
 Product involved still available = No  
 Product model and serial number, manufacture date = WEGO kite tube  
 Date product purchased = April 2006  
 Name Release = Release name to the manufacturer and public



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

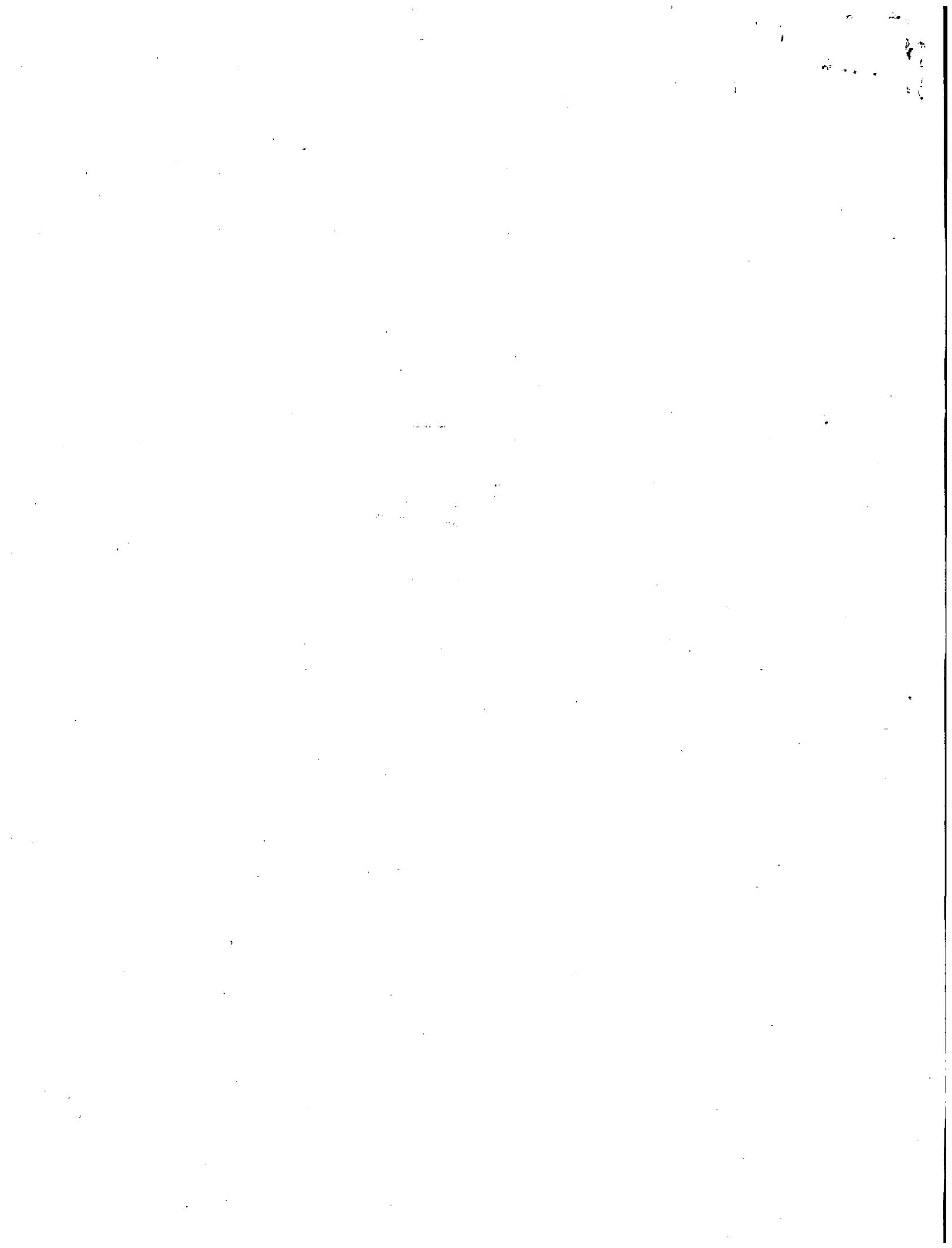
  
Signature

9/2/06  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.



1. Task Number 060620HCC2608		2. Investigator's ID 9103		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 06 17	5. Date Initiated YR MO DAY 2006 07 03		
6. Synopsis of Accident or Complaint UPC				
<p>A 16-year-old male sustained bruised ribs after falling off of a kite tube. The kite tube was approximately 35 feet in the air when it began erratically tipping from side to side and then completely flipped over. The victim was taken to the hospital where he was treated and released.</p> <p style="text-align: center;"><del>WER/PRVLR NOTIFIED</del></p> <p style="text-align: center;">COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED</p> <p style="text-align: center;"><input type="checkbox"/> EXCISIONS/FOIA Exs.  <input type="checkbox"/> Revisions</p> <p style="text-align: center;"><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> <p style="text-align: center;"><i>Am 7/18/07</i></p>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City CALEDONIA		9. State MI
10A. First Product 3200 - Water Tubing (activity, Appa		10B. Trade/Brand Name SPORTSSTUFF WEGO		10C. Model Number 53-5000
10D. Manufacturer Name and Address SPORTSSTUFF, INC. Omaha, NE				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 16	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 53 - Cont./Abrs.	
16. Body Part(s) Involved 31 - UPPER TRUNK	17. Respondent 2 - Eyewitness	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational) / Travel) 16 / 0	
20. Attachment(s) 2 - Documents		21. Case Source 06 - Emergency Room (not NEISS)		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Verbal				
24. Review Date 08/11/2006	25. Reviewed By 9101		26. Regional Office Director Eric B. Ault	
27. Distribution Ingle, Robin L.			28. Source Document Number 10660269A	

**CHRONOLOGICAL NARRATIVE**

This investigation was initiated based on incident reported by the Mecosta County Emergency Department. The victim reportedly sustained facial trauma and chest wall contusion. The incident involves a Sportsstuff Wego Kite Tube, which was recalled per recall notice #06-210 on 7/13/06. The consumer was interviewed via telephone after confirming that she did not have the kite tube involved in the incident.

The consumer resides in Caledonia, Michigan with her husband and 16-year-old son. The consumer stated that they jointly purchased a kite tube with a friend. The consumer stated that the friend actually went to the store and bought the kite tube. The consumer further advised that she believes the kite tube was purchased at a boat dealership named Skiers Pier located at 2505 Dixie Hwy, Waterford, Michigan for approximately \$400. This investigator asked for the friend's name and contact information, however the consumer indicated that her preference was not to release his name and contact information at this time. The consumer explained that she and her husband should be able answer any questions about the incident. The consumer agreed to provide this information in the future if necessary.

The consumer stated that her 16-year-old son, who was injured in the incident, has past experience water tubing on single and double water tubes. She further advised that prior to the incident, her son had been on this kite tube approximately two times with no problem. The consumer described her son as being 5'8" tall and weighing about 135 pounds. On June 17, 2006 the consumer and her family were at the Muskegon River, near Big Rapids Michigan. The consumer stated that her husband tied the kite tube to a ski boat. The consumer's son got on the kite tube and the boat began to accelerate. The consumer stated that she was riding in the boat along with her husband and friend. The consumer stated that as the boat reached about 20 mph, they approached an area along the shoreline where the trees are shorter. The consumer believes that in this area the wind was particularly gusty and this caused the kite tube to quickly rise in the air approximately 35 feet. At this height the consumer witnessed the kite tube tip approximately 100 degrees to the left and 100 degrees to the right and then it completely flipped over. The consumer's son fell off the kite tube into the water. The consumer stated that the kite tube did not fall on top of her son. The consumer stated that they found her son lying face down in the water and he was unconscious. They placed him on the boat and after several seconds he regained consciousness. The consumer stated that he was bleeding from his mouth. The son was taken to the emergency room where the consumer stated he was diagnosed as having bruised ribs but had no broken bones. The consumer stated that her son was not hospitalized.

The consumer stated that she talked to her son about the incident and he told her that while he was air born he managed to tuck his shoulders in to protect his neck before hitting the water. The consumer believes this action saved her son's life and that he could have easily broken his neck if had not known how to react.

**Information Provided per the Investigation Request Form**

This interview was conducted via telephone, the victim's mother and father who witnessed the incident, provided the following requested information:

- One person was on the kite tube at the time of the incident.
- The mother stated that this kite tube had been used several times a couple of days before this incident occurred. The mother stated that 2 adult male friends and one adult female friend all used the kite tube several times without incident. The mother further advised that her son, the victim, had been on this kite tube about two times (on the same day of the incident) before this incident occurred. Although the victim had experience with other water tubing equipment this was his first time kite tubing.
- The father stated that he tied the rope/tow harness to the ski boat. The father stated that he was not sure but he believed the rope was 50 feet long. The father further advised that the rope was not modified or lengthened and it was the standard length that came with the kite tube.
- The father stated that the rope came with the kite tube and he assumed it was originally sold with the kite tube. He further stated that it appeared to be in good condition and was not torn or damaged during the incident.
- The mother stated the ski boat was traveling about 20 mph when the incident occurred.
- The mother stated the kite tube was approximately 35 feet in the air when it began to erratically tip from side to side and then completely flip over.
- The narrative above summarizes what they stated occurred during and immediately after the incident. The mother stated that both the kite tube and rope were not damaged in the incident.
- The mother stated the victim was wearing a helmet and a life jacket.

**PRODUCT IDENTIFICATION**

The product involved in the incident is kite tube. The product was purchased by a family friend. The consumer stated that this person is aware of the recall and she believed he had already returned it to the manufacturer as instructed in the recall notice. The consumer confirmed that it was one of the recalled Sportsstuff Wego Kite Tubes but she had no further product information because she did not have the unit in her possession.

IDI 060620HCC2608

**ATTACHMENTS**

Exhibit "A" – Contact Sheet

Exhibit A

Contact Sheet

[REDACTED] ak: Victim's mother, [REDACTED]  
[REDACTED]

[REDACTED] ak: Victim, DOB 1/5/90, [REDACTED]  
[REDACTED]

06/17/2006 19:52:15

Name of Health Care Professional = [REDACTED]  
Address = [REDACTED]  
City = [REDACTED]  
State = [REDACTED]  
Zip = [REDACTED]  
Email = [REDACTED]  
Telephone = [REDACTED]

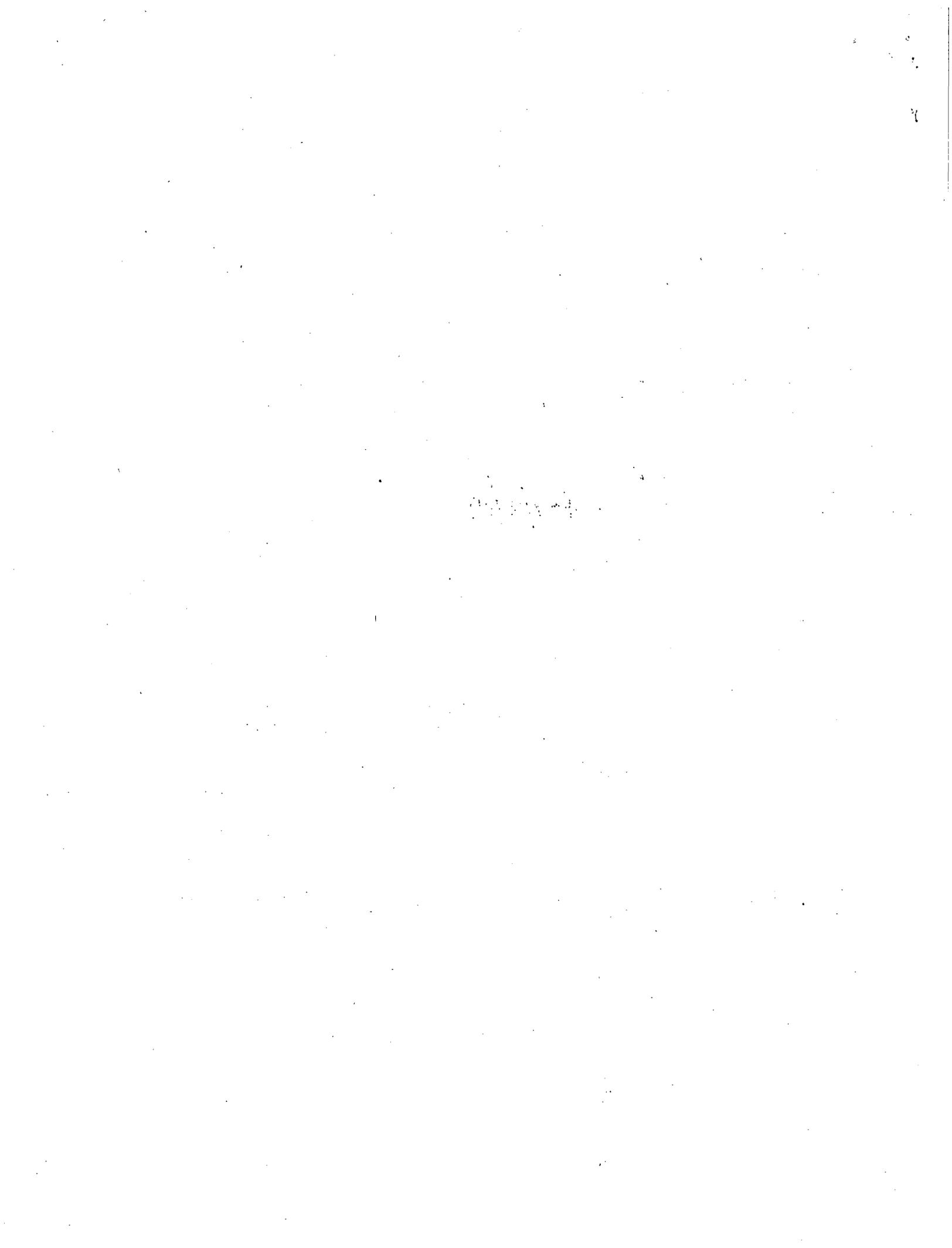
Product involved = Kite Tube  
Product brand name/manufacturer = Wego  
Manufacturer street address = www.sportsstuff.com  
Place where manufactured (City and State) = Overton's product item #12063  
Product model and serial number =  
Date product purchased = 2006

Incident Description: Being pulled behind boat on a Kite Tube, made by Wego...flipped by air gusts several times and flew up 25' before falling onto chest onto Kite tube, causing facial trauma, and chest wall contusion, with presentation on coughing up blood. Family states rumor afterwards by bystanders of a death of someone on same in Texas.

Victim's age at time of incident= 16  
Victim's sex = Male  
Date of incident = 6/17/2006  
Name of Victim = contact hospital for this and HIPPA compliance regulation adherence  
Victim's Address =  
Victim's City =  
Victim's State = .  
Victim's Zip =  
Victim's Telephone =

Product involved still available = Yes  
Where product located = owned by neighbor of victim

1. Task Number 060620HCC2617		2. Investigator's ID 9104		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 05 27	5. Date Initiated YR MO DAY 2006 07 27		
6. Synopsis of Accident or Complaint <b>UPC</b>  There were two victims, one was a 21 year-old male and the other was a 25-year-old male. The 25-year-old male was victim #2 and was the only one to require medical treatment. The 25-year-old male was riding a kite tube which crested at approximately 65 feet. The victim upon landing was unconscious having suffered a concussion, two broken teeth and a lingering fear of heights.  <del>W/FBI/PR/LSR NOTIFIED</del> COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED  <input type="checkbox"/> EXCISIONS/FOIA Exs. _____ Revisions <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY  <i>Am 1/18/07</i>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City PHENIX CITY	9. State AL	
10A. First Product 3200 - Water Tubing (activity, Appa	10B. Trade/Brand Name WEGO KITE TUBE		10C. Model Number UNKNOWN	
10D. Manufacturer Name and Address SPORTSTUFF, INC. 11213 E. Circle #A Omaha, NE				
11A. Second Product 0	11B. Trade/Brand Name NONE		11C. Model Number NONE	
11D. Manufacturer Name and Address NONE				
12. Age of Victim 25	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 52 - Concussion	
16. Body Part(s) Involved 75 - HEAD	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 3 - Other	19. Time Spent (Operational / Travel) 30 / 9	
20. Attachment(s) 0 - No Attachments	21. Case Source 04 - Radio, TV		22. Sample Collection Number	
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Verbal				
24. Review Date 08/21/2006	25. Reviewed By 9067		26. Regional Office Director Eric B. Ault	
27. Distribution Ingle, Robin L.; Seymour, Linda A.			28. Source Document Number X0660460A	



**060620HCC2617**

The information contained in this report was obtained from a telephone interview with victim two, the respondent on July 27, 2006. The respondent states he and victim one had performed extensive research on the kite tube before victim two purchased the kite tube. Both victims had watched the video via internet 6 times prior to the purchase and then watched the DVD that came as part of the kite tube kit. See Attachment 1 for history of this case.

Victim two, the respondent is a 25-year-old male. Victim one and owner of the Wego Kite Tube is a 21-year-old male. On May 27, 2006 the two victims along with a friend who was driving the boat went to Lake Harding for the day. The previous week this same trio had spent the week on Lake Oliver enjoying playing with the kite tube. There were no incidents therefore they were looking forward to another day of fun. On May 27, 2006 victim number one rode the kite tube. He landed near the boat in a disoriented state but still on the kite tube. He landed along side the boat and the respondent was able to pull him into the boat. This victim did not seek medical attention. The respondent then rode the kite tube. The boat pulled the kite tube against the wind where it crested at approximately 65 feet. The respondent states at the peak of the ride he realized something was wrong, he could no longer see the boat pulling the kite tube and he felt a difficult landing was imminent. The respondent curled up in a fetal position and prayed for the best. When the kite tube landed his knees hit his face with such force it caused a concussion rendering him unconscious. The respondent states he was treated at a local ER with follow-up by his personal physician. The respondent was unable to drive for a month. He states he breaks out in a sweat at extreme heights which did not occur prior to the accident. The respondent states two of his teeth were broken which have required extensive work which he hopes will be completed by the time he gets married in September of this year. The respondent was unable to estimate the speed of the boat as he was concentrating on surviving. The respondent states there were no drugs (prescription or other) and/or alcohol involved in these incidents.

The respondent states the kite tube had the rope attached to it when it was purchased and they did not change anything. The two victims and the driver of the boat were all wearing life jackets. The respondent states if he had not been wearing the life jacket he would have died. He states his friends told him when he landed his head was lolling from one side to the other and his eyes were rolling. The life jacket kept him afloat until they could rescue him. The respondent states the boat had a canvas top obstructing the driver's view of him when he crested. The respondent states that the week before they had experienced no problems with the kite tube and they used it all week.

On the day of the incident when they first used the kite tube it would not rise very high as they were going with the wind. They turned around, went against the wind and this is when the incidents occurred

When the respondent contacted me the CPSC recall was in effect. Victim one who owned the kite tube had returned it and received a full refund.

I was unable to interview the other victim. I was also unable to interview the driver of the boat. The respondent states the trio had been involved in water activities all of their lives and the young man who drove the boat drives boats professionally for water ski events where several skiers perform in unison.

The respondent states the kite tube was purchased at Extreme Marine and Cycles, 1107 Highway 280 Bypass, Phenix City, AL 36867-0000. I called this business entity. I was told they had sold approximately 12-15 of the kite tubes and had approximately 5 returned. They gave refunds for each one that was returned and sent them back to the manufacturer.

**The Wego Kite Tube is manufactured by Sportstuff, Inc., 11213 E. Circle, #A. Omaha, NE, Telephone # (402)592-9085.**

**ATTACHMENTS:**

1-List of Contacts

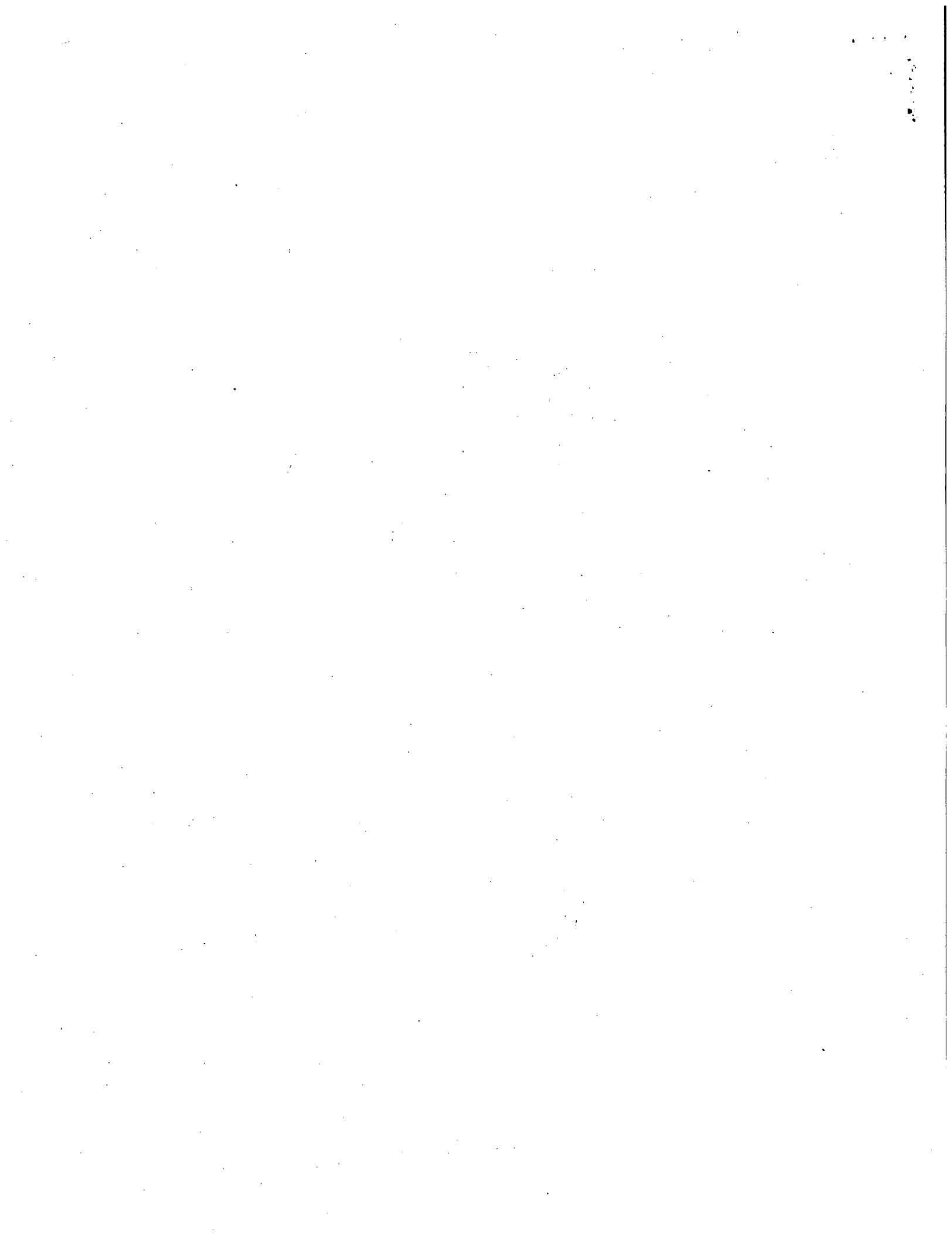
**Attachment 1**  
**060620HCC2617**

List of Contacts

Name: [REDACTED]  
Title: Victim Two/Respondent  
Address: [REDACTED]  
Telephone: [REDACTED]

Name: [REDACTED]  
Title: Manager – Extreme Marine and Cycles  
Address: [REDACTED], AL 36867  
Telephone: [REDACTED]

History: This case was assigned on July 5, 2006 with specific instructions that it was a high priority. The source document was a WVTM-TV interview printed from the internet that does not indicate the date it aired nor does it indicate the date of the incident. CPSC arbitrarily assigns the first day of the month if the incident date is unknown. I spent three days to include 14 hours on July 6, 2006 traveling from place to place inquiring about the incident, attempting to ascertain the date of the incident and locate facts none of which were forthcoming. On July 7, 2006 I was told by Rick Moll, News Director WVTM-TV (ABC affiliate) Columbus, GA that he did not know the date of the incident as they had held the story for several weeks in an attempt to verify facts. Mr. Moll further stated they had destroyed **all** information pertaining to the case. The tip on the case came via e-mail and they had destroyed it, they had destroyed the telephone numbers of the victims, and they had destroyed the address of one of the victim's homes where the interview was conducted. He did state if he or the reporter remembered anything they would call me. In approximately three weeks victim two/respondent called my supervisor stating the television station had called him stating "the Corp of Engineers are involved" and ask him to call. The case was reopened, closed inadvertently, reopened again and this will be the third time it has been closed. The respondent addressed the issues with the television station. The respondent states the TV station either did not believe the kite tube crested at such a height and/or they felt that alcohol or drugs were involved thus the delay in airing the story. Neither victim has a telephone listed in their name.





On 5/20/06, a 22 year old male suffered a broken femur bone in his right leg as a result of riding a kite tube that crashed while being towed by a motorboat on a lake. The victim was riding the kite tube about 20 feet in the air when it suddenly fell and turned over sideways, apparently causing the victim to strike the kite tube with his leg after the kite tube bounced off of the water.

Information in this report was obtained through in-person interviews with the victim and the boat operator (where photos were taken of the kite tube and of X-rays of victim's injuries); a boating accident report received from the NC Wildlife Resources Commission (NCWRC), product description, specifications and return information on the manufacturer's web-site [see Exhibits 3,5,7]. The NC Wildlife Resources Investigator did not take any photos. This product was recalled by the manufacturer on 7/13/06 [see Exhibit 6]. No samples were requested in the assignment instructions, only photographs were required. Photos were taken of the victim's X-rays. No medical release was provided by the victim so medical records were not requested from the hospital. The victim did grant authorization for his name to be released [see Exhibit 4]. An EMS report was requested, but was not provided [see Exhibit 9]. There were no other officials involved/official reports to collect.

The kite tube involved in the incident was about two to three weeks old when the incident occurred. The victim stated that he had no previous experience with similar products, but he had ridden on regular tubes a number of times. Both he and the boat operator stated that the kite tube and the tow rope were new and appeared to be in good condition at the time of the incident. He had used this kite tube four times prior to the incident without any major problems or injuries. He stated that he did get the kite tube up to 20 feet on one occasion prior to the day of the incident.

On the day of the incident, the victim was at the lake with his friends. They were riding on his 18 foot stingray ski boat. One of his friends was driving the boat while he got ready to ride on his kite tube. The victim was wearing a life jacket. He stated that a DVD comes with the product and that he and the driver of the boat had watched the DVD and followed all of the directions. The victim stated that he read the warnings that are printed on the kite tube. He

said he did not ask the retail sales staff any questions when he purchased the kite tube and they did not offer any directions or cautions.

At the time of the incident, the weather was clear, the temperature was 85 degrees, Fahrenheit and the water conditions were calm (waves less than 8 inches), the wind was moderate (7 to 14 mph), and the visibility was good. Alcohol was not listed as a factor in the incident [see Exhibit 3, pg. 1].

According to the boating accident report, On May 20, 2006 at about 4:30 pm, the 22 year old male victim was flying on a "flying kite" (kite tube) about 20 feet above the surface of the lake when the operator slowed down after crossing the wake of another boat. The kite turned over and the victim lost control, falling about 20 feet to the surface of the lake. The victim was helped back into the boat by the other passengers and transported to the boat access area when EMS arrived on the scene. EMS transported the victim to the emergency room where he was treated for a fractured femur in his right leg [see Exhibit 3, pg. 3]. The yellow section of the tow rope broke in two during the incident [see Exhibit 1(I-L)].

The victim was the only person on the kite tube and he was the only one being towed by the boat at the time of the incident. The boat operator (victim's friend) had over 100 hours of experience operating boats and the victim stated that his friend had driven his boat on numerous occasions for two years. The victim's estimated height and weight are six feet tall and about 170 pounds.

The victim stated that he did not believe that he could direct/control the direction and height of the kite tube. He stated that he achieved a maximum height of about 25 to 30 feet above the water during the incident and that he was this high (25 - 30 feet) off the water when things began to go wrong. He said all of the sections of the tow rope were tied together and being used at the time of the incident. This would make the length of the tow rope about 65 feet long. The victim estimated that the boat was going about 25 miles per hour at the time of the incident. He said that was the speed it took to get the kite tube halfway out of the water and from there one pushes off with his legs to get the kite tube to fly.

The victim stated that he could see the boat through the window of the kite tube. He did not signal the boat to slow down. It was already slowing down when he was 30 feet in the air and then the wind stopped blowing and the kite tube suddenly dove down to the water. He could not do anything to lower the kite tube towards the water. He did not notice any mechanical issues with the kite tube except that "you can't control anything".

Both the victim and the boat operator stated that the victim fell sideways toward the water and struck the water sideways, on his right side/right leg. The victim stated that he was still on the kite tube when it struck the water and he believes that his leg actually struck the kite tube after the kite tube bounced off the water, then bounced back into the air before it finally landed in the water.

The boat operator stated that the maximum height achieved during the incident was more like 20 feet above the water and this was about the height when the kite tube dove down to the water. He stated that the speed of the boat just prior to the incident had been about 25 miles per hour, but he was already slowing down at the time of the incident to less than 25 mph. He said there was nothing else he could do to halt the dive. The boating accident report form completed by the operator lists the boat speed at 10 - 20 miles per hour at the time of the incident. The NC WRC investigator also put the speed of the boat at about 10 - 20 mph at the time of the incident. The boat operator stated that he could not communicate with the rider (victim). He did not remember who attached the tow rope/tow harness to the kite tube and boat just prior to the time of the incident. He agreed with the victim that all three sections of the tow rope were being used at the time of the incident (65 feet).

The victim was operated on that same day (5/20/06) to repair the fracture. His right femur bone had broken in three places and the doctors inserted a rod and screw into his leg to help repair the fracture [see Exhibit 2(a-e) to view photos of victim's X-rays]. The victim was released from the hospital that same day (5/20/06). He was still utilizing crutches one month after the incident. He claims to have incurred over \$40,000 in medical bills as a result of his injury.

060621HCC1594

The victim did not report the incident to the manufacturer, but he was considering contacting them to obtain a replacement or refund for the recalled kite tube. He still had possession of it at the time he was interviewed by this investigator. He is also considering pursuing litigation to cover the medical expenses he has incurred as a result of his injury.

#### PRODUCT INFORMATION

The product is a Wego brand inflatable kite tube that is 10 foot in diameter, yellow colored, and designed to be towed behind a power boat.

**MANUFACTURER: SPORTSSTUFF, INC.**  
11213 E. Circle, Suite A  
Omaha, NE 68137

**BRAND: WEGO**  
**MODEL: 53-5000**

The victim purchased the kite tube from Overton's Boat and Supply store, Wake Forest Road, Raleigh, NC around the first week of May. He no longer has the original sales receipt. The retail price of the kite tube was \$499.99.

The product description and specifications for the kite tube are as follows (see Exhibit 5):

#### **Wego Kite Tube**

10ft diameter flying tube

Take flight with the WEGO KITE TUBE! The next generation of action towable is here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KITE TUBE. Anything else is beneath it...

Model 53-5000 Sug. Retail: \$599.95

#### **KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO**

Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating

060621HCC1594

- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:  
[Kite Tube Instructional Video](#)

The kite tube is labeled in part: "\*\*\*KITE TUBE\*\*\*WEGO\*\*\*SPORTSSTUFF\*\*\*NEVER KITE HIGHER THAN YOU'RE WILLING TO FALL!\*\*\*WARNING! KITE TUBE USER Release of Liability: By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportssuff's product manual...This release shall extend to any loss, damage, injury, or expense due to any cause whatsoever including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the kite tube\*\*\*Water-ski handsignals\*\*\*ITEM NO:53-5000\*\*\*U-CONTROL RIDER SPEED HEIGHT SAFETY\*\*\*[see Exhibit 1(a-h)].

The original retail box that the kite tube was packaged in is labeled in part: "\*\*\*WEGO KITE TUBE\*\*\* SPORTSSTUFF\*\*\*120" diameter\*\*\*WEGO TOWABLE\*\*\*\$499.99\*\*\* FEATURES! 120 inch inflated diameter (10 foot) with slanted saucer configuration\*\*\*840D full body nylon double skin cover with PU coating\*\*\*...Speed safety valves for fast easy installation /deflation\*\*\*Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee and leg use\*\*\*8' padded non-slip handles with knuckle

060621HCC1594

guard\*\*\*Segmented tow rope is included adjustable length style 45/55/65 foot lengths...\*\*\*" [see Exhibit 1 (m-O)].

**ATTACHMENTS**

- Exhibit 1(a-0) - Photos of kite tube, rope & packaging.
- Exhibit 2(a-e) - Photos of victim's X-ray.
- Exhibit 3 - Boating accident report (NCWRC).
- Exhibit 4 - Authorization for Release of Name.
- Exhibit 5 - product info. from SportsStuff web-site.
- Exhibit 6 - Release NO. 06-210 (Kite tube recall).
- Exhibit 7 - Return info. from SportsStuff web-site.
- Exhibit 8 - Contact List.
- Exhibit 9 - Status of Missing document form.



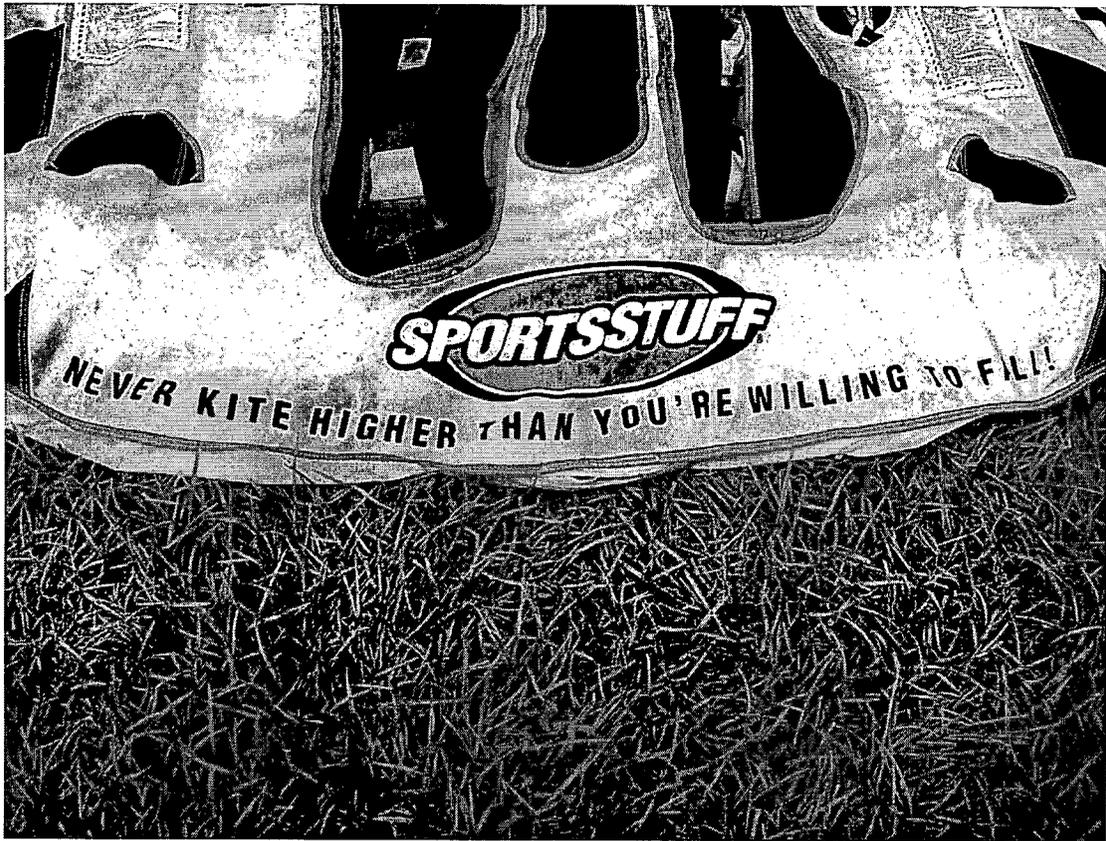
060621HCC1594 Exhibit 1(a) – view of one side of deflated kite tube that was involved in the incident. “KITE TUBE” labeling is visible in this photo.



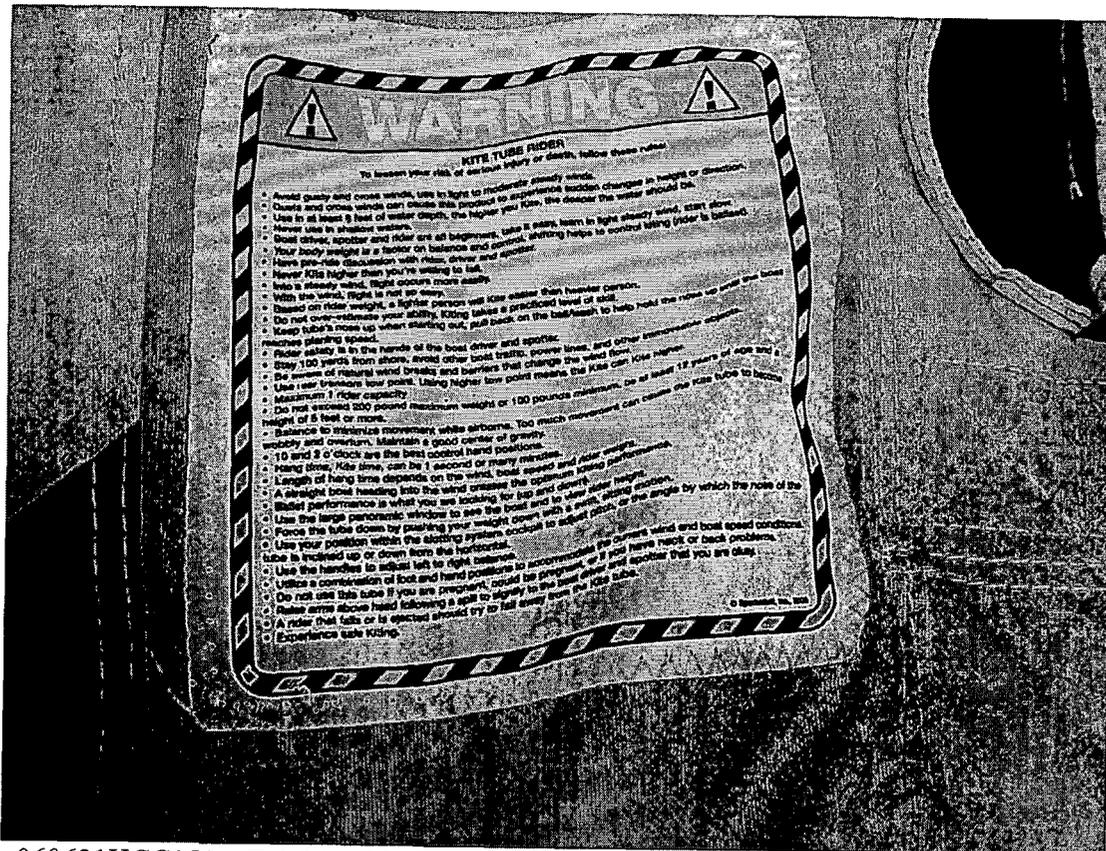
060621HCC1594 Exhibit 1(b) – view another end of deflated kite tube that was involved in the incident. “WEGO” labeling is visible in this photo.



060621HCC1594 Exhibit 1(c) – this view of the kite tube shows the skull and crossbones



060621HCC1594 Exhibit 1(d) – view of labeling on the opposite side of the kite tube that was involved in the incident which reads in part: “\*\*\*SPORTSSTUFF\*\*\*NEVER KITE HIGHER THAN YOU’RE WILLING TO FALL!\*\*\*”.



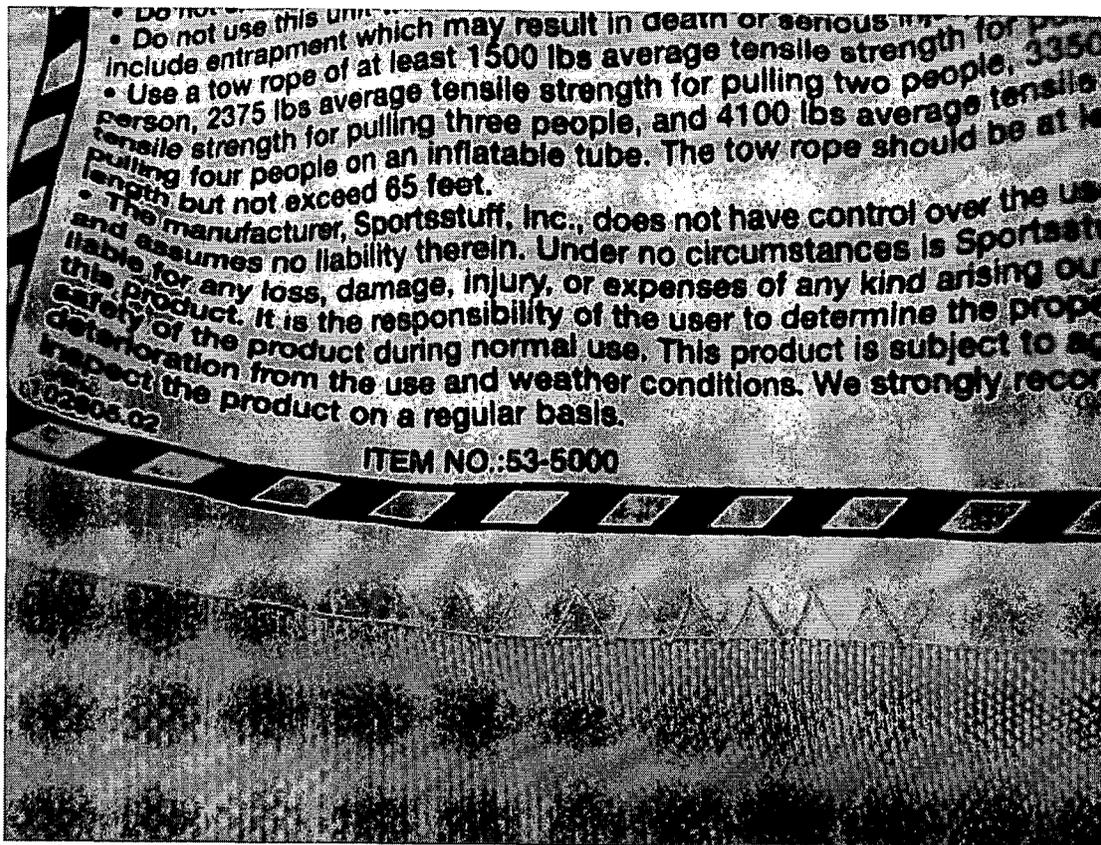
060621HCC1594 Exhibit 1(e) – view of WARNING label on kite tube which reads in part: “\*\*\*WARNING! KITE TUBE RIDER: To lessen your risk of serious injury or death, follow these rules:...\*\*\*”.



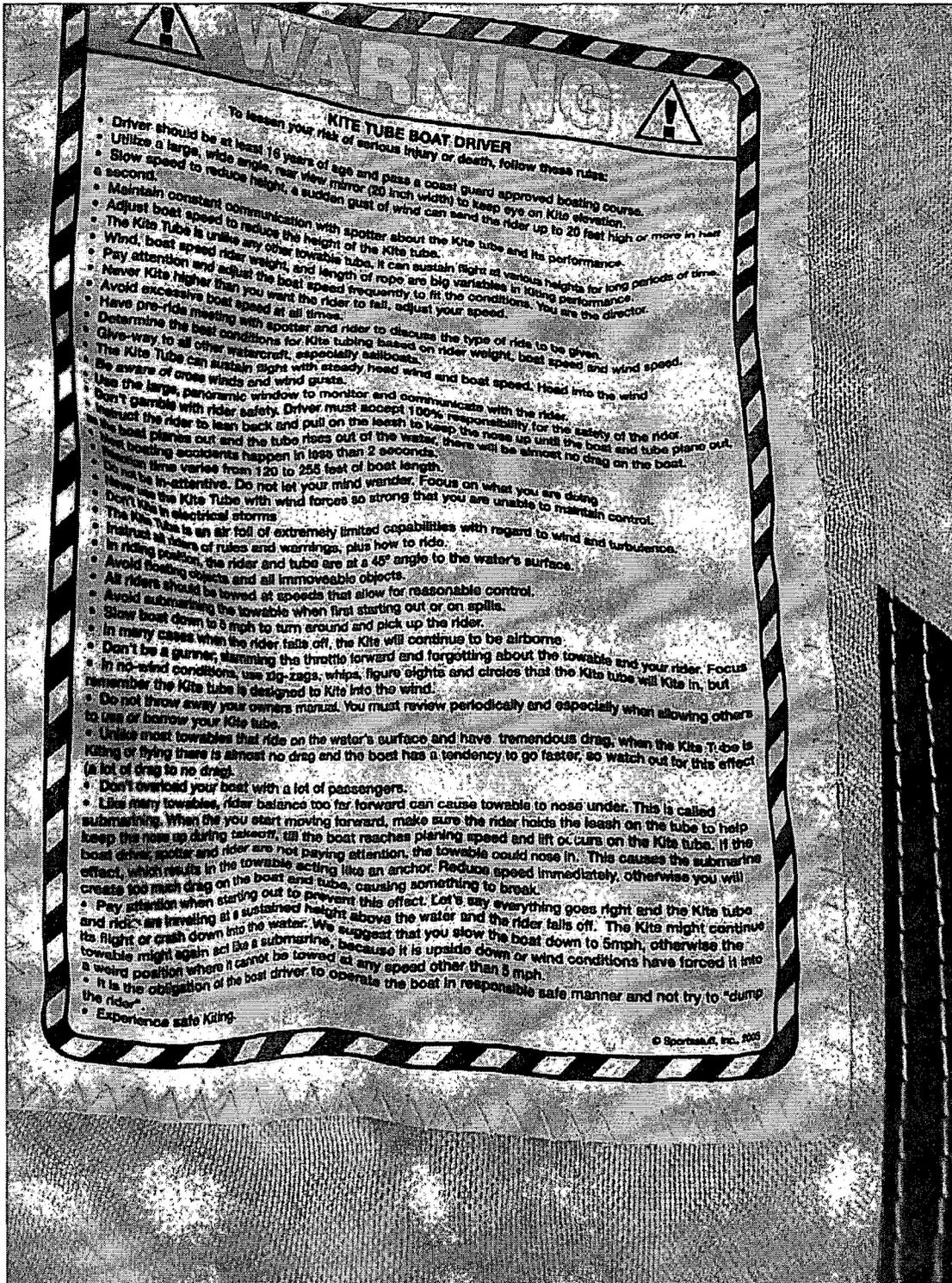
060621HCC1594 Exhibit 1(f) – view another warning label on kite tube which reads in part: **WARNING! KITE TUBE USER Release of Liability:** By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportstuff's product manual... This release shall extend to any loss, damage, injury, or expense due to any cause whatsoever including including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the kite tube\*\*\*".



060621HCC1594 Exhibit 1(g) – View of diagram of “Water-ski handsignals”.



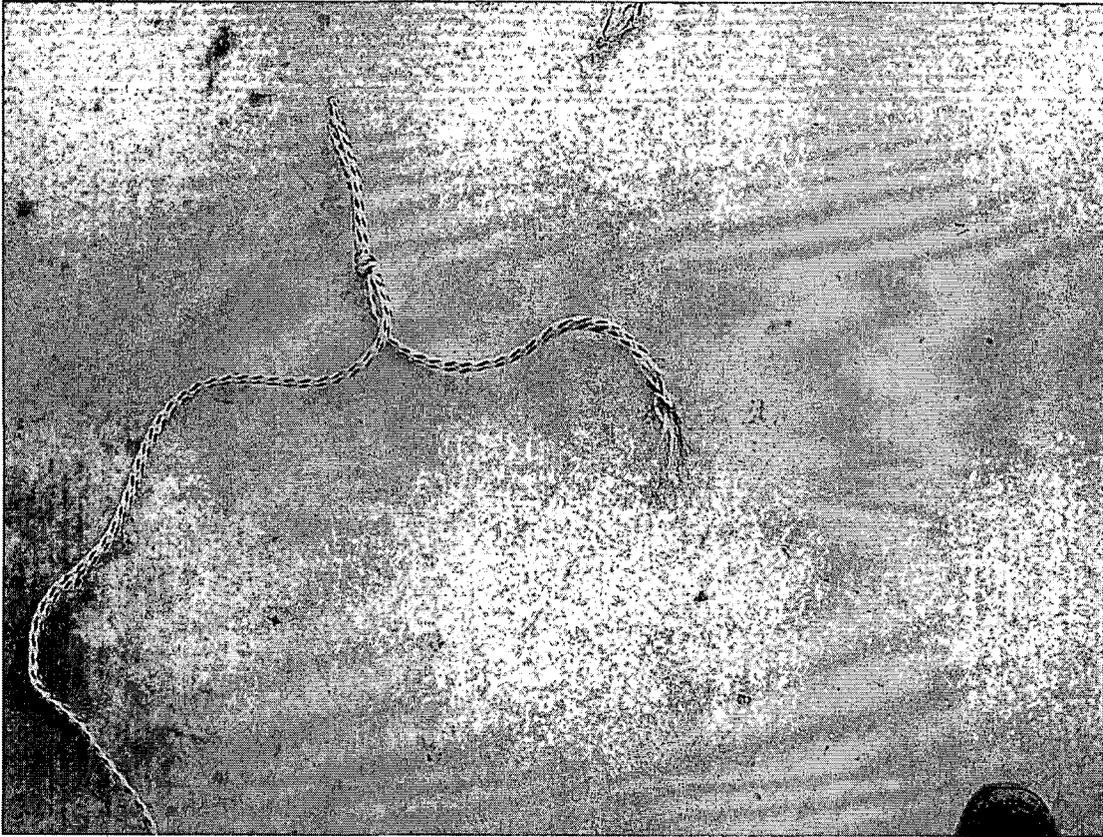
060621HCC1594 Exhibit 1(h) – Close-up view of item No. printed on one of the labels attached to the kite tube. “\*\*\*ITEM NO>:53-5000\*\*\*”.



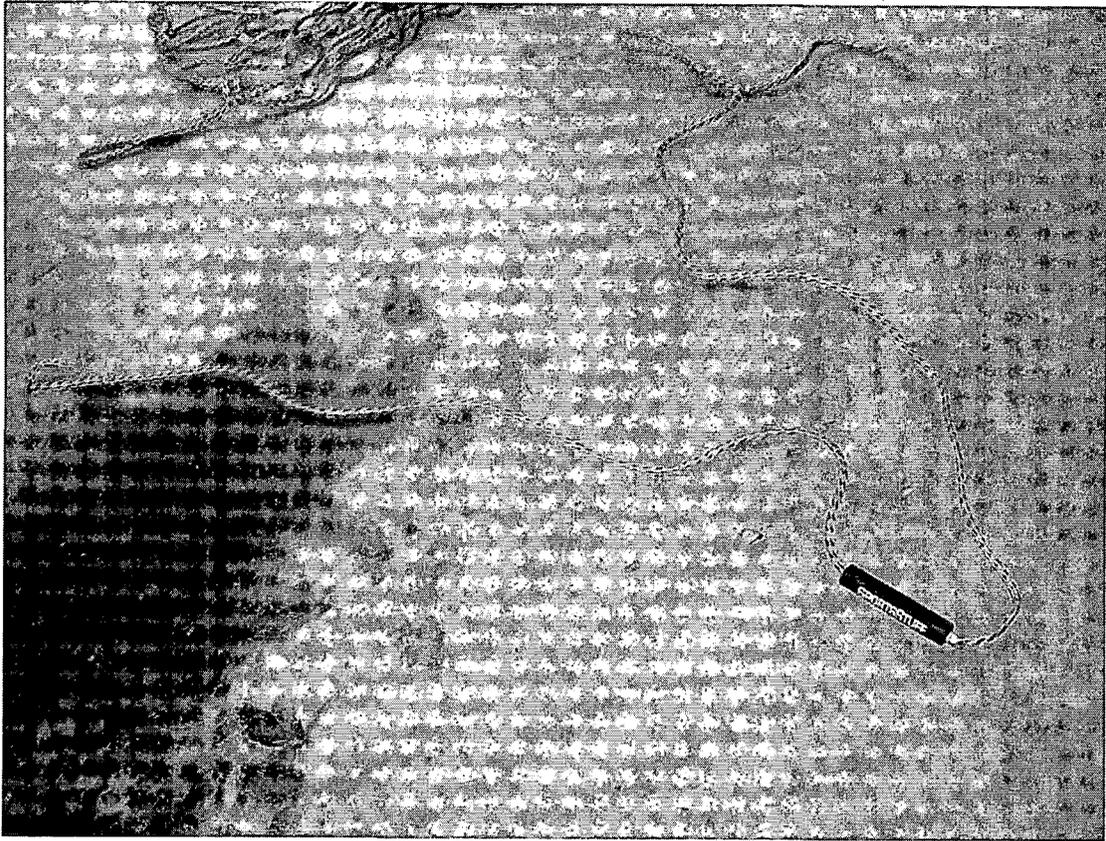
060621HCC1594 Exhibit 1(g) – View of another Warning Label attached to the kite tube.



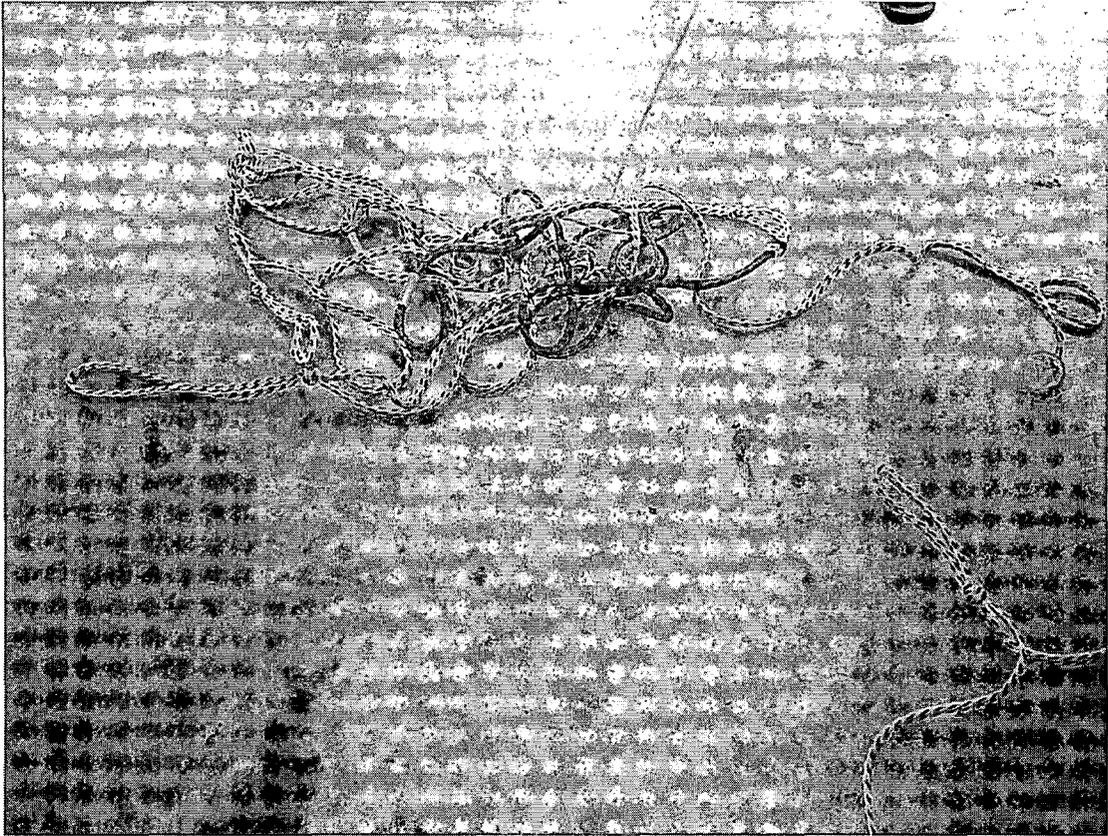
060621HCC1594 Exhibit 1(h) – more labeling printed on the kite tube which reads in part: “\*\*\*U-CONTROL RIDER SPEED HEIGHT SAFETY\*\*\*”.



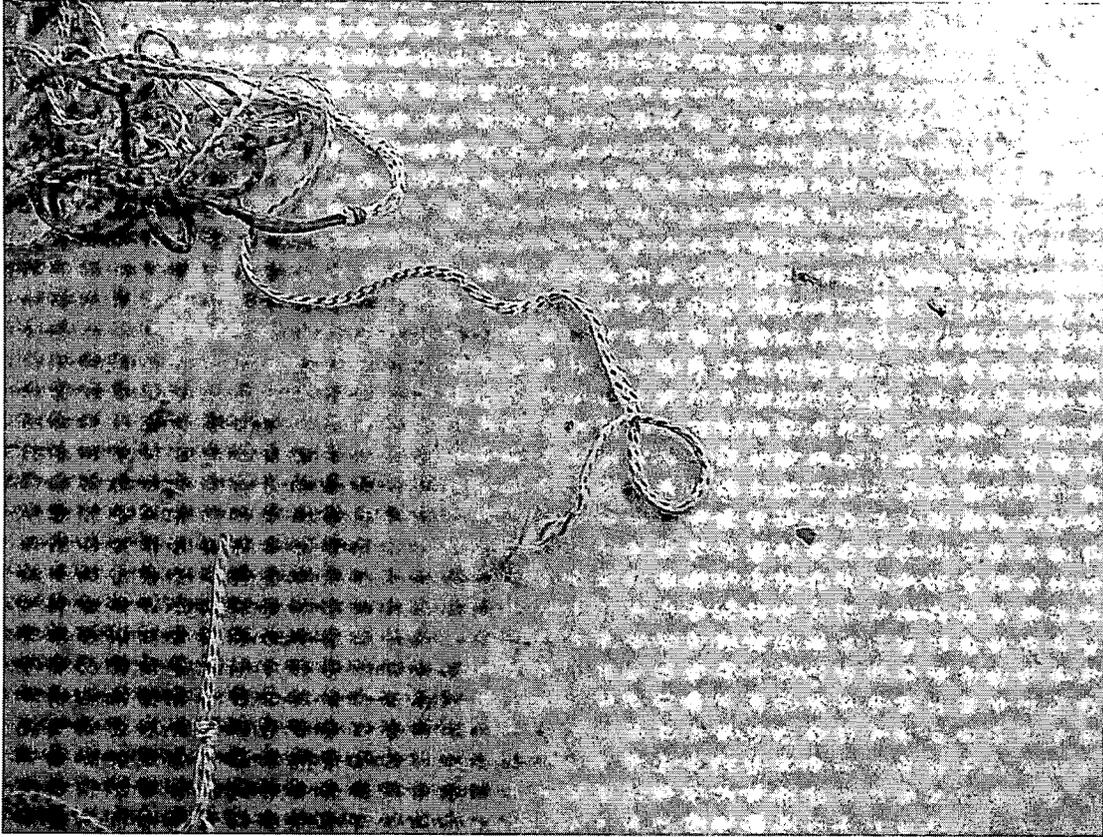
060621HCC1594 Exhibit 1(I) – View of broken tow rope (yellow section) that broke during the incident.



060621HCC1594 Exhibit 1(J) – another view of broken section of tow rope which measures about 12 feet long.



060621HCC1594 Exhibit 1(k) – View of all of the rope sections involved in the incident. The yellow, red, and white sections all tie together to create the maximum length about 65 feet which was the length of the rope at the time of the incident.



060621HCC1594 Exhibit 1(L) – View of broken end of the tow rope from the main section of the rope.



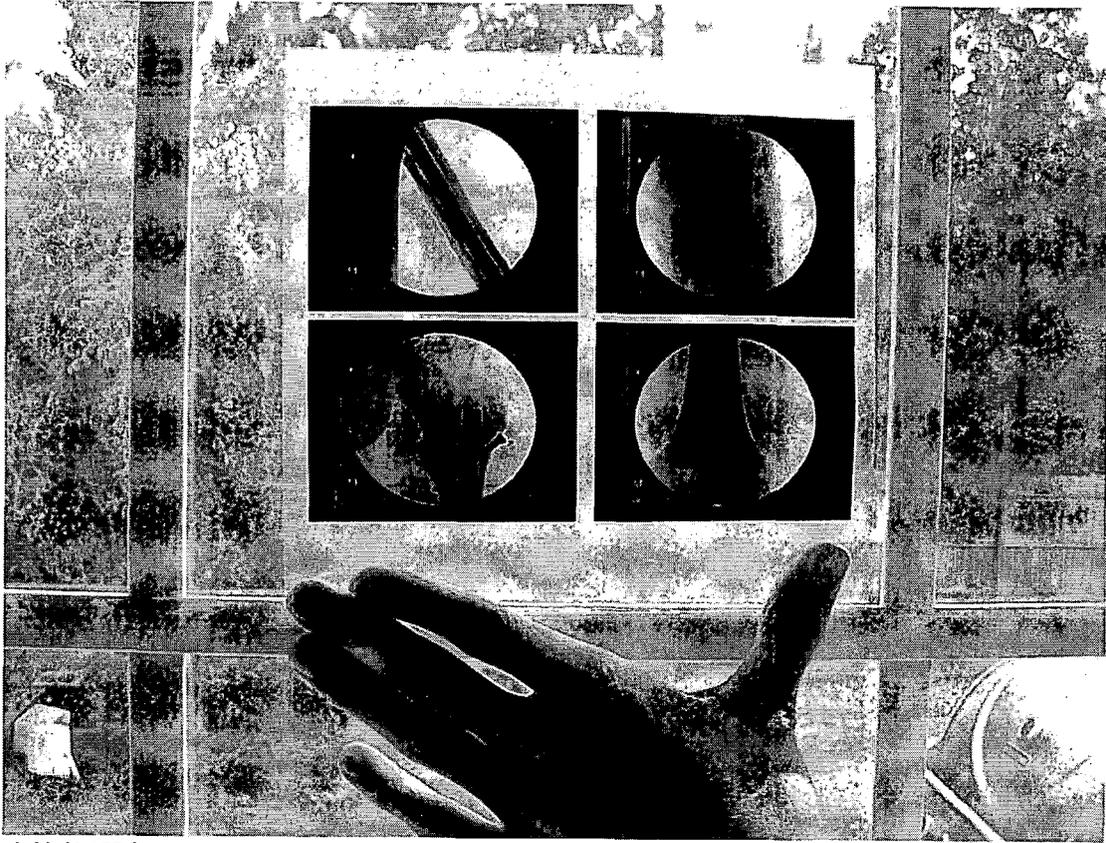
060621HCC1594 Exhibit 1(m) – View of front side of victim’s kite tube’s retail box which is labeled in part: “\*\*\*WEGO KITE TUBE \*\*\*SPORTSSTUFF\*\*\*120” diameter\*\*\*”.



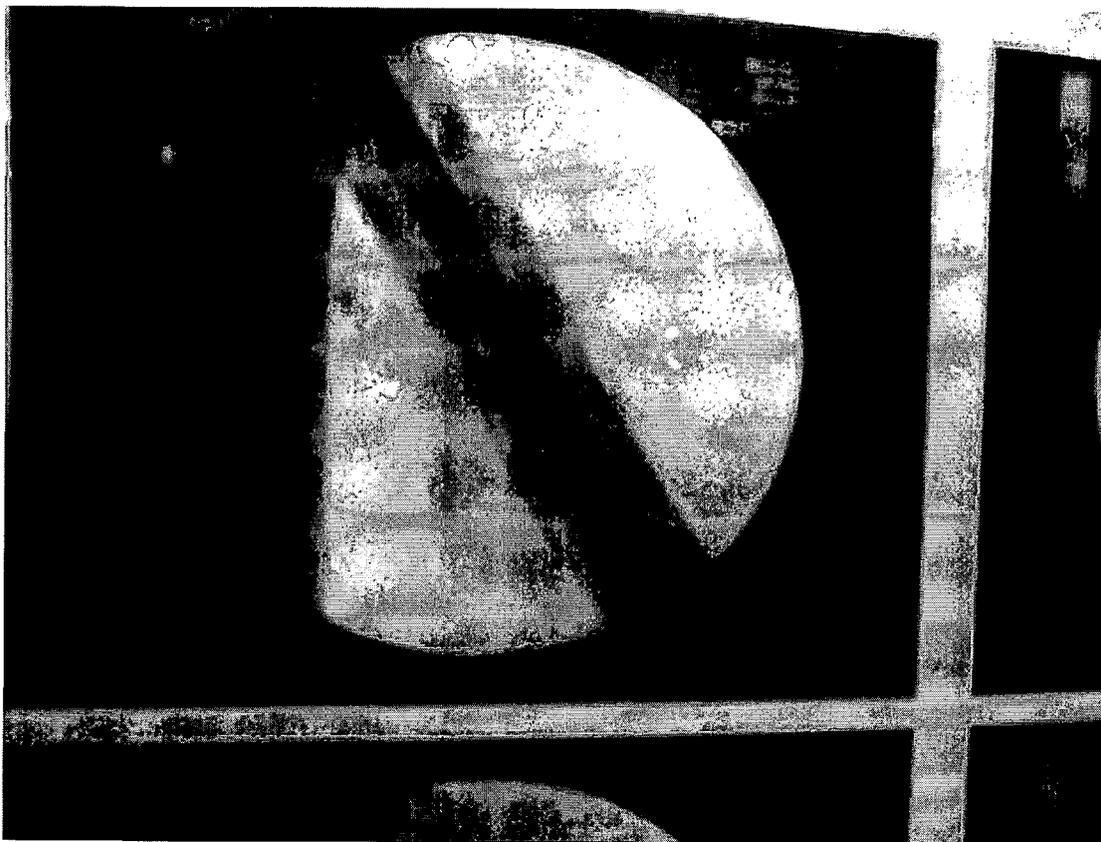
060621HCC1594 Exhibit 1(n) – View of sales sticker affixed to kite tube’s retail box which reads in part: “\*\*\*WEGO TOWABLE\*\*\*\$499.99\*\*\*”.



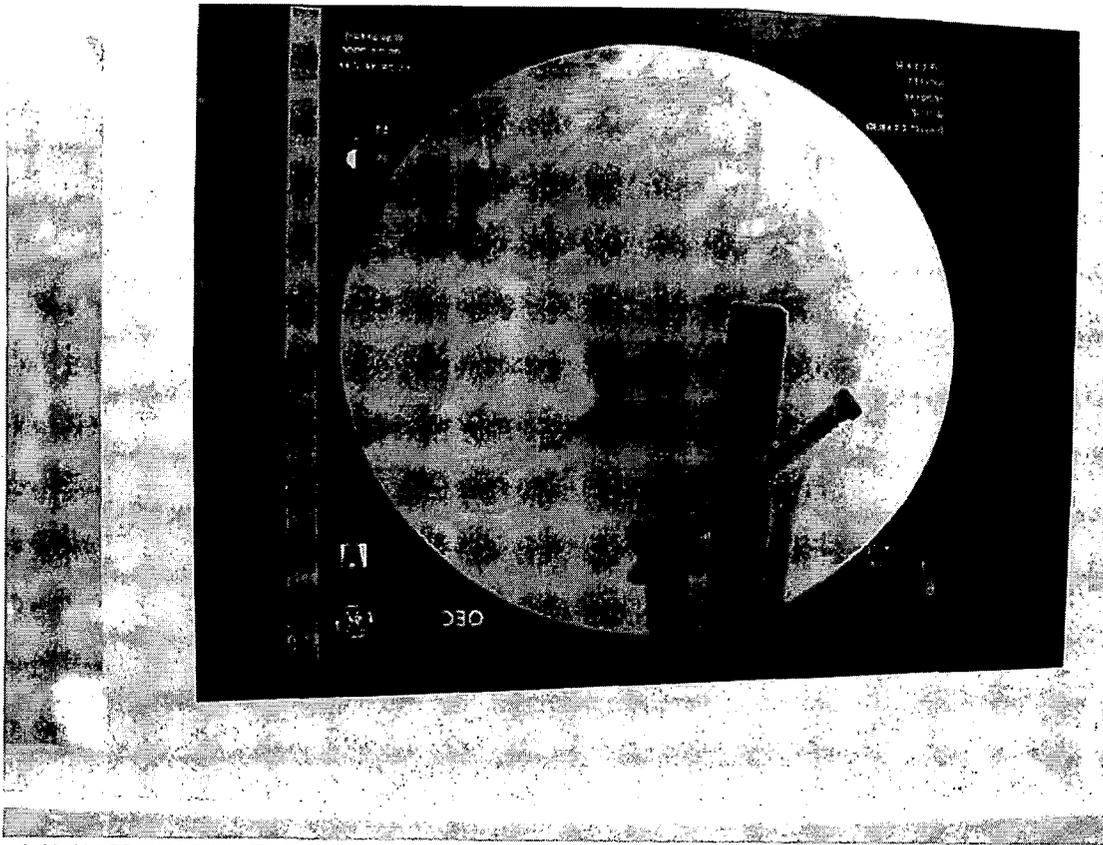
060621HCC1594 Exhibit 1(O) – View of product features printed on the kite tube’s retail carton which reads in part: “\*\*\*FEATURES! 120 inch inflated diameter (10 foot) with slanted saucer configuration\*\*\*840D full body nylon double skin cover with PU coating\*\*\*...Speed safety valves for fast easy installation /deflation\*\*\*Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee and ;leg use\*\*\*8’ padded non-slip handles with knuckle guard\*\*\* Segmented tow rope is included adjustable length style 45/55/65 foot lengths...\*\*\*”.



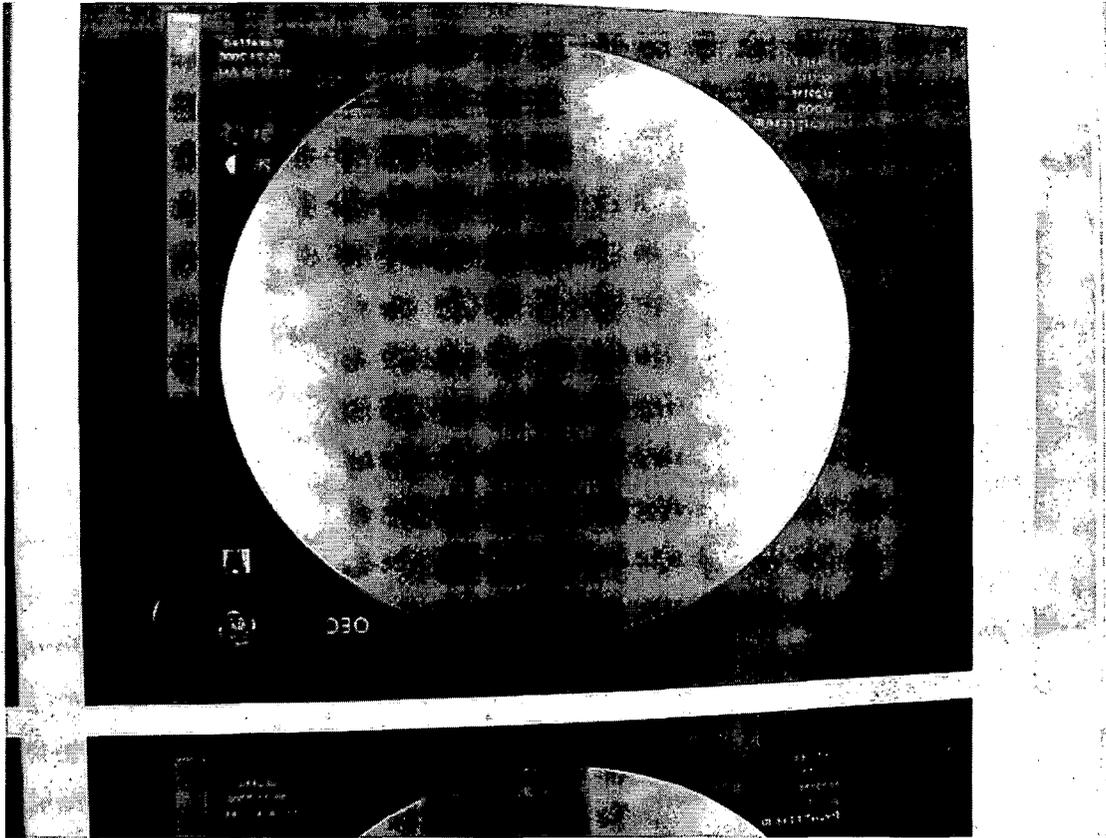
060621HCC1594 Exhibit 2(a) – photo of victim's x-rays depicting victim's injury and treatment.



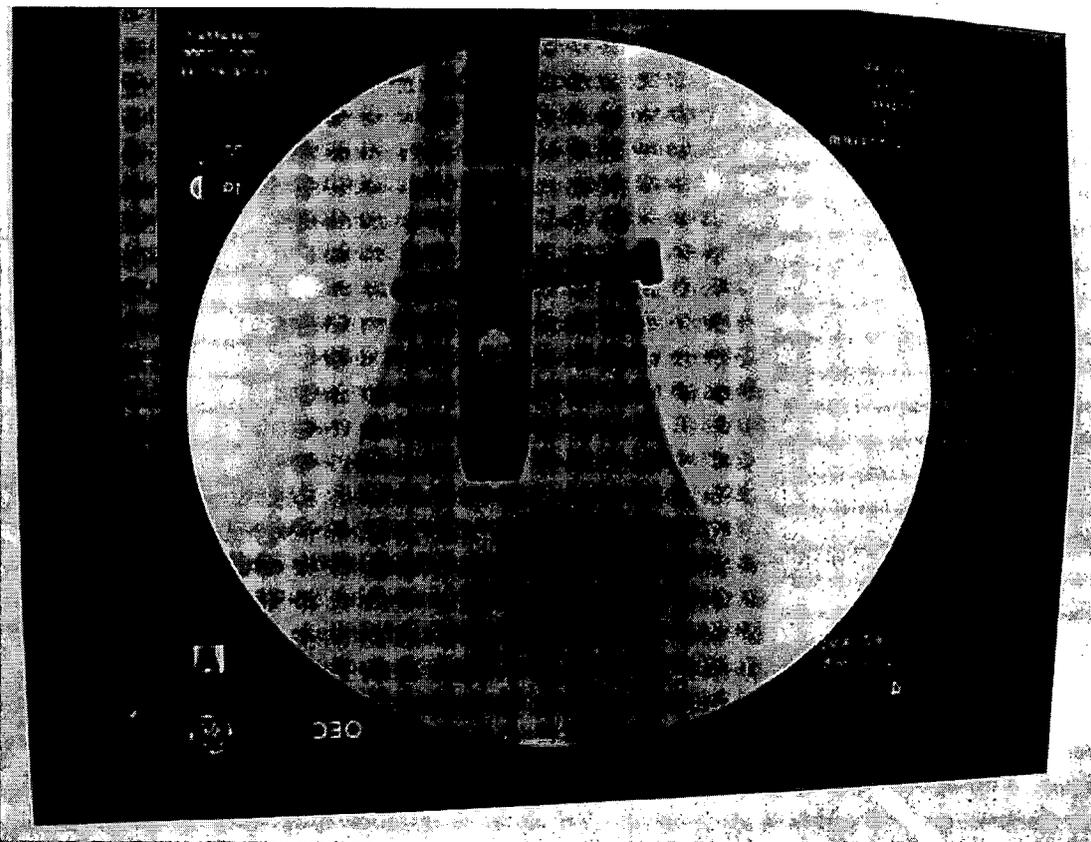
060621HCC1594 Exhibit 2(b) – close-up photo of upper left x-ray (from Exhibit 1a) of victim's femur bone showing victim's injury.



060621HCC1594 Exhibit 2(c) – photo of lower left x-ray (from Exhibit 1a) of victim's femur after treatment - showing the metal rod and screw that doctors placed in victim's leg to help heal the fracture.



060621HCC1594 Exhibit 2(d) – close-up photo of upper right x-ray (from Exhibit 1a) of victim's femur showing another angle of victim's injury.



060621HCC1594 Exhibit 2(e) – photo of lower right x-ray (from Exhibit 1a) of victim’s femur after treatment - showing another angle of the metal rod and screw that doctors placed in victim’s leg to help heal the fracture.

WILDLIFE NC 2006-0057

STATE OF NORTH CAROLINA WILDLIFE RESOURCES COMMISSION		PLEASE TYPE OR PRINT - FILL OUT COMPLETELY BOATING ACCIDENT INVESTIGATORS REPORT			Form MB 4.2 8/01	
ACCIDENT DATA						
VESSEL #1 OPERATOR NAME Justin Anthony Shank		VESSEL #2 OPERATOR NAME NA		VESSEL #3 OPERATOR NAME		
DATE OF ACCIDENT 20-May-06		TIME 4:30 PM	NAME OF BODY OF WATER Falls Lake		NEAREST CITY OR TOWN Wake Forest	
STATE NC		LOCATION (Give location precisely) Lat: N 35° 59.11' Long: W 078° 38.0'		COUNTY Wake		
WEATHER <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Fog <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Hazy		WATER CONDITIONS <input checked="" type="checkbox"/> Calm (waves less than 8") <input type="checkbox"/> Choppy (waves 6" to 2') <input type="checkbox"/> Rough (waves 2' to 6') <input type="checkbox"/> Very Rough (greater than 6') <input type="checkbox"/> Strong Current		TEMPERATURE (Estimate) Air 85 ° F Water 71 ° F	WIND <input type="checkbox"/> None <input checked="" type="checkbox"/> Light (0-6mph) <input type="checkbox"/> Moderate (7-14mph) <input type="checkbox"/> Strong (15-25mph) <input type="checkbox"/> Storm (Over 25mph)	VISIBILITY Day <input checked="" type="checkbox"/> Good Night <input type="checkbox"/> <input type="checkbox"/> Fair <input type="checkbox"/> Poor
ACCIDENT CAUSE(S) (Check all applicable) <input type="checkbox"/> Careless/Rckless <input type="checkbox"/> No / Improper Lights <input type="checkbox"/> Weather <input type="checkbox"/> Excessive Speed <input type="checkbox"/> No Proper Lookout <input type="checkbox"/> Restricted Vision <input type="checkbox"/> Overloading <input type="checkbox"/> Improper Loading <input type="checkbox"/> Hazardous Waters <input type="checkbox"/> Improper Anchoring <input type="checkbox"/> Wake <input type="checkbox"/> Alcohol use <input type="checkbox"/> Drug Use <input type="checkbox"/> Fault of Hull <input type="checkbox"/> Fault of Machinery <input type="checkbox"/> Fault of Equipment <input type="checkbox"/> Operator Inexperience <input type="checkbox"/> Operator Inattention <input type="checkbox"/> Dam / Lock <input type="checkbox"/> Sharp Turn <input type="checkbox"/> Ignition of Fuel/Vapor <input type="checkbox"/> Failure to Vent <input type="checkbox"/> Starting in Gear <input type="checkbox"/> Congested Waters <input checked="" type="checkbox"/> Other Riding a flying kite				TYPE OF ACCIDENT (Check one) <input type="checkbox"/> Grounding <input type="checkbox"/> Capsizing <input type="checkbox"/> Flooding <input type="checkbox"/> Sinking <input type="checkbox"/> Falls Overboard <input type="checkbox"/> Falls in boat <input type="checkbox"/> Starting Engine <input checked="" type="checkbox"/> Skier Mishap <input type="checkbox"/> Struck by boat <input type="checkbox"/> Fire or Explosion (Fuel) <input type="checkbox"/> Fire or Explosion (Other than fuel) <input type="checkbox"/> Collision with Fixed Object <input type="checkbox"/> Collision with Floating Object <input type="checkbox"/> Hit By Motor or Propeller <input type="checkbox"/> Collision with Vessel <input type="checkbox"/> Struck Submerged Object <input type="checkbox"/> Other		
VESSEL #1 INFORMATION						
NAME AND ADDRESS OF OPERATOR Justin Anthony Shank 6012 Crayford Dr. Raleigh NC 27604		AGE OF OPERATOR GENDER: MALE <input checked="" type="checkbox"/> FEMALE <input type="checkbox"/>		OPERATOR EXPERIENCE <input type="checkbox"/> Under 10 Hours <input checked="" type="checkbox"/> 10 to 100 Hours <input type="checkbox"/> Over 100 Hours	OPERATOR EDUCATION <input type="checkbox"/> State <input checked="" type="checkbox"/> None <input type="checkbox"/> Red Cross <input type="checkbox"/> USCG Auxiliary <input type="checkbox"/> Power Squadron Other <input type="checkbox"/>	
OPERATOR TELEPHONE NUMBER 919-527-8377		DATE OF BIRTH 11-Mar-84		OWNER TELEPHONE # 919-423-3067		
NAME AND ADDRESS OF OWNER Scott William Ziegler 6012 Crayford Dr. Raleigh NC 27604		RENTED BOAT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NUMBER OF PERSONS ONBOARD VESSEL 2	OWN ARREST <input type="checkbox"/> Yes B.A.C. _____	NUMBER OF OTHER ARRESTS 0	
BOAT REGISTRATION # NC 1238 DG		BOAT NAME	BOAT MAKE 8'ing Ray	BOAT MODEL 556 ZP	MFR HULL IDENTIFICATION # PMYU33CRA494	
TYPE OF BOAT <input checked="" type="checkbox"/> Open Motorboat <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> Mini Jet Boat <input type="checkbox"/> Canoe/Kayak <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Rowboat <input type="checkbox"/> PWC <input type="checkbox"/> Pontoon <input type="checkbox"/> Houseboat <input type="checkbox"/> Airboat <input type="checkbox"/> Sail only		HULL MATERIAL <input type="checkbox"/> Wood <input type="checkbox"/> Aluminum <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Fiberglass <input type="checkbox"/> Rubber/Vinyl <input type="checkbox"/> Plastic <input type="checkbox"/> Other	ENGINE <input checked="" type="checkbox"/> Outboard <input checked="" type="checkbox"/> Inboard gasoline <input type="checkbox"/> Inboard diesel <input type="checkbox"/> Inboard-outdrive <input type="checkbox"/> Jet <input type="checkbox"/> Other (Specify) _____	PROPULSION # of engines 1 Horsepower (total) 175 Type of fuel Gas	CONSTRUCTION Length 18' Year built (boat) 1984	
OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> Commercial Activity <input type="checkbox"/> Cruising <input type="checkbox"/> Maneuvering <input type="checkbox"/> Docking/Undocking <input type="checkbox"/> Rowing/Paddling <input checked="" type="checkbox"/> Water Skiing <input type="checkbox"/> Racing <input type="checkbox"/> Towing <input type="checkbox"/> Sealing <input type="checkbox"/> Changing Direction <input type="checkbox"/> Whitewater Sports <input type="checkbox"/> Starting Engine <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Drifting <input type="checkbox"/> At Anchor <input type="checkbox"/> Tied to Dock <input type="checkbox"/> Fueling <input type="checkbox"/> Fishing <input type="checkbox"/> Hunting <input type="checkbox"/> Skin Diving <input type="checkbox"/> Swimming <input type="checkbox"/> Being Towed <input type="checkbox"/> Launching <input type="checkbox"/> Changing Speed <input type="checkbox"/> Making Repairs <input type="checkbox"/> Tournament		PERSONAL FLOTATION DEVICES (PFD'S) Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Were they accessible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Were they serviceable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Were they used by survivors? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No What type? <input type="checkbox"/> I <input type="checkbox"/> II <input checked="" type="checkbox"/> III <input checked="" type="checkbox"/> IV <input type="checkbox"/> V (specify) _____ Was the vessel carrying NON approved flotation devices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Were they accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they used? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, indicate kind _____		PROPERTY DAMAGE Estimated amount: This Boat None Other Property None DESCRIBE PROPERTY DAMAGE Not Applicable NAME AND ADDRESS OF OWNER OF DAMAGED PROPERTY: Not Applicable DESCRIBE VESSEL DAMAGE: None BOAT SPEED: <input type="checkbox"/> Not Moving <input type="checkbox"/> Under 10mph <input checked="" type="checkbox"/> 10-20 <input type="checkbox"/> 21-40		
FIRE EXTINGUISHER Were they used? (If yes, list Types(s) and #) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA Types: _____						

RECEIVED JUN 13 2006

VESSEL # 2 INFORMATION (If more than two vessels, add additional forms)

NAME AND ADDRESS OF OPERATOR Not Applicable		AGE OF OPERATOR GENDER: Male <input type="checkbox"/> Female <input type="checkbox"/>		OPERATOR EXPERIENCE <input type="checkbox"/> Under 10 Hours <input type="checkbox"/> 10 to 100 Hours <input type="checkbox"/> Over 100 Hours	
OPERATOR TELEPHONE #		DATE OF BIRTH		OPERATOR EDUCATION <input type="checkbox"/> None <input type="checkbox"/> State <input type="checkbox"/> Red Cross <input type="checkbox"/> USCG Auxiliary <input type="checkbox"/> Power Squadron <input type="checkbox"/> Other	
NAME AND ADDRESS OF OWNER		RENTED BOAT? <input type="checkbox"/> Yes <input type="checkbox"/> No		# of persons on board vessel	
BOAT REGISTRATION #		BOAT NAME		MFR HULL IDENTIFICATION #	
BOAT MAKE		BOAT MODEL		OWI ARREST <input type="checkbox"/> Yes B.A.C. _____ # OF OTHER ARRESTS _____ # OF SKIERS TOWED _____	
TYPE OF BOAT <input type="checkbox"/> Open Motorboat <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> Mini Jet Boat <input type="checkbox"/> Canoe/Kayak <input type="checkbox"/> Other (specify) _____		HULL MATERIAL <input type="checkbox"/> Wood <input type="checkbox"/> Aluminum <input type="checkbox"/> Steel <input type="checkbox"/> Fiberglass <input type="checkbox"/> Rubber/vinyl <input type="checkbox"/> Plastic <input type="checkbox"/> Other		ENGINE <input type="checkbox"/> Outboard <input type="checkbox"/> Inboard gasoline <input type="checkbox"/> Inboard diesel <input type="checkbox"/> Inboard-outdrive <input type="checkbox"/> Jet <input type="checkbox"/> Other (Specify) _____	
PROPULSION # of engines _____ Horsepower (total) _____ Type of fuel _____		CONSTRUCTION Length _____ Year built (boat) _____		Has boat had a Safety Examination? <input type="checkbox"/> Yes <input type="checkbox"/> No For current year? <input type="checkbox"/> Yes <input type="checkbox"/> No Year _____ Indicate whether <input type="checkbox"/> USCG Auxiliary Courtesy Marine Exam <input type="checkbox"/> State/local exam <input type="checkbox"/> Other	

OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> Commercial Activity <input type="checkbox"/> Cruising <input type="checkbox"/> Maneuvering <input type="checkbox"/> Docking/Undocking <input type="checkbox"/> Rowing/Paddling <input type="checkbox"/> Water Skiing <input type="checkbox"/> Racing <input type="checkbox"/> Towing <input type="checkbox"/> Sailing <input type="checkbox"/> Changing Direction <input type="checkbox"/> Whitewater Sports <input type="checkbox"/> Other (Specify) _____		PERSONAL FLOATION DEVICES (PFD'S) Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they serviceable? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they used by survivors? <input type="checkbox"/> Yes <input type="checkbox"/> No What Type? <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> V (specify) _____ Were PFD's property Used? <input type="checkbox"/> Yes <input type="checkbox"/> No Was the vessel carrying NON approved flotation devices? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they used? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, indicate kind _____		PROPERTY DAMAGE Estimated amount: This Boat \$ _____ Other Property \$ _____ DESCRIBE PROPERTY DAMAGE _____		FIRE EXTINGUISHER Were they used? (If yes, list Type(s) and # used.) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA Types: _____	
BOAT SPEED: <input type="checkbox"/> Not Moving <input type="checkbox"/> Under 10 MPH <input type="checkbox"/> 10 - 20 MPH <input type="checkbox"/> 21 - 40 MPH		NAME AND ADDRESS OF OWNER OF DAMAGED PROPERTY: _____ DESCRIBE VESSEL DAMAGE: _____					

FATALITIES AND INJURIES

If more than 3 fatalities and / or injuries, attach additional form(s)

DECEASED

Name Not Applicable Vessel # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Address	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type _____	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> OTHER <input type="checkbox"/> DISAPPEARANCE	Physical Condition: Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes B.A.C. _____
Name Vessel # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Address	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type _____	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> OTHER <input type="checkbox"/> DISAPPEARANCE	Physical Condition: Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes B.A.C. _____
Name Vessel # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Address	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type _____	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> OTHER <input type="checkbox"/> DISAPPEARANCE	Physical Condition: Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes B.A.C. _____

INJURED

Name Scott W. Ziegler Vessel # <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Address 6012 Crayford Dr. Raleigh NC 27604	DATE OF BIRTH 12-19-83	Primary Injury Right femur broken twice Secondary Injury none Propeller Injury? <input type="checkbox"/> Yes Injury Caused By: impact with water	Medical Treatment? <input checked="" type="checkbox"/> Yes Hospitalized? <input checked="" type="checkbox"/> Yes Alcohol? <input type="checkbox"/> Yes B.A.C. _____ PFD Worn? <input checked="" type="checkbox"/> Yes
Name Vessel # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Address	DATE OF BIRTH	Primary Injury Secondary Injury Propeller Injury? <input type="checkbox"/> Yes Injury Caused By:	Medical Treatment? <input type="checkbox"/> Yes Hospitalized? <input type="checkbox"/> Yes Alcohol? <input type="checkbox"/> Yes B.A.C. _____ PFD Worn? <input type="checkbox"/> Yes
Name Vessel # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Address	DATE OF BIRTH	Primary Injury Secondary Injury Propeller Injury? <input type="checkbox"/> Yes Injury Caused By:	Medical Treatment? <input type="checkbox"/> Yes Hospitalized? <input type="checkbox"/> Yes Alcohol? <input type="checkbox"/> Yes B.A.C. _____ PFD Worn? <input type="checkbox"/> Yes

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (sequence of events. Include and explain any failure of equipment or machinery. Include information regarding the involvement of alcohol and or / drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's)

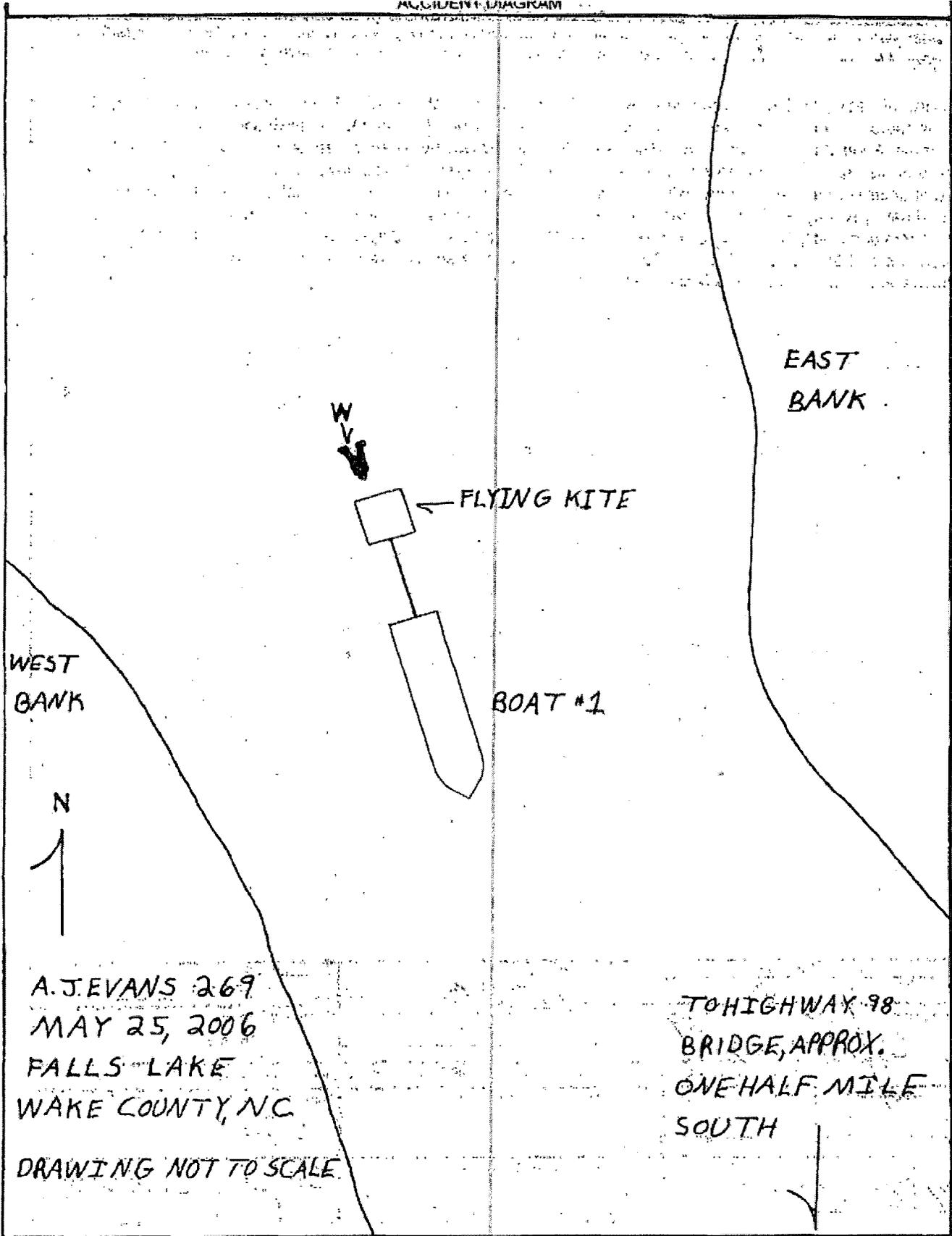
On Saturday, May 20, 2006 at approximately 1630 hours, Justin Anthony Shank was operating an 18' stingray inboard motor boat on Falls Lake in Wake County, North Carolina. Mr. Shank was towing the owner of the motorboat, Scott William Ziegler, on a flying kite. Mr. Ziegler was flying approximately twenty feet above the surface of the lake, according to witnesses in the boat. The operator slowed down when he began crossing the wake of another boat. At this time, witnesses stated the kite turned over and Mr. Ziegler lost control and fell approximately twenty feet to the surface of Falls Lake. Mr. Ziegler was helped back into the boat by the other passengers and transported to Upper Barton Creek Boat Access Area. Engine 361 from the Bayleaf fire department and Six Forks EMS unit 1272 responded to the boat access area. Mr. Ziegler was transported to Wake Medical Center and treated for a broken femur in his right leg.

W-60 TUBE KITE  
CAP

Name <u>A.J. Evans</u>		Address <u>1717 small Service Center Raleigh NC 27609-4717</u>		Telephone # <u>919-569-0454</u>	
Officer Badge Number <u>289</u>				Date Submitted <u>05-25-06</u>	
SIGNATURE <u>A.J. Evans 289</u>					
(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)					
Causes based on (check one) <input checked="" type="checkbox"/> This report <input type="checkbox"/> Investigation		Secondary Cause of Accident		Date Received <u>6-7-06</u>	
<input type="checkbox"/> Investigation and this report <input type="checkbox"/> Could not be determined					
Primary Cause of Accident <u>W-60 TUBE KITE CAP</u>		Secondary Cause of Accident		Reviewed By <u>LT G. P. ... 0927</u> <u>NCWRC</u>	

Capt. Wade H. Benton  
District 3 Enf.  
6-8-06

ACCIDENT DIAGRAM



*A. J. Evans*  
JUN 20 2006

STATE OF NORTH CAROLINA WILDLIFE RESOURCES COMMISSION		PLEASE TYPE OR PRINT - FILL OUT COMPLETELY BOATING ACCIDENT REPORT		Form MB 4.1 Rev 1/01		
The operator of every vessel involved is required to file a report in writing whenever a boating accident results in loss of life, medical treatment beyond first aid, disappearance from a vessel under circumstances that indicate death or injury, or property damage in excess of \$500. Reports in death, disappearance and injury cases must be submitted within 48 hours; reports in other cases are required within 10 days. All reports shall be submitted to the Wildlife Resources Commission, 1717 Mail Service Center, Raleigh, North Carolina 27699-1717						
COMPLETE ALL BLOCKS (Indicate those not applicable by N/A)						
NAME AND ADDRESS OF OPERATOR 2022 ...		AGE OF OPERATOR 27	OPERATORS EXPERIENCE <input type="checkbox"/> Under 30 hours <input checked="" type="checkbox"/> 30 to 100 hours <input checked="" type="checkbox"/> Over 100 hours		OPERATOR GENDER <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
OPERATOR TELEPHONE NUMBER 919-405-8071		DATE OF BIRTH 11/11/78	OWNER TELEPHONE NO		FORMAL INSTRUCTION IN BOATING SAFETY <input checked="" type="checkbox"/> None <input type="checkbox"/> State <input type="checkbox"/> U.S. Power Squadron <input type="checkbox"/> USCG Auxiliary <input type="checkbox"/> American Red Cross <input checked="" type="checkbox"/> Other (Specify) ...	
NAME AND ADDRESS OF OWNER Scott W Ziegler 10112 Crawford Dr Raleigh, NC 27604		RENTED BOAT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	NUMBER OF PERSONS ON BOARD 1	MFR HULL IDENTIFICATION NO. BNYU53GR494		
BOAT REGISTRATION NO. NC 1237CG	BOAT NAME Stryker	BOAT MAKE Stryker	BOAT MODEL 556 ZP	CONSTRUCTION Length Year built (boat) 1994		
TYPE OF BOAT <input checked="" type="checkbox"/> Open Motorboat <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> Sail (only) <input type="checkbox"/> PWC <input type="checkbox"/> Canoe <input type="checkbox"/> Other (Specify)	HULL MATERIAL <input type="checkbox"/> Wood <input type="checkbox"/> Aluminum <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Fiberglass <input type="checkbox"/> Rubber/vinyl <input type="checkbox"/> Plastic <input type="checkbox"/> Other	ENGINE <input checked="" type="checkbox"/> Outboard <input type="checkbox"/> Inboard <input type="checkbox"/> Inboard-outdrive	PROPULSION No. of engines Horsepower (total) 17.5 Type of fuel 295	Has boat had a Safety Examination? For current year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Indicate Weather <input checked="" type="checkbox"/> USCG Auxiliary Courtesy Marine Exam <input checked="" type="checkbox"/> State / local examination <input type="checkbox"/> Other		
DATE OF ACCIDENT 5-20-05	TIME 9:44 am	NAME OF BODY OF WATER Falls Lake		LOCATION Lat: Long:		
STATE NC	NEAREST CITY OR TOWN Raleigh		COUNTY Wake			
WEATHER <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Rain <input type="checkbox"/> Cloudy <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input type="checkbox"/> Hazy	WATER CONDITIONS <input type="checkbox"/> Calm (waves less than 6") <input type="checkbox"/> Choppy (waves 6" to 12") <input checked="" type="checkbox"/> Rough (waves 2' to 6") <input type="checkbox"/> Very Rough (greater than 6") <input type="checkbox"/> Strong Current	TEMPERATURE (Estimate) Air 85 °F Water °F	WIND <input type="checkbox"/> None <input checked="" type="checkbox"/> Light (0-6 mph) <input type="checkbox"/> Moderate (7-14 mph) <input type="checkbox"/> Strong (15-25 mph) <input type="checkbox"/> Storm (Over 25 mph)	VISIBILITY Day Night <input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor		
OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> Commercial Activity <input type="checkbox"/> Cruising <input type="checkbox"/> Maneuvering <input type="checkbox"/> Docking/Undocking <input type="checkbox"/> Rowing/Paddling <input checked="" type="checkbox"/> Water Skiing <input type="checkbox"/> Racing <input type="checkbox"/> Towing <input type="checkbox"/> Changing Speed <input type="checkbox"/> Making Turns <input type="checkbox"/> Tournement <input type="checkbox"/> Changing Direction <input type="checkbox"/> Other (specify)		TYPE OF ACCIDENT (Check One) <input type="checkbox"/> Grounding <input type="checkbox"/> Capsizing <input type="checkbox"/> Flooding <input type="checkbox"/> Sinking <input type="checkbox"/> Fire or Explosion (Fuel) <input type="checkbox"/> Fire or Explosion (Other than fuel) <input checked="" type="checkbox"/> Skier Mishap <input type="checkbox"/> Collision with Vessel <input type="checkbox"/> Starting Engine <input type="checkbox"/> Other (specify)		WHAT IN YOUR OPINION CONTRIBUTED TO THE ACCIDENT? (Check all applicable) <input type="checkbox"/> Careless / Reckless <input checked="" type="checkbox"/> Wave <input type="checkbox"/> Weather <input type="checkbox"/> Excessive Speed <input type="checkbox"/> No Proper Lookout <input type="checkbox"/> Restricted Vision <input type="checkbox"/> Overloading <input type="checkbox"/> Improper Loading <input type="checkbox"/> Hazardous Waters <input type="checkbox"/> Dam / Lock <input type="checkbox"/> Sharp Turn <input type="checkbox"/> Starting in Gear <input type="checkbox"/> Failure to Vent <input type="checkbox"/> Other <input type="checkbox"/> Alcohol use <input type="checkbox"/> Drug Use <input type="checkbox"/> Fault of hull <input type="checkbox"/> Fault of Machinery <input type="checkbox"/> Fault of Equipment <input type="checkbox"/> Operator Inexperience <input type="checkbox"/> Operator Inattention <input type="checkbox"/> No / Improper Lights <input type="checkbox"/> Improper Anchoring <input type="checkbox"/> Congested Waters <input type="checkbox"/> Ignition of Fuel / Vapor		
PERSONAL FLOATION DEVICES Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES? Were they accessible? Were they serviceable? Where they used by survivors? What Type? <input type="checkbox"/> I, <input type="checkbox"/> II, <input checked="" type="checkbox"/> III, <input checked="" type="checkbox"/> IV, <input type="checkbox"/> V (specify)		BOAT SPEED: <input type="checkbox"/> Not Moving <input checked="" type="checkbox"/> 10 - 20 mph <input type="checkbox"/> Under - 10 mph <input type="checkbox"/> 21 - 40 mph		PROPERTY DAMAGE Estimated amount: This Boat none Other Property		
Were PFD's properly Used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Adjusted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Sized? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Was the vessel carrying NON approved flotation devices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Were they accessible? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Were they used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, indicate kind		FIRE EXTINGUISHER Were they used? (If yes, list Types (s) and number used.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA Types:		
DESCRIBE VESSEL DAMAGE		Name and Address of Property Owner Scott W Ziegler 10112 Crawford Dr DESCRIBE PROPERTY DAMAGE				

Name	Address	Date of Birth	Was Victim? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type	Death Caused By <input type="checkbox"/> Drowning <input type="checkbox"/> Other	Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes
Name	Address	Date of Birth	Was Victim? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type	Death Caused By <input type="checkbox"/> Drowning <input type="checkbox"/> Other	Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes
Name	Address	Date of Birth	Was Victim? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type	Death Caused By <input type="checkbox"/> Drowning <input type="checkbox"/> Other	Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes

**INJURED**

Name	Address	Date of Birth	Primary Injury	Broken Leg	Medical Treatment	Yes
Scott Ziegler	6012 Croyford Drive Raleigh NC 27604	1-2-19-83	Secondary Injury	<input type="checkbox"/> Yes	Hospitalized?	Yes
Name	Address	Date of Birth	Primary Injury		Alcohol?	Yes
Name	Address	Date of Birth	Primary Injury		PFD Worn?	Yes
Name	Address	Date of Birth	Primary Injury		Medical Treatment	Yes
Name	Address	Date of Birth	Primary Injury		Hospitalized?	Yes
Name	Address	Date of Birth	Primary Injury		Alcohol?	Yes
Name	Address	Date of Birth	Primary Injury		PFD Worn?	Yes

**ACCIDENT DESCRIPTION**

DESCRIBE WHAT HAPPENED (sequence of events, include and explain any failure of equipment or machinery. Include information regarding the involvement of alcohol and / or drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's)

Rider riding Rite tube fell 20 ft to the surface of the water sideways and hit surface of the lake

**VESSEL NO. 2 (if more than 2 vessels, attach additional form(s).)**

Name of Operator	Operator Telephone Number	Boat Number
Not Applicable	919 827 8377	NC1238LC
Operator Address		
6012 Croyford Drive Raleigh NC 27604		
Name of Owner	Owner Telephone Number	
Scott Ziegler	919 623 3067	
Owner Address		
29604 6012 Croyford Drive Raleigh NC 27604		

**WITNESSES**

Name	Address	Telephone Number
Dennis Gilby	1057 Spawn Place	919 417 1178
Name	Address	Telephone Number
Name	Address	Telephone Number

**PERSON COMPLETING REPORT**

Name	Address	Telephone Number
Justin A Shank	6012 Croyford Dr Raleigh NC 27604	919 827 8377
<input checked="" type="checkbox"/> Operator <input type="checkbox"/> Owner		
Signature		Date Submitted
Justin Shank		5 20 06

U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

---

YES                       NO

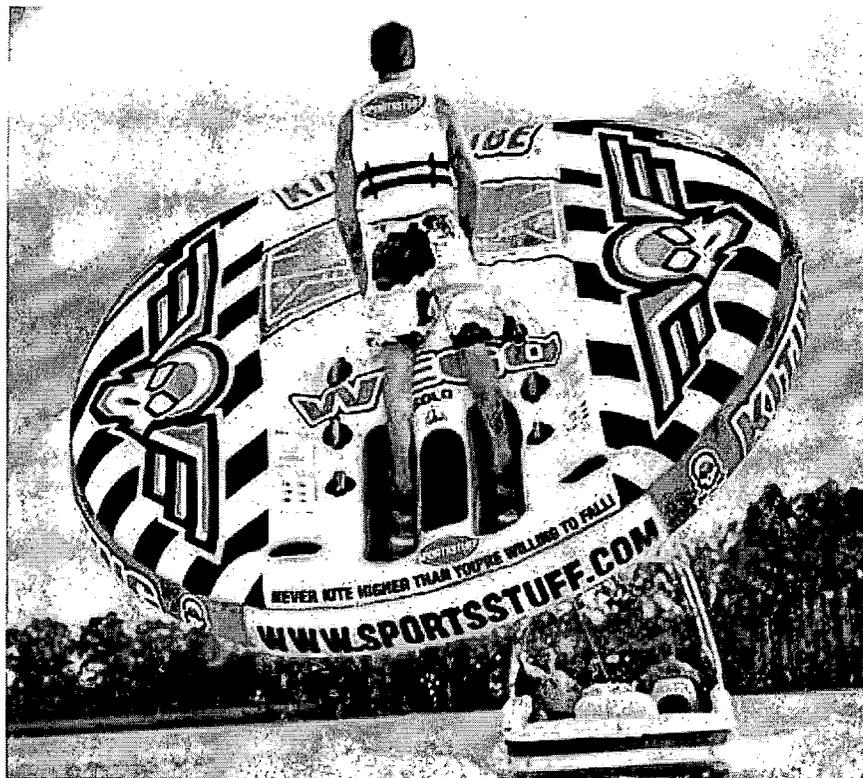
  
\_\_\_\_\_  
(Signature)

7/13/06  
\_\_\_\_\_  
(Date)



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### Wego Kite Tu

10ft diameter flying tu  
 Take flight with the WE action towable is here, excitement! Whip acro through the air like a b rise above the water, r nothing but adrenaline has been raised with t beneath it...

Model 53-5000 Sug. R



### KITE TUBE W MARKET - CL

Features:

- 120 inch inflat configuration
- 840D full body
- Computerized
- Nylon zippered adjustment
- Multiple mesh
- Two heavy-dut cockpit
- Reinforced tow connector for e
- Speed safety v
- Parallel slotting neoprene padd use
- 8 padded, non
- Heavy-duty sta
- Reflective Safe outside top tap
- Variable loops
- Panoramic see
- Adjustable leng rope included
- High visibility, watersports sa caution accent
- Instructional D included

## **Wego Kite Tube**

10ft diameter flying tube

Take flight with the Wego Kite Tube. The next generation of action towable is here, taking you to a whole new level of excitement. Whip across the water like a deck tube, or fly through the air like a bird. Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake. The level of extreme sport has been raised with the Wego Kite Tube. Anything else is beneath it.  
Model 5 -5000 Sug Retail: **\$599.95**

## **KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO**

Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:  
[Kite Tube Instructional Video](#)

# NEWS from CPSC

## U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

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FOR IMMEDIATE RELEASE

July 13, 2006

Release #06-210

**Firm's Recall Hotline: (866) 831-5524**

CPSC Recall Hotline: (800) 638-2772

CPSC Media Contact: (301) 504-7908

### **Sportsstuff Wego Kite Tubes Withdrawn from Market after Reports of Deaths and Injuries**

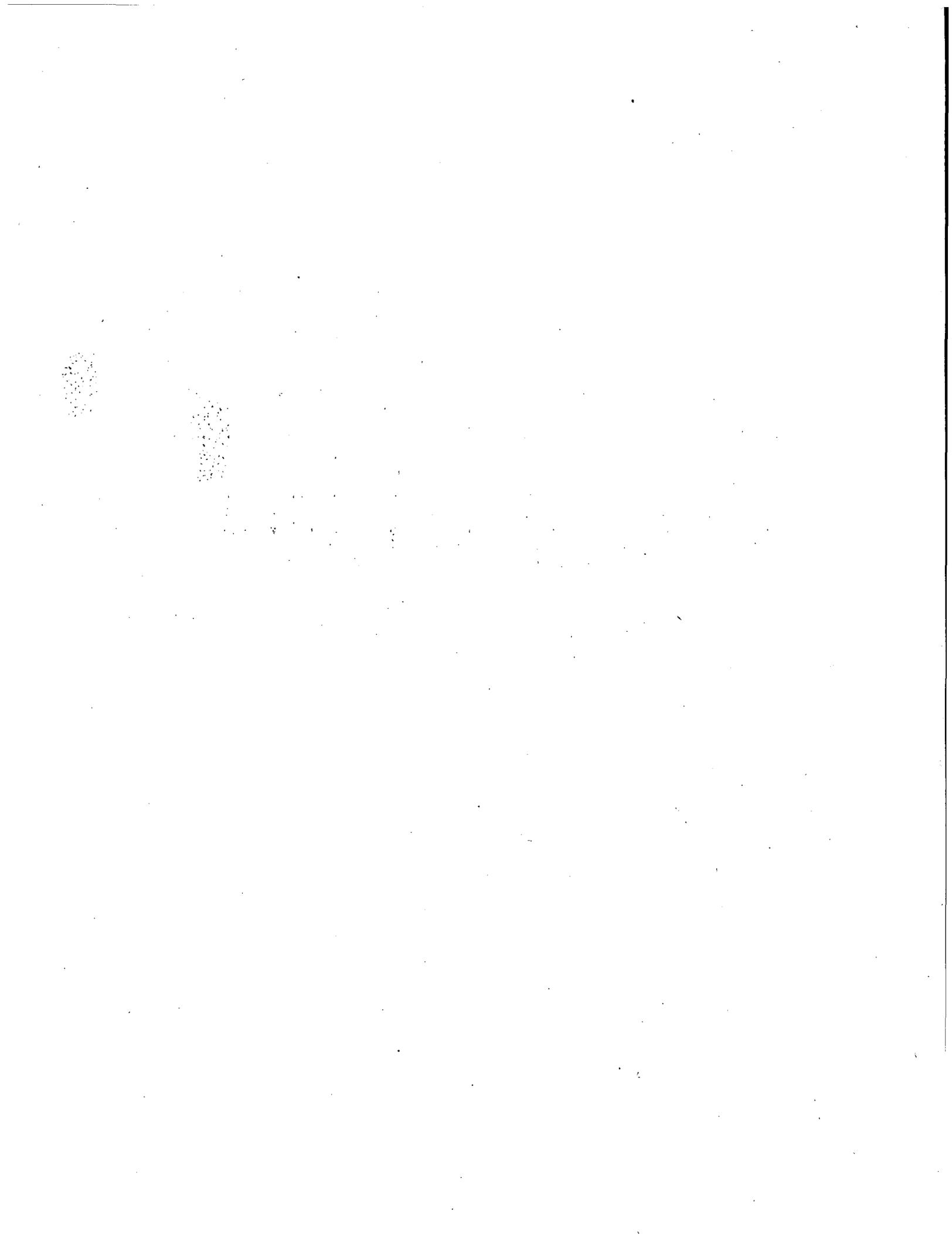
WASHINGTON, D.C. – In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Sportsstuff, Inc., of Omaha, Nebraska is voluntarily recalling about 19,000 Wego Kite Tubes.

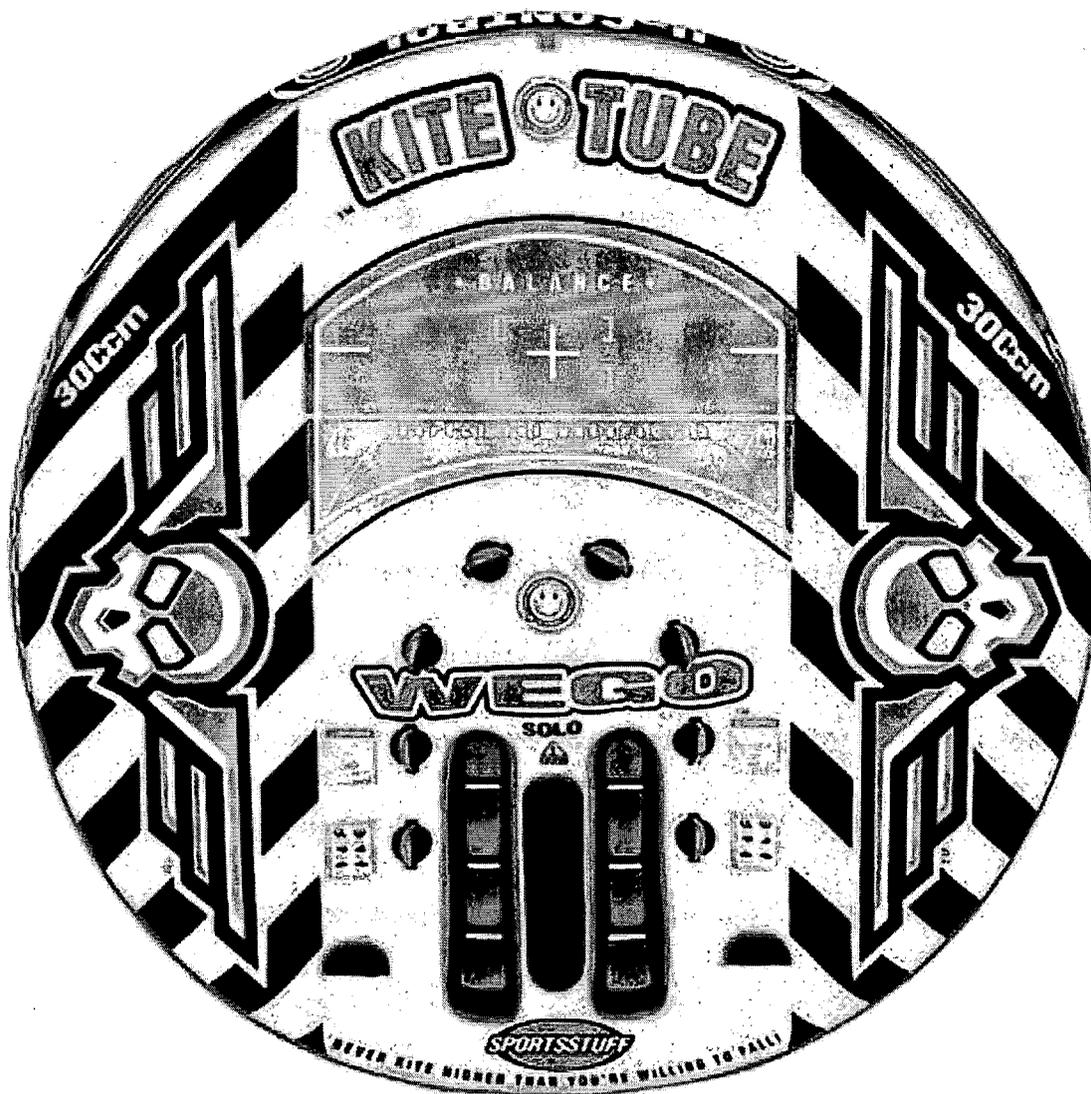
CPSC staff is aware of 39 injury incidents with 29 of those resulting in medical treatment. Those injuries include a broken neck, punctured lung, chest and back injuries and facial injuries. Sportsstuff has received reports of two deaths in the United States and a variety of serious injuries. Sportsstuff has been unable to determine the cause of the incidents. Nevertheless, the company has withdrawn the kite tube from the market and is undertaking this voluntary recall out of an abundance of caution.

The Sportsstuff Wego Kite Tube is a 10-foot-wide, circular, yellow inflatable watercraft designed to be towed behind a power boat. A rider in the tube becomes airborne by pulling on handles attached to the floor of the tube. Model 53-5000 is printed on the tube near the product valve. The floor of the tube has black caution warning stripes. The cover for the product bears a skull and crossbones and the statement "Never Kite higher than you are willing to fall." The tubes were imported and sold through marine distributors, mail order catalogs, and various retailers from approximately October 1, 2005 to July 11, 2006 for about \$500 to \$600.

Consumers should immediately stop using the kite tubes and contact Sportsstuff at (866) 831-5524 between 8 a.m. and 5 p.m. CST Monday through Friday to learn how to obtain free replacement products. Consumers can also visit the firm's Web site at [www.sportsstuff.com](http://www.sportsstuff.com) for more information.

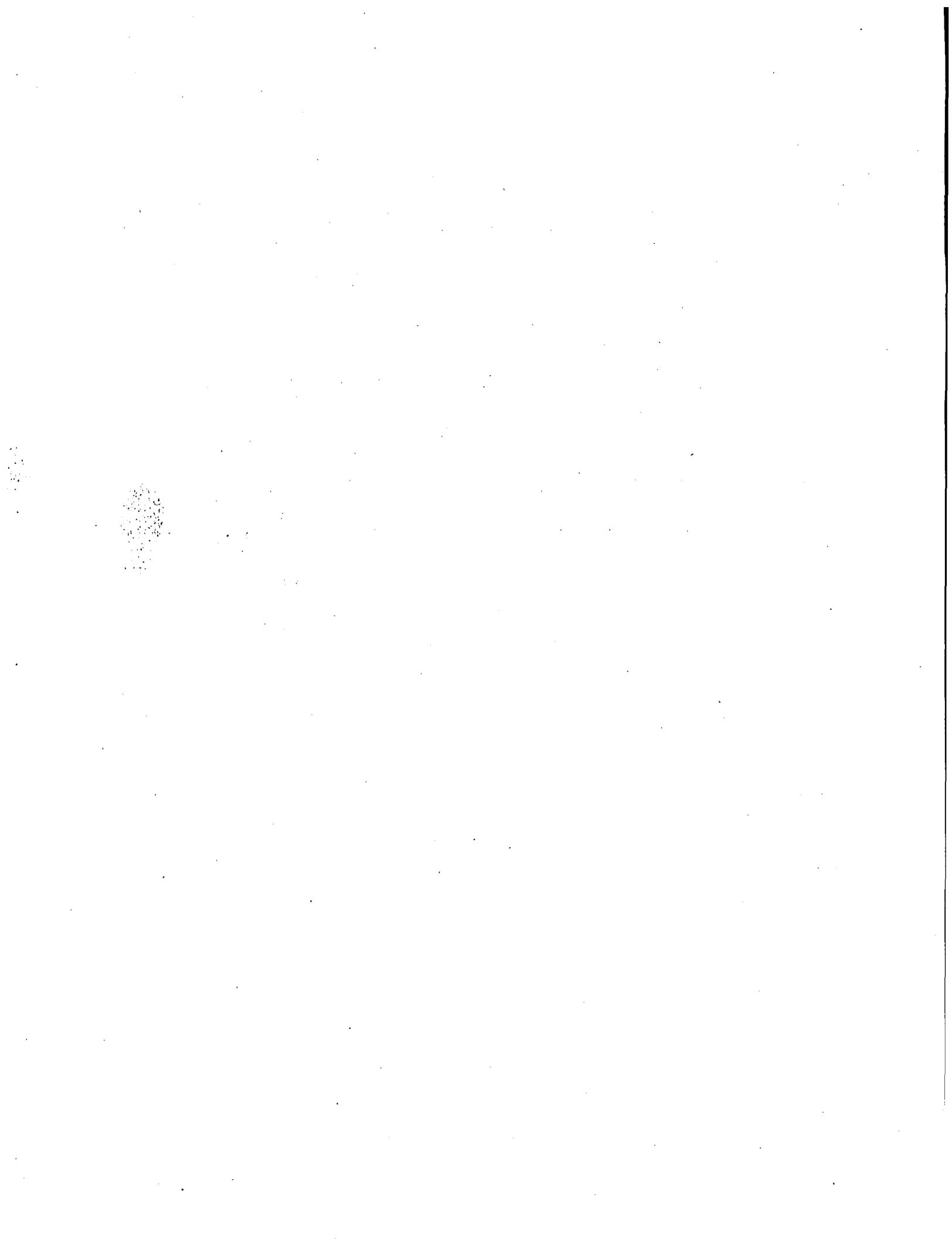
060621HCC1594 Exhibit 6, Pg. 1 of 2





Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at [www.cpsc.gov/talk.html](http://www.cpsc.gov/talk.html). To join a CPSC email subscription list, please go to [www.cpsc.gov/cpscclist.asp](http://www.cpsc.gov/cpscclist.asp). Consumers can obtain this release and recall information at CPSC's Web site at [www.cpsc.gov](http://www.cpsc.gov).



### WEGO KITE TUBE REPLACEMENT REQUEST

After this form has been submitted, a Customer Service Representative will contact you with an RMA number. Please use the form on this page to request your replacement product(s). Before we ship your chosen replacements, you must send us your Wego Kite Tube as outlined below:

Please completely fill out the form and press the SUBMIT button when you're finished. *ALL FIELDS ARE REQUIRED	
Date Purchased:	Month <input type="text"/> Day <input type="text"/> Year <input type="text"/>
Product condition:	<Select Condition> <input type="text"/>
Store where product was purchased:	<input type="text"/>
First and last name:	<input type="text"/>
Street address:	<input type="text"/>
City:	<input type="text"/>
State/Province:	<Select> <input type="text"/>
Zip:	<input type="text"/>
Country:	<Select> <input type="text"/>
E-mail address:	yourmail@serviceprovider.com <input type="text"/>
Area code + phone number:	<input type="text"/>
Please choose your desired replacement option:	<Select Replacement Option> <input type="text"/> <a href="#">Learn more about the replacement options here</a> Close the new window when done to return to this form
<input type="button" value="CLEAR FORM"/>	<input type="button" value="SUBMIT"/> Thank You

#### Wego Return Procedure:

[Click here if your kite tube is new or unused and has NEVER been inflated.](#)  
 If your Wego Kite Tube has been used, we will need you to complete the following steps:

- PLEASE CUT OFF THE FOLLOWING PARTS OF YOUR UNIT TO RETURN TO SPORTSSTUFF:
1. CUT OFF THE ALUMINUM TOW CONNECTOR FROM THE COVER.
  2. USING SCISSORS, CAREFULLY CUT OUT ONE (1) WARNING PATCH ON THE WEGO COVER. IT IS NECESSARY THAT YOU CUT ALL THE WAY THROUGH THE COVER TO RETURN THE WARNING PATCH. PLEASE USE THE WARNING PATCH WITH THE ITEM NUMBER 53-5000 PRINTED ON IT.
  3. PLEASE LOCATE THE VALVES ON EACH OF THE TWO (2) INNERTUBES. CUT OUT EACH VALVE LEAVING A 1 INCH RADIUS AROUND EACH VALVE. WITHIN THIS RADIUS THERE SHOULD BE AN ITEM NUMBER 53-5000. BE SURE TO LEAVE THIS NUMBER INTACT SO THAT WE CAN IDENTIFY THE ITEM WHEN YOU RETURN IT TO US.
  4. PLACE ALL OF THESE PARTS INTO A SINGLE APPROPRIATE SIZED MAILER. AGAIN WE MUST HAVE ALL PARTS BACK IN ORDER TO PROCESS THE RETURN.

AGAIN, THE PARTS TO RETURN ARE:

- ☐ 1 ALUMINUM TOW CONNECTOR,
- ☐ 1 WARNING PATCH CONTAINING THE ITEM NUMBER CUT FROM THE COVER
- ☐ 2 VALVES FROM THE INNERTUBES WITH ITEM NUMBERS INTACT

5. PLEASE WRITE THE RMA NUMBER THAT YOU RECEIVE AFTER SUBMITTING YOUR REQUEST ON THE OUTSIDE OF THE MAILER. **THIS RMA NUMBER IS EXTREMELY IMPORTANT. WITHOUT IT OUR RETURN AND EXCHANGE ORDER MAY NOT BE PROCESSED.** PLEASE PRINT THE ENTIRE NUMBER CLEARLY. SPORTSSTUFF WILL NOT BE RESPONSIBLE FOR RETURNS THAT ARE MISSING THE RMA NUMBER.

We MUST have all of these parts returned before we will ship out the replacement product. Please send envelope to :

Sportsstuff Inc.  
 11213 E. Circle  
 Suite A  
 Omaha, NE 68137  
 ATTN: RMA # \_\_\_\_\_

**You will be able to return your original Wego to us in its original packaging. The unit must be returned in its original packaging. All parts must be inside the box if you have previously opened it, including manuals and DVD.**

1. Be sure to securely close your Wego back in its original carton. All parts must be inside the box if you have previously opened it, including manuals and DVD.
2. Remove any shipping labels that were placed on the outside of the carton
3. Write the RMA number that you receive from Customer Service on the outside of the carton.
4. Please also write the name of the person we are shipping the exchange order to on the outside of the carton, along with the return address.
5. Please return the Wego Unit to:

Sportsstuff Inc.  
 11213 E Circle  
 Suite A  
 Omaha NE 68137  
 Attn: RMA # \_\_\_\_\_

6. You should use UPS Ground Service to return the unit, and you may charge the ground freight to our UPS account. Sportsstuff Customer Service will give you the account number when your request is received.
7. Once we have received your Wego return, we will process and ship out your exchange product via UPS Ground service.

CONTACT LIST (060621HCC1594)

1. Scott Ziegler/victim  
Justin Shank/boat operator  
6012 Crayford Dr.  
Raleigh, NC 27604  
(919) 996-4885

6/20 - initiated with phone messages for boat operator and victim.

7/13 - in-person interviews with victim & boat operator.

2. CPT Chris Huebner / Officer John Evans  
NC Wildlife Resources Commission  
1717 Mail Service Center  
Raleigh, NC 27699-1717  
(919) 707-0033 / (919) 569-0454

7/5 & 7/24 - brief telephone interviews.

**Task Number: 060621HCC1594**  
**Date: 7/24/06**

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

1. EMS Report (Bay Leaf Fire Dept./Six Forks EMS).

2.

3.

4. \_\_\_\_\_

5. \_\_\_\_\_

**Irish, Cathleen A.**

---

**From:** Spitler, Virginia R.  
**Sent:** Tuesday, June 20, 2006 4:05 PM  
**To:** Irish, Cathleen A.  
**Subject:** FW: North Carolina incident

Here's the incident information.

*Virginia Spitler  
Management & Program Analyst  
US Consumer Product Safety Commission  
Division of Hazard Analysis  
301-504-7301*

---

**From:** Ingle, Robin L.  
**Sent:** Tuesday, June 20, 2006 3:57 PM  
**To:** Spitler, Virginia R.  
**Subject:** FW: North Carolina incident

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**From:** Blasius, Dennis R.  
**Sent:** Tuesday, June 20, 2006 3:51 PM  
**To:** Ingle, Robin L.  
**Subject:** RE: North Carolina incident

Report was received from the North Carolina Wildlife Resources Commission, Chris Huebner, ph. # 919-707-0010 that on May 20th, 2006 their Dept. investigated a kite-tubing incident involving injury to Justin Shank. Incident occurred on Falls lake, Wake County, NC, near Raleigh. Victim sustained a broken right femur.

**Dennis Blasius**  
**Special Assistant to the Deputy Director,**  
**Office of Compliance and Field Operations**  
**U.S. Consumer Product Safety Commission**  
**Ph. # 262-650-1216**  
**Fax # 262-650-1217**  
**Cell # 202-595-4619**  
**[dblasius@cpsc.gov](mailto:dblasius@cpsc.gov)**

1. Task Number 060703HBB2656		2. Investigator's ID 9091		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 06 18	5. Date Initiated YR MO DAY 2006 07 05		
6. Synopsis of Accident or Complaint UPC  A 27 y/o male was riding on a kite tube when it went airborne about 25 feet in the air then took a sudden nose dive. The victim was knocked unconscious momentarily then was transported to the hospital where he was treated for cracked/dislocated ribs and bruises to his lungs.  <div style="text-align: center;"> <p><del>WER/PRVLR NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <u>25c</u></p> <p><input type="checkbox"/> Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> <p><i>Am 1/18/07</i></p> </div>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City BENTONVILLE		9. State AR
10A. First Product 3200 - Water Tubing (activity, Appa)		10B. Trade/Brand Name WEGO/SPOTRSSTUFF		10C. Model Number UNKNOWN
10D. Manufacturer Name and Address UNKNOWN				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 27	13. Sex 1 - Male	14. Disposition 4 - Hospitalized	15. Injury Diagnosis 62 - Intern. Org. Inj.	
16. Body Part(s) Involved 31 - UPPER TRUNK	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational / Travel) 5 / 0	
20. Attachment(s) 0 - No Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 07/26/2006	25. Reviewed By 8929		26. Regional Office Director Frank J. Nava	
27. Distribution Topka, Tanya L.			28. Source Document Number I0660516A	

**SUMMARY OF FINDINGS:**

The complainant notified CPSC via the web site to describe an accident he was involved in while riding on a Kite Tube. (Ref. Doc No. I0660516A) The assignment was originally assigned to one CPSC Investigator then transferred to another CPSC Investigator since the complainant was located in Kansas City, MO. The following limited information was obtained during the investigation.

Information obtained by CPSC Investigator #1:

The consumer provided an overview of the incident as well as confirmed the information as noted below. I did fax an Authorization for Medical Records Disclosure to him which I hope to get back today. As stated below, the consumer's friend has the product. The consumer agreed to make contact with his friend to get identifying information off of the product, purchase details, and pictures. He also agreed to provide full contact information for his friend. In addition, he is working with his girlfriend to make a copy of a video of the actual incident that she has (I told the consumer that we would be willing to pay for a copy of the tape and for overnight shipping.

- **Product:** Wego Tube Kite (Described as being 10 feet in diameter), Note: Product purchased and in possession of the victim's friend in Arkansas. Investigator is coordinating with and in the process of obtaining contact information, purchase details, positive product identification, and pictures from the victim's friend.
- **Manufacturer:** Preliminary information indicates that the product is a Wego/Sportstuff product.
- **Incident Date:** June 18, 2006
- **Incident Location:** Beaver Lake, Arkansas
- **Victim's Age:** 27-year-old Male
- **Experience:** None (Victim had no prior experience or training in regard to the product).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Summary of Incident and Injuries: A 27-year-old, Kansas City, MO, male was kite tubing with friends on a lake in Arkansas. The consumer watched four other people in his party ride the kite tube approximately five times each and then got onto the kite tube himself. The victim was on a kite tube being pulled by a boat at an undetermined speed for less than 20 seconds when the kite tube lifted the victim approximately 15 to 25 feet into the air and then took a violent downward turn, nose-diving into the lake. The victim was knocked unconscious. He was transported to a local hospital emergency room where he was treated for cracked or dislocated ribs, bruises to his lung, whiplash, and a bruised rear end.
- Hospital: Northwest Medical Center – Bentonville, 3000 Medical Center Parkway, Bentonville, Arkansas 72712, 479-553-1000.

Follow up information obtained by CPSC Investigator #2:

On 7/10/06 I contacted the victim to obtain additional information about the incident. The victim was hesitant and said he was confused as to why so many people were contacting him about the incident. He stated that he wishes he hadn't reported the incident and wants to "take a step back" from the whole thing. He stated that the situation is getting a little sensitive on his end with everyone involved especially since it was his girlfriend's parents place where the accident happened. At this time he was unwilling to provide any additional information.

After I explained CPSC's position and roll in the investigation and why we were trying to obtain the information, he was a little more relaxed. He stated that he had not been able to contact his friend yet who actually had the item. The victim did state that he was feeling better and is healing well. I provided my phone number and told him I would send him an e-mail so that he would have that information in case he was willing to provide any additional information on the incident. I also encouraged him to pass my information on to his friend and encourage him to contact me with any information on the product.

On 7/10 I also contacted the Bentonville Sheriff's Department, Army Corps of Engineers at Beaver Lake and the Game and Fish Department at Beaver Lake; they all stated that they were unaware of the incident. The ranger at the Game and Fish Dept. stated that many times people don't think to report incidents to them.

**Attachments**

- 1) Contacts
- 2) Missing Document form

060703HBB2656

Attachment 1: Contacts.

Consumer/Victim: [REDACTED]. Contact made on 7/5/06. The consumer lives in Kansas City, MO, with a permanent address of [REDACTED], Hannibal, MO 63401. He provided the following phone and fax numbers to reach him in Kansas City: Phone: [REDACTED], Fax: [REDACTED]. Note that the incident took place on Beaver Lake in Arkansas.

**Task Number: 060703HBB2656**

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

1. Medical records

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

1. Task Number 060703HBB2659		2. Investigator's ID 9099		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 07 02	5. Date Initiated YR MO DAY 2006 07 10		
6. Synopsis of Accident or Complaint <b>UPC</b> The victim, described as a 35-year-old male weighing 240 pounds, was being pulled with 2 tow ropes totaling 60 feet on a kite tube approximately five to six feet in the air when he began to lose control. He hit the water and lost consciousness for a few seconds before being retrieved by friends. He was taken to a local hospital where he was treated for vomiting, concussion, and cervical neck strain.				
<p><del>MEMBER NOTIFIED</del></p> <p>COMMENTS: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><del>OVERRULED:</del> ATTACHED <input type="checkbox"/></p> <p><del>EXCISIONS/FOIA Exs. 25c</del></p> <p><del>Revisions</del></p> <p><del>DO NOT RE-NOTIFY</del> RE-NOTIFY <input type="checkbox"/></p> <p><i>[Signature]</i> 1/18/07</p>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City MECOSTA		9. State MI
10A. First Product 3200 - Water Tubing (activity, Appa	10B. Trade/Brand Name SPORTSSTUFF		10C. Model Number WEGO	
10D. Manufacturer Name and Address SPORTSSTUFF				
11A. Second Product 0	11B. Trade/Brand Name NONE		11C. Model Number NONE	
11D. Manufacturer Name and Address NONE				
12. Age of Victim 35	13. Sex 1 - Male	14. Disposition 4 - Hospitalized	15. Injury Diagnosis 52 - Concussion	
16. Body Part(s) Involved 75 - HEAD	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational / Travel) 8.5 / 0	
20. Attachment(s) 2 - Documents		21. Case Source 06 - Emergency Room (not NEISS)	22. Sample Collection Number	
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 07/20/2006	25. Reviewed By 9071		26. Regional Office Director Eric B. Ault	
27. Distribution Topka, Tanya L.; Blasius, Dennis R.; Ross, Robin M.			28. Source Document Number I0670001A	

SUMMARY OF FINDINGS:

On July 2, 2006 the victim was on a friend's boat when he decided to go tubing using the kite tube. The victim was wearing a life preserver and there were spotters on the boat. This was the victim's second time using the kite tube; however he grew up on the water and has been water tubing for many years. The first time he used the tube he injured his foot but did not seek medical attention. He described the kite tube as performing differently from any other water tubes he has used in the past.

The victim was approximately  $\frac{1}{4}$  of the way around the lake when he started to lose control. He described himself as being approximately six feet up in the air when the tube started to turn on an angle, almost turning upside down. He could not take his hand off the tube to signal the boat driver to slow down. He stated that because it happened so fast he was unable to lower the tube. The victim does not remember any other details. He fell into the water and lost consciousness for a few seconds before his friends turned the boat around to retrieve him from the water. When his friends reached him the victim knew he was not feeling well. He was taken to a local hospital where he was treated for vomiting, concussion and a cervical neck strain. A cat-scan was performed and revealed negative results for bleeding and spine fractures. At the time of this interview the victim stated that he is still experiencing neck pain similar to whiplash.

The victim did not know the length of the tow rope but was aware that it was available in different lengths. He stated that the longer the rope the higher you go in the kite tube.

The tubing took place on Pretty Lake, in Mecosta, MI. The lake is described as being approximately one mile in diameter and a round circular shaped lake.

The victim is described as a thirty-five year old male weighing 240 pounds.

The consumer of the kite and boat owner is described as a twenty-six year old male. He also grew up on the water and has been driving boats for several years. He described

himself as having ten years of experience in pulling skiers and tubers on boats.

He purchased the kite tube in April, 2006 for \$499 plus tax from Skier's Pier, in the Detroit area, MI. At the time of purchase he did not ask the sales staff how to use the product. Included in the purchase of the kite tube were an instructional video and two tow ropes. One rope was 40 feet in length and the other was 20 feet in length, however the two ropes would be tied together to total 60 feet of rope. The consumer watched the video approximately 15 times. He also read the warning statements that were on the kite tube as well as the owner's manual that was included with the tube. He began using it on Memorial Day week-end and used it approximately every other week-end from then until the incident. Approximately 10-12 people have used the kite tube while on his boat. He explained that many of the people that used it complained of sore necks and backs; however the victim's injury was the most severe.

On the day of the incident the consumer used the 60 feet of tow rope to pull the kite tube. There were spotters on the boat however he stated that he does not rely solely on the spotters. He frequently uses his mirrors because he does not feel that the reaction time is always quick enough with the spotters. While pulling the victim he described the boat speed at traveling approximately 25-30 miles per hour. He described the victim as being approximately five feet in the air when he noticed him starting to lose control and the kite tube jerking from the left to right and left to right again. He explained the victim as reacting in a "squirrely" manner. He slowly started slowing down and attempted to get the victim as close to the water as possible to lessen the length of his fall when the victim fell into the water. He did not see the kite tube actually dive to the surface. He turned the boat around and went to retrieve the victim from the water. When he reached the victim, the victim told the consumer that he was not feeling well.

He noted no damage or apparent equipment failure on the tube.

The consumer stated that the most important factors in deciding what speed to travel at, in his opinion are the

weight of the tube rider and the wind direction. The key factor in the height of the kite tube is the speed of the boat. According to the consumer the driver has to be aware and if the tube gets too high then you have to let up on the throttle. He added that when you let up on the throttle it must be accomplished slowly because if done quickly, it would bring the tube down too fast. He stated that communication with the tube rider is difficult for two reasons. The first reason is that it's difficult for the tube rider to let go of the tube. The second reason is even if the tube rider is able to let go of the tube with one hand it is difficult for the driver to see the tube rider's hand.

The consumer gave an example of another kite tubing incident prior to the victim's incident:

Another rider prior to the victim, described as weighing 180 pounds, reached a height of approximately 15-20 feet. The consumer started slowing the throttle down when the tube did a complete 360 degree turn. He missed the tube on the last spin and hit the water. He experienced a sore neck but did not seek medical attention.

**PRODUCT:** Water Tube

The product involved in this incident is the Sportsstuff Wego Kite Tube. The tube is yellow in color with black, red, and white writing and designs.

There are two Skier's Pier's located at:

2505 Dixie Highway  
Waterford, MI 48328  
248-674-8800

3599 Orchard Lake Road  
West Bloomfield, MI 48329  
248-682-2180

**Manufacturer:** Sportsstuff  
1-888-814-8833

**ATTACHMENTS:**

Exhibit "A" - Contact List

Exhibit "B" - Authorization for Release of Name

060703HBB2659

-4-

Exhibit "C - Status of Missing Document Form

060703HBB2659

**Exhibit "A" - Contact List**

This in-depth investigation was assigned and initiated on 7/10/06. The information contained in this report was obtained during telephone interviews with the victim, [REDACTED] and the consumer/boat owner, Aaron Pfau.

Victim:

[REDACTED]

Boat Driver:

[REDACTED]



06 0703A/B 2659  
Exhibit B

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

YES

NO

*Helix Gergak for [redacted] via*  
(Signature),  
*telephone interviews*  
*on 7/18*

*7-18-06*  
(Date)

Exhibit C

Task No: 060703NBB2659  
Date: 7-20-06

STATUS OF MISSING DOCUMENT(S)

The official records below were requested for this investigation report, but could not be obtained.

1. Photograph of the product
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Date: 7-20-06 Investigator No: 9099

Regional Office: CFIE Supervisor No: \_\_\_\_\_

<b>1. Task Number</b> 060703HBB2660		<b>2. Investigator's ID</b> 9101		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
<b>3. Office Code</b> 810	<b>4. Date of Accident</b> YR MO DAY 2006 07 02	<b>5. Date Initiated</b> YR MO DAY 2006 07 05		
<b>6. Synopsis of Accident or Complaint</b> <b>UPC</b>  16 YOM sustained a rope burn to the neck and a slight concussion after being struck in the neck with a tow rope used with a kite tube. The victim hit his head on the boat after being struck with the rope.  <div style="text-align: center;"> <p><del>WFR/PRV/BR NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>                  <input type="checkbox"/> OVERRULED; <input checked="" type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <u>25c</u></p> <p>  Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY    <input type="checkbox"/> RE-NOTIFY</p> <p style="font-size: 1.2em; margin-left: 100px;"><i>mu 1/18/07</i></p> </div>				
<b>7. Location (Home, School, etc)</b> 5 - OTHER PUBLIC PROPERTY		<b>8. City</b> MONTICELLO		<b>9. State</b> IN
<b>10A. First Product</b> 3200 - Water Tubing (activity, Appa		<b>10B. Trade/Brand Name</b> WEGO KITE TUBE		<b>10C. Model Number</b> 53-5000
<b>10D. Manufacturer Name and Address</b> SPORTSSTUFF 111213 East Circle #A omaha, NE				
<b>11A. Second Product</b> 852 - Rope Or String		<b>11B. Trade/Brand Name</b> SPORTSSTUFF TOW ROPE		<b>11C. Model Number</b> UNKNOWN
<b>11D. Manufacturer Name and Address</b> SPORTSSTUFF 111213 East Circle #A omaha				
<b>12. Age of Victim</b> 16	<b>13. Sex</b> 1 - Male	<b>14. Disposition</b> 4 - Hospitalized	<b>15. Injury Diagnosis</b> 52 - Concussion	
<b>16. Body Part(s) Involved</b> 75 - HEAD	<b>17. Respondent</b> 1 - Victim/Complainant	<b>18. Type of Investigation</b> 1 - On-Site	<b>19. Time Spent (Operational / Travel)</b> 17.5 / 4.5	
<b>20. Attachment(s)</b> 9 - Multiple Attachments		<b>21. Case Source</b> 13 - Other Case Source		<b>22. Sample Collection Number</b>
<b>23. Permission to Disclose Name (Non NEISS Cases Only)</b> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
<b>24. Review Date</b> 07/25/2006	<b>25. Reviewed By</b> 9071		<b>26. Regional Office Director</b> Eric B. Ault	
<b>27. Distribution</b> Ingle, Robin L.; Spittler, Virginia R.			<b>28. Source Document Number</b> X0670043A	

This investigation was initiated from an on-line news article. The news article states that a 16 YOM was hospitalized after being struck in the neck with a tow rope used with a kite tube.

The information contained in this investigative report was obtained from an accident report from the Indiana Department of Natural Resources (INDNR), a telephone interview with the responding conservation officer, and an on-site investigation with the water show staff, including the victim, at the Indiana Beach Resort in Monticello, Indiana on July 24, 2006.

On July 24, 2006 an on-site investigation was conducted by this investigator with the assistance of an Indiana Department of Natural Resources conservation officer.

According to a boat operator (27 YOM; not involved in the incident) with the show, the Indiana Beach Water Show incorporated the use of the incident tube kite in their water show this year at the direction of the California-based company that owns and manages the water show. The management company shipped two identical kite tubes to the show staff earlier this year for use in the show.

According to the local water show manager (20's YOM), the incident tube kite was used for approximately one month, seven days a week, for four shows each day. The water show management company instructed the local staff to discontinue use of the incident kite tube a couple of days after the incident due to the product being recalled.

According to the INDNR report, the incident occurred during a water show on July 02, 2006 at approximately 2:00 p.m. The water conditions were rough, the wind conditions were very strong at 15-25 mph, and the weather was clear. The estimated water temperature was 79 degrees and the estimated air temperature was 85 degrees.

The INDNR report states that the incident boat operator was a (24 YOM) with over 500 hours of boat operator experience. In addition, this person had received formal instruction as a boat operator. The incident boat (See Exhibit A) was a 2006 19' fiberglass runabout with a 340 hp in-board motor.

The victim (16 YOM) asserts that he was riding on the incident kite tube solo immediately prior to the incident. He had gotten off of the kite tube and was coming up into the incident boat from the rear port side, when the boat operator accelerated the boat and began to make a left hand turn. At this time the kite tube tow rope (See Exhibit A) tightened and began moving toward the victim due to the boat's movement to the left. The victim asserts that he did not move fast enough and the tow rope hit him on the right side of his neck and his head hit the port side interior of the incident boat.

Approximately three hours after the incident the victim was transported by EMS personnel to Monticello Hospital where he was diagnosed with a 3" rope burn to his neck and a slight concussion. The victim was treated and released.

The boat operator asserts that the tow rope used at the time of the incident came with the incident kite tube. He claims that the rope was always used with the kite tube at it 65' length.

The boat operator involved in the incident was not available during the on-site investigation.

The local show manger claims that the incident tow rope broke once during the month long time frame it was used. The rope was tide back together and was used up to the time when the tube kite use in the water show was discontinued.

The local show manager asserts that the kite tube was always used with just one rider. He also claims that when towing the kite tube without a rider, there is a significant amount of drag due to the front of the kite tube dipping down into the water. He asserts that this drag effect with the kite tube contributed to the tightening of the tow rope at the time of the incident.

See incident scene diagram at Exhibit B.

PRODUCT DESCRIPTION:

Product:                   Wego Kite Tube  
Model:                     53-5000

IDI 060703HBB2660

-3-

Color: Yellow/Black/Red/Gray/White

Price: Unknown

Water Show

Management Company: Dave Draves  
Mirage Entertainment  
19435 E Walnut Dr N  
City of Industry, CA  
Telephone Number: 909-595-0531 x204

Retailer: Unknown

Manufacturer: Sportsstuff, Inc.  
111213 East Circle #A  
Omaha, NE  
Telephone Number: 402-592-9085

LABELING:

See Exhibit's A-3 to A-6 for labeling on the incident mixer.

ATTACHMENTS:

Exhibit-A: Photographs  
Exhibit-B: Incident Diagram  
Exhibit-C: INDNR Report  
Exhibit-D: Contact Information

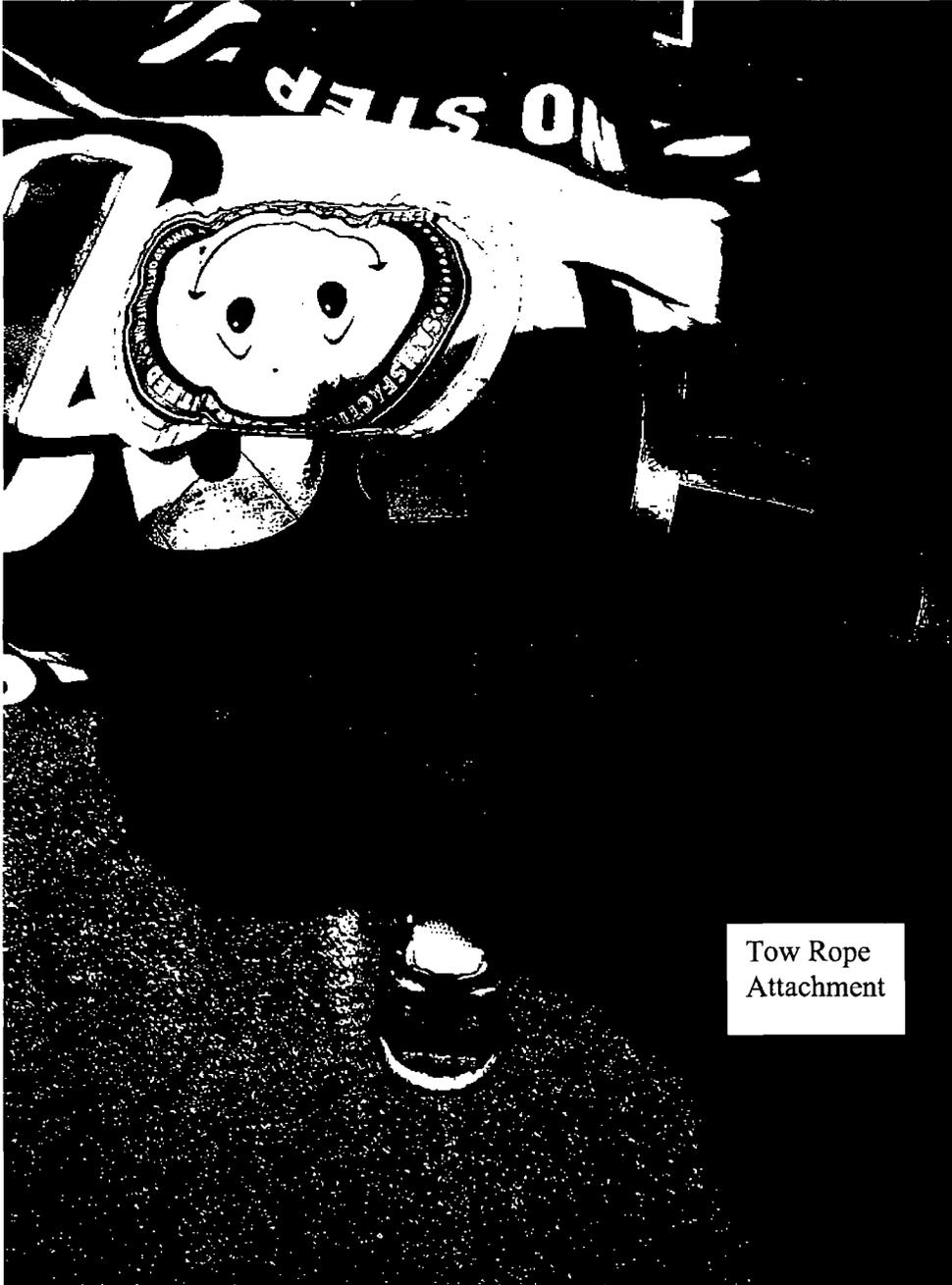
Exhibit A-1 is a view of the incident kite tube.



Exhibit A-2 is a view of the incident kite tube.



Exhibit A-3 is a view of the incident kite tube.



IDI 060703HBB2660

Exhibit A

Page 4 of 16

Exhibit A-4 is a view of the incident kite tube.



Exhibit A-5 is a view of the incident kite tube labeling.

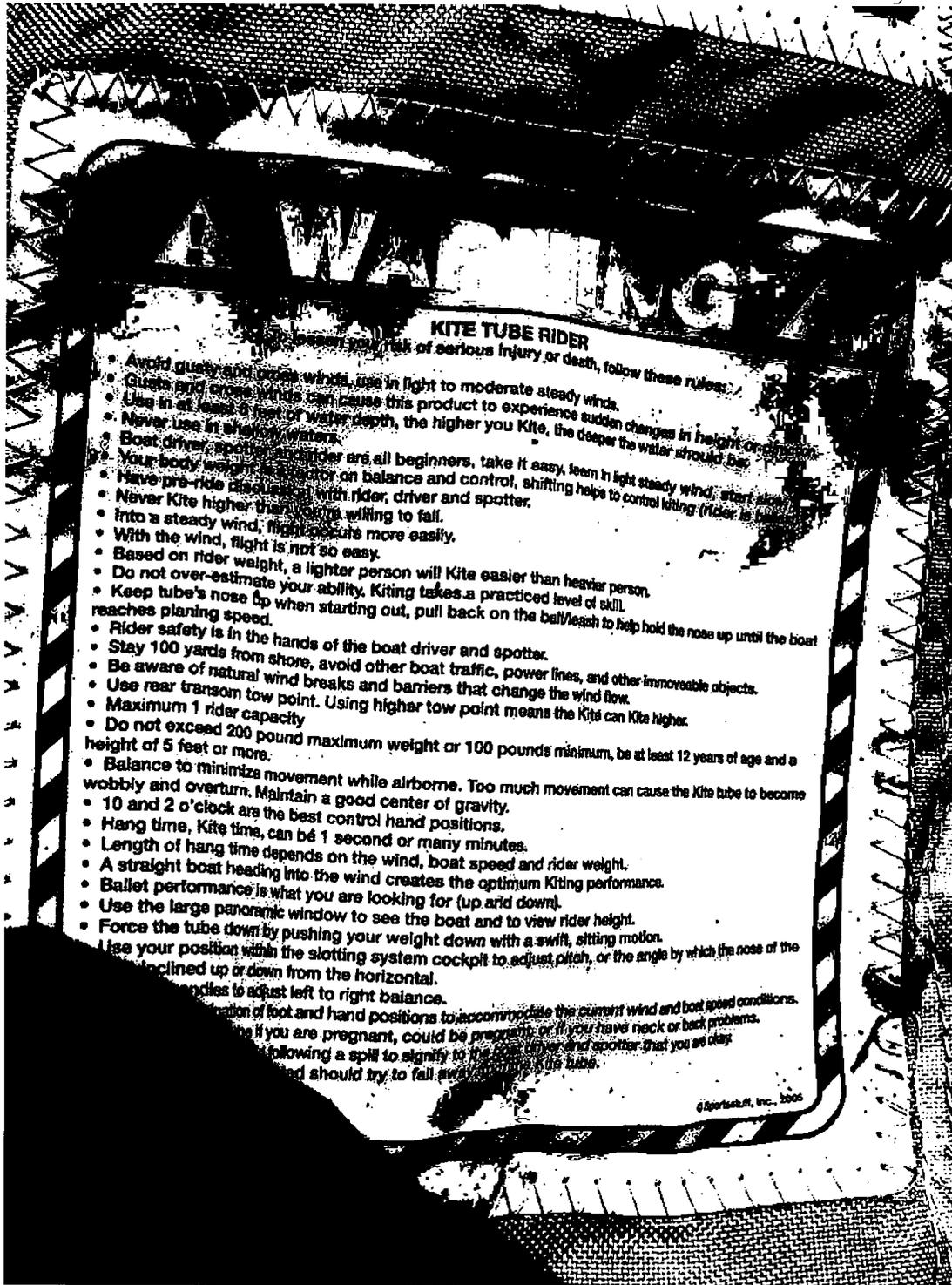


Exhibit A-6 is a view of the incident kite tube labeling.



Exhibit A-7 is a view of the incident kite tube labeling.

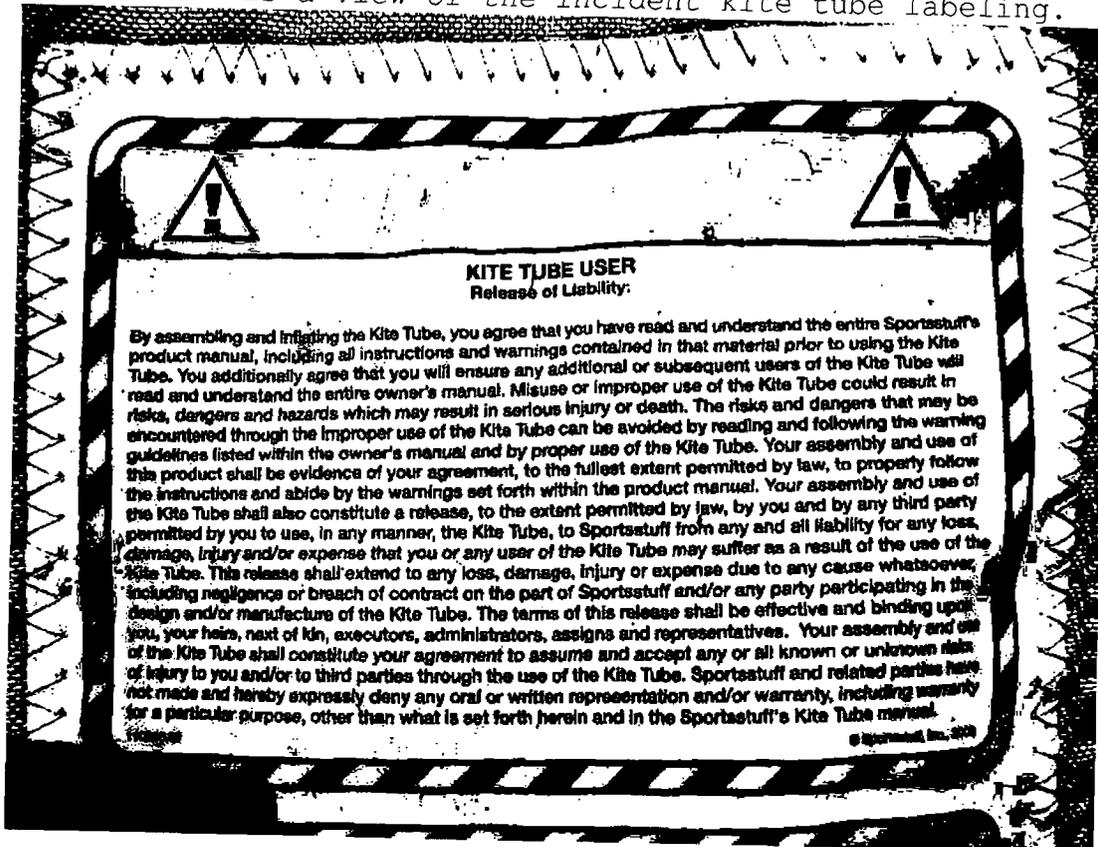


Exhibit A-8 is a view of the incident kite tube labeling.

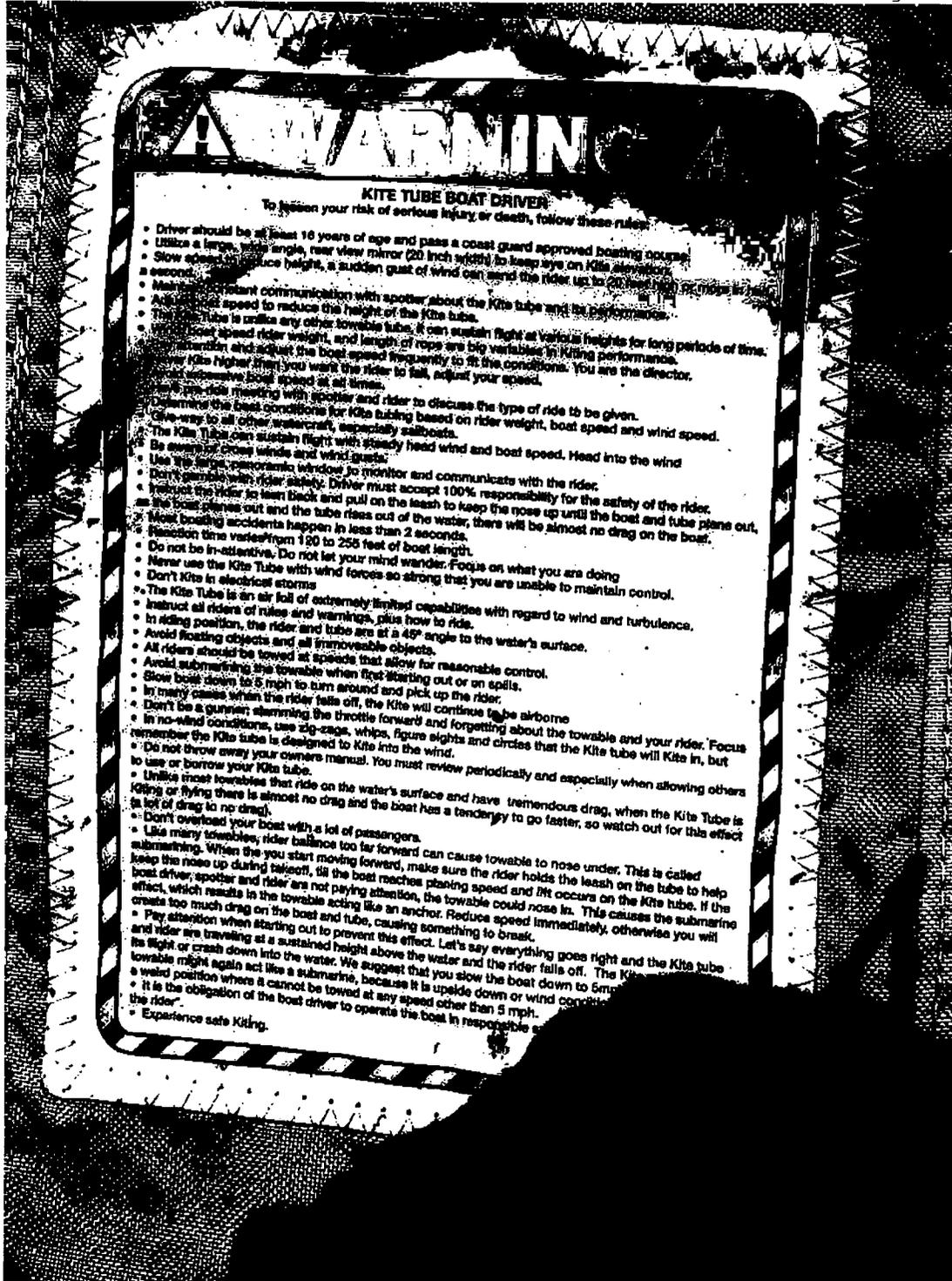


Exhibit A-9 is a view of the incident kite tube labeling.

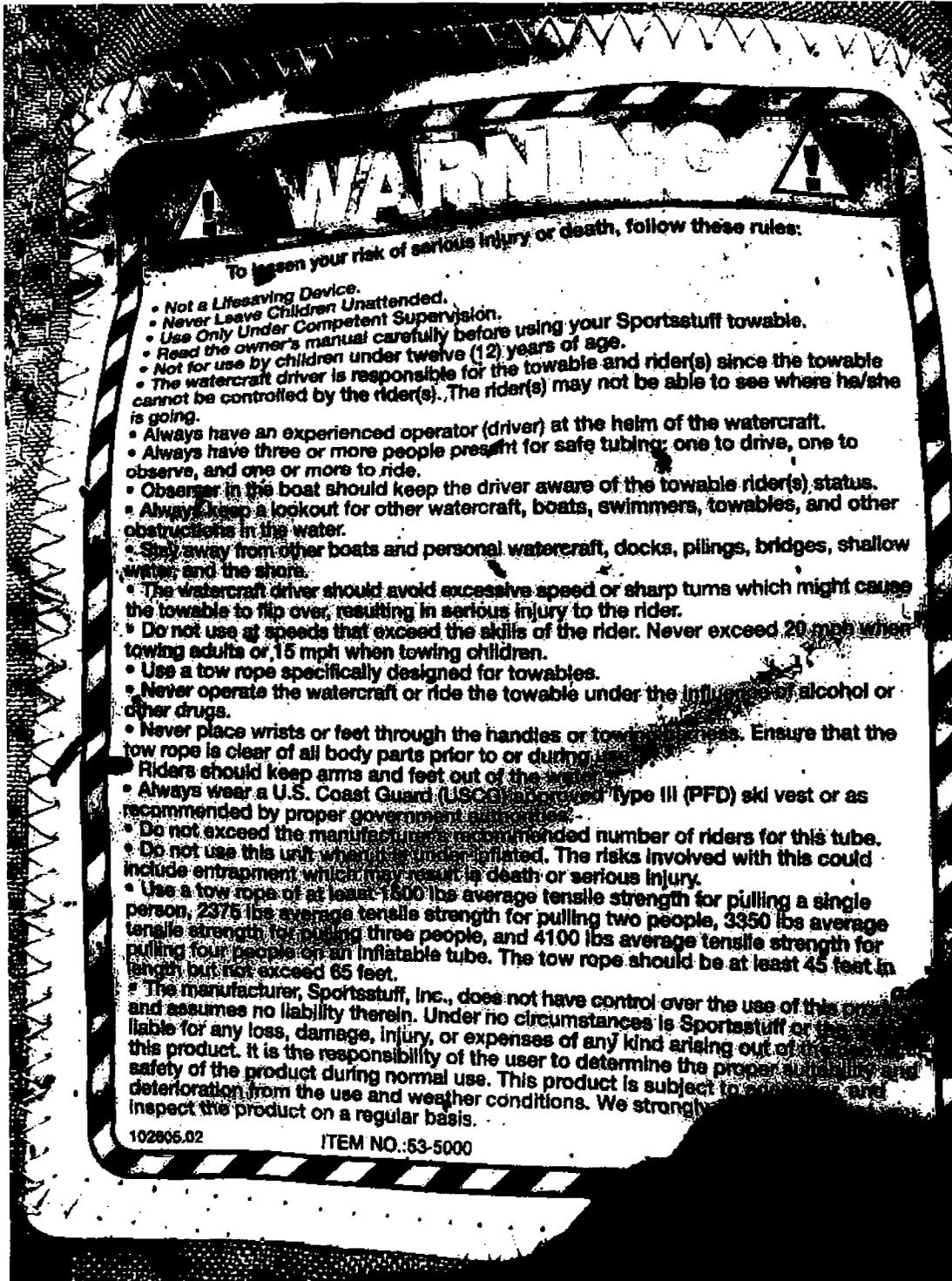


Exhibit A-10 is a view of the tow rope used with the incident kite tube.

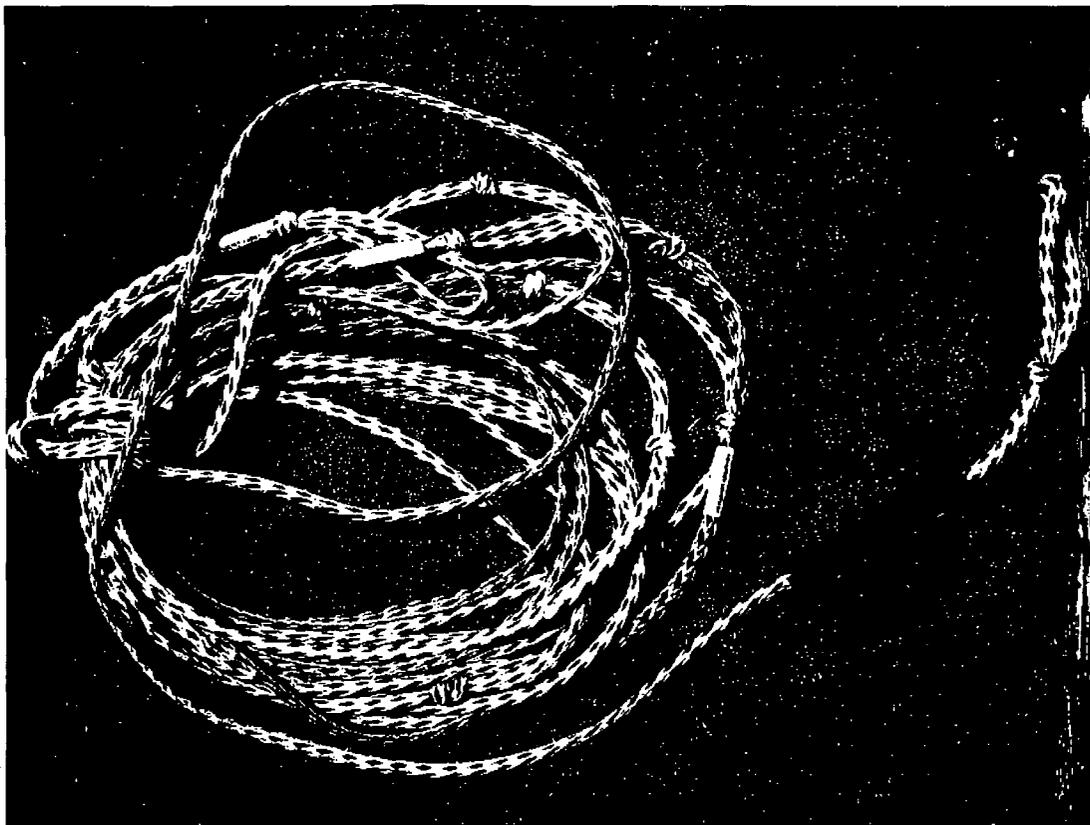


Exhibit A-11 is a view of the tow rope labeling.



Exhibit A-12 is a view of the tow rope labeling.



Exhibit A-13 is a view of the tow rope labeling.

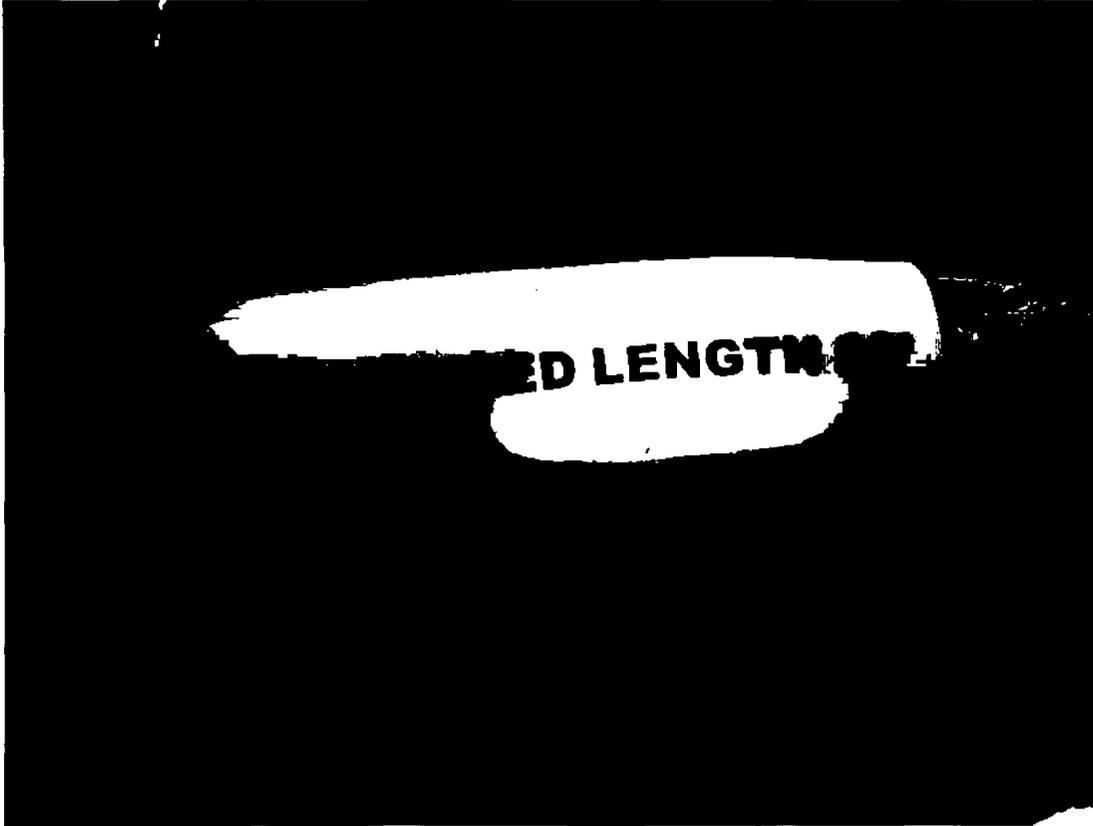


Exhibit A-14 is a view of the tow rope labeling.

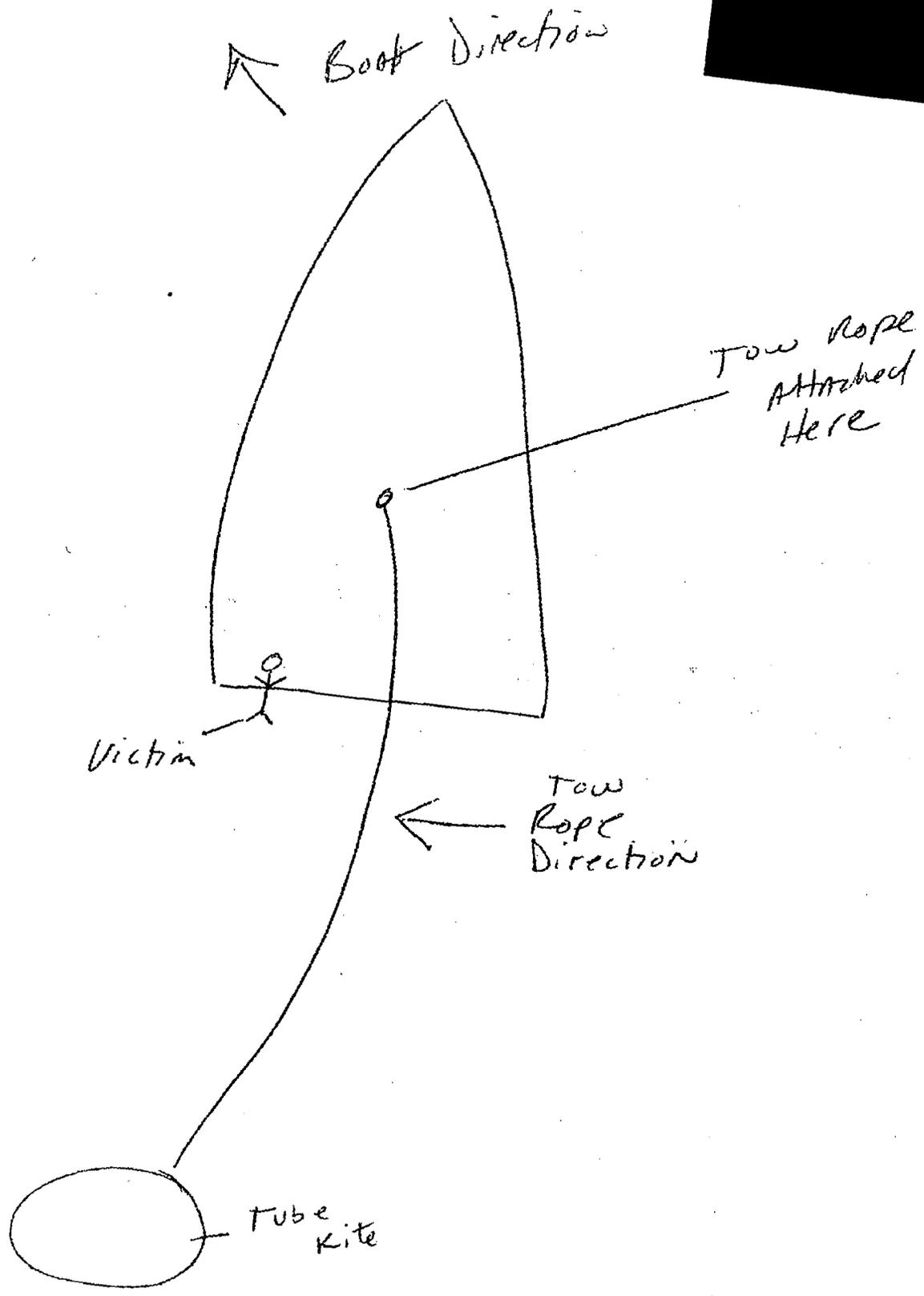
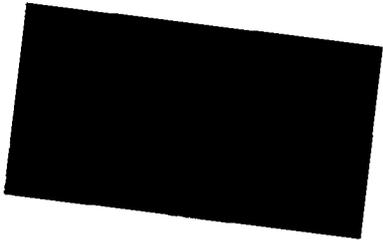


Exhibit A-15 is a view of the incident boat.



Exhibit A-16 is a view of the incident boat.







# REPORT OF INDIANA OFFICERS STANDARD BOATING ACCIDENT

State Form 36432 (R9 / 8-95)  
Department of Natural Resources, Law Enforcement Division  
402 West Washington Street, Room W255D, Indianapolis, IN 46204

U.S.C.G. number

Prop. Code  
713

Case Number  
06-91-028439

**ACCIDENTS RESULTING IN INJURY, DEATH OR DAMAGE OF \$200.00 OR MORE MUST BE REPORTED. AUTHORITY IC 14-15-4-2**

## ACCIDENT DATA

Date (month, day, year) 7-02-06	Day of week SUNDAY	Actual local time 1400	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Number of boats 1	Number of injured 1	Number of fatalities 0	Total Damage \$0
City MONTICELLO	Township UNION	County WHITE	State IN	Body of water LAKE SHAFER			
Water condition <input type="checkbox"/> Calm <input checked="" type="checkbox"/> Rough	<input type="checkbox"/> Very rough <input type="checkbox"/> Strong current	Wind (MPH) <input type="checkbox"/> None	<input type="checkbox"/> Light (0-6) <input type="checkbox"/> Moderate (7-14)	<input checked="" type="checkbox"/> Strong (15-25) <input type="checkbox"/> Storm (over 25)	Weather <input checked="" type="checkbox"/> Clear	<input type="checkbox"/> Cloudy <input type="checkbox"/> Fog	<input type="checkbox"/> Rain <input type="checkbox"/> Snow
<input checked="" type="checkbox"/> Day <input type="checkbox"/> Night	Visibility <input checked="" type="checkbox"/> Good	<input type="checkbox"/> Poor	Estimated water temperature 70°	Estimated air temperature 85°	Weather encountered <input checked="" type="checkbox"/> Was as forecasted	<input type="checkbox"/> Not as forecasted	<input type="checkbox"/> No forecast obtained
Operator 1				Operator 2			
<input checked="" type="checkbox"/> M <input type="checkbox"/> F				Name of operator (last, first, middle initial)		sex <input type="checkbox"/> M <input type="checkbox"/> F	
Address (number and street, apt. No.)							
City, state, ZIP code							
year				Telephone number		Age	Date of birth (month, day, year)
Experience of operator <input type="checkbox"/> Under 20 hours <input type="checkbox"/> 20 to 100 <input checked="" type="checkbox"/> Over 500 hours				Experience of operator <input type="checkbox"/> Under 20 hours <input type="checkbox"/> 101 to 500 <input type="checkbox"/> Over 500 hours			
Formal instruction <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Name of Instructing agency MIRAGE ENTERTAINMENT		Formal instruction <input type="checkbox"/> Yes <input type="checkbox"/> No		Name of Instructing agency	
Test given <input type="checkbox"/> Alcohol <input checked="" type="checkbox"/> None <input type="checkbox"/> Drug <input type="checkbox"/> BAC %		Type given <input type="checkbox"/> Urine <input type="checkbox"/> Blood <input type="checkbox"/> Breath Other		Test given <input type="checkbox"/> Alcohol <input type="checkbox"/> Drug <input type="checkbox"/> BAC %		Type given <input type="checkbox"/> Urine <input type="checkbox"/> Blood <input type="checkbox"/> Breath Other	
<input checked="" type="checkbox"/> VESSEL 1 <input type="checkbox"/> RENTED				<input type="checkbox"/> VESSEL 2 <input type="checkbox"/> RENTED			
Name of registered owner (last, first, middle initial) MALIBU BOATS				Name of registered owner (last, first, middle initial)			
Address (number and street, apt. No.) 5075 KIMBERLY WAY				Address (number and street, apt. No.)			
City, state, ZIP code LOUDON, TN, 37774				City, state, ZIP code			
Registration number N/A		HIN MB2P6139D606		Registration number		HIN	
U.S.C.G. documented (name and number) N/A				U.S.C.G. documented (name and number)			
Year 2006	Length 19	Make MALIBU	Model RESP	Color GREY	Year	Length	Make
Hull material (primary) <input type="checkbox"/> Aluminum <input checked="" type="checkbox"/> Fiberglass <input type="checkbox"/> Steel		Boat type <input type="checkbox"/> Jon boat <input checked="" type="checkbox"/> Runabout <input type="checkbox"/> Sailboat		Cabin <input type="checkbox"/> Personal Watercraft <input type="checkbox"/> Pontoon <input type="checkbox"/> Houseboat <input type="checkbox"/> Canoe		Hull material (primary) <input type="checkbox"/> Aluminum <input type="checkbox"/> Fiberglass <input type="checkbox"/> Steel	
Use <input checked="" type="checkbox"/> Pleasure <input type="checkbox"/> Fishing <input type="checkbox"/> Livery		Passenger for Hire <input type="checkbox"/> Testing (demo only) <input type="checkbox"/> Government Agencies		Fuel GAS		Horsepower 340	
Propulsion (primary) <input type="checkbox"/> Outboard <input type="checkbox"/> In/Outboard				Sail <input checked="" type="checkbox"/> Inboard <input type="checkbox"/> Jet <input type="checkbox"/> Electric Trolling <input type="checkbox"/> Other			
Activity at time of accident <input type="checkbox"/> Cruising <input type="checkbox"/> Racing <input type="checkbox"/> Drifting <input type="checkbox"/> Swimming				Fueling <input type="checkbox"/> Fishing <input checked="" type="checkbox"/> Approaching Dock <input type="checkbox"/> Other			
Fire extinguisher <input checked="" type="checkbox"/> On Board <input type="checkbox"/> Used <input type="checkbox"/> None				Type of fire extinguisher UNKWN			
				Number used 0			

Continued on other side

<input checked="" type="checkbox"/> <b>VESSEL 1</b>			<input type="checkbox"/> <b>VESSEL 2</b>		
Was vessel equipped with U.S.C.G. approved Personal Flotation Devices? Were they serviceable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Was vessel equipped with U.S.C.G. approved Personal Flotation Devices? Were they serviceable? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Were non-approved P.F.D.s carried? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Were they accessible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Were non-approved P.F.D.s carried? <input type="checkbox"/> Yes <input type="checkbox"/> No		Were they accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No
		Were they used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Were they used? <input type="checkbox"/> Yes <input type="checkbox"/> No
Type of accident <input type="checkbox"/> Hit Floating Object <input type="checkbox"/> Burns <input type="checkbox"/> Collision with Vessel <input checked="" type="checkbox"/> Falls in Boat <input type="checkbox"/> Capsizing <input type="checkbox"/> Collision with Fixed Object <input type="checkbox"/> Falls Overboard <input type="checkbox"/> Grounding <input type="checkbox"/> Collision with Floating Object <input type="checkbox"/> Hit by Propeller <input type="checkbox"/> Sinking <input type="checkbox"/> Other (specify) <input type="checkbox"/> Fire or Explosion (fuel) <input type="checkbox"/> Floating			Type of accident <input type="checkbox"/> Hit Floating Object <input type="checkbox"/> Burns <input type="checkbox"/> Collision with Vessel <input type="checkbox"/> Falls in Boat <input type="checkbox"/> Capsizing <input type="checkbox"/> Collision with Fixed Object <input type="checkbox"/> Falls Overboard <input type="checkbox"/> Grounding <input type="checkbox"/> Collision with Floating Object <input type="checkbox"/> Hit by Propeller <input type="checkbox"/> Sinking <input type="checkbox"/> Other (specify) <input type="checkbox"/> Fire or Explosion (fuel) <input type="checkbox"/> Floating		
Damage estimated this vessel		Other property damage	Damage estimated this vessel		Other property damage
			\$		\$
			<input type="checkbox"/> INJURED <input type="checkbox"/> DECEASED <input type="checkbox"/> WITNESS		
Name (last, first, middle initial)			Name (last, first, middle initial)		
Address (number and street, apt. No.)			Address (number and street, apt. No.)		
City, state, ZIP code			City, state, ZIP code		
Date of birth (month, day, year)		Age	Date of birth (month, day, year)		Age
		( )			( )
Nature of injury / cause of death			Nature of injury / cause of death		
			<input type="checkbox"/> Interviewed <input type="checkbox"/> Statement		
<input checked="" type="checkbox"/> INJURED <input type="checkbox"/> DECEASED <input type="checkbox"/> WITNESS			<input type="checkbox"/> INJURED <input type="checkbox"/> DECEASED <input type="checkbox"/> WITNESS		
Name (last, first, middle initial)			Name (last, first, middle initial)		
Address (number and street, apt. No.)			Address (number and street, apt. No.)		
City, state, ZIP code			City, state, ZIP code		
Date of birth (month, day, year)		Age	Date of birth (month, day, year)		Age
		( )			( )
Nature of injury / cause of death			Nature of injury / cause of death		
			<input type="checkbox"/> Interviewed <input type="checkbox"/> Statement		

**ACCIDENT DESCRIPTION**

List sequence of events, include failure of equipment and any information regarding the involvement of alcohol and/or drugs in causing or contributing to the accident. Provide any descriptive information about the use of P.F.D.s. If accident caused injury, indicate if injury required medical treatment beyond first aid. If information can be provided, please attach. Continue on additional sheets if necessary.

THE INJURED VICTIM, HAD JUST PERFORMED IN INDIANA BEACH SKI SHOW. HE HAD BEEN PULLED ON A SKY KITE TUBE. HE WAS BEING PICKED UP BY THE TOWING BOAT AND BEING TAKEN BACK TO THE DOCK. THE VICTIM WAS CLIMBING INTO THE BACK OF THE BOAT WHEN THE SKI ROPE SWUNG AROUND AND HIT HIM IN THE NECK KNOCKING HIM INTO THE BOAT AND BUMPING HIS HEAD ON THE BOAT. VICTIM DID NOT COMPLAIN UNTIL ABOUT 3 HRS LATER WHEN HE STARTED HYPERVENTILATING AND COULD NOT STAND ON HIS LEGS TO START THE NEXT SHOW. MONTICELLO EMS WAS CALLED AND TOOK VICTIM TO MONTICELLO HOSPITAL AND THEY RAN SOME TESTS FOR CONCUSSION. WHEN I TALKED TO HIM AT HOSPITAL HE WAS RESPONSIVE AND HAD ABOUT A 3 INCH ROPE BURN ON HIS NECK WHERE THE SKI ROPE HAD HIT HIM. LATER I TALKED TO THE SUBJECT AND HE SAID THAT THE TESTS SHOWED THAT HE HAD A SLIGHT CONCUSSION.

Operator 1 insured by: MIRAGE ENTERTAINMENT		Operator 2 insured by: N/A		Date of report (month, day, year) 7-2-06	
Name of investigating officer TOM SKINNER	I.D. number S 0636	Agency IDNR	Name of field supervisor <i>Stephen J. Woolman</i>	Date (month, day, year) 7-11-06	
Name of assisting officer NONE	I.D. number N/A	Agency N/A	Photos taken? NO	Operator's report furnished <b>YES</b>	
In your opinion what caused the accident? FAULT OF OTHER PERSON <i>Boat operator</i>				Were any charges filed as a result of this investigation? NO	

PERSONS CONTACTED BY THIS INVESTIGATOR

INDNR Contacts: Danielle (LNU)  
Indiana Dept. of Natural Resources  
402 W. Washington Street  
Indianapolis, IN 46204  
Telephone Number: 317-232-4010

First Sgt. Dan Dulin  
Telephone Number: 765-447-9582

Dave Schwanke  
On-site Escorting Conservation Officer  
Telephone Number: 574-870-1644

Local Water Show  
Manager: Jerome Conway  
Indiana Beach Water Show  
Telephone Number: 219-484-3005

Boat Operator: Jesse Wilson

Victim: 



**ISSUE 40**

X0670043

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## 22 ticketed for boating violations in White County

By Jennifer Christos  
[jchristos@journalandcourier.com](mailto:jchristos@journalandcourier.com)

July 3, 2006

As of Sunday evening, Indiana conservation officers patrolling Lakes Freeman and Shafer had issued 22 arrest tickets and 18 warnings so far this holiday weekend.

"Most of them were for safety violations such as not wearing a life jacket or speeding through an idle zone," said conservation officer Matt Tholen.

Two of the violations were for operating a personal watercraft underage. One person was 12 years old and the other one was only 10. Indiana law requires someone to be at least 15 years old and to have certain training before piloting a personal watercraft.

According to Tholen, the mother of one of the children was upset because her child was allowed to use a jet ski in their home state of Kentucky.

"Indiana's laws are tougher," Tholen said. "I had to remind her she wasn't in Kentucky anymore."

The White and Carroll County sheriffs' departments also reported two BWI arrests, both Saturday evening on Lake Freeman.

"Officers are more likely to find people boating while intoxicated in the evenings because they've been drinking all day," said Tholen.

Tholen said the number of BWIs is actually a little lower than he expects for this time of year.

There have also been relatively few boating accidents so far this weekend. Conservation officers have only reported two incidents.

"One man's boat was badly damaged when a rope became twisted in the propeller," said Tholen, "But no one was hurt."

The other accident was at Indiana Beach.

A tube kite [ "A rope that was pulling a tube kite during the ski show tightened and struck one of the boat passengers in the neck," said First Sgt. Dan Dulin. "This caused him to fall and strike the boat."

A 16-year-old boy from Camden remains hospitalized after the event.

Conservation officers on the lakes will remain vigilant over the next few days.

"We'll be checking boat speed with our portable radar units, especially at night when the speed limit is only 10 mph," said Tholen.

He also reminds boaters that they must have their bow and stern lights on and properly working after dusk, or they will be stopped.

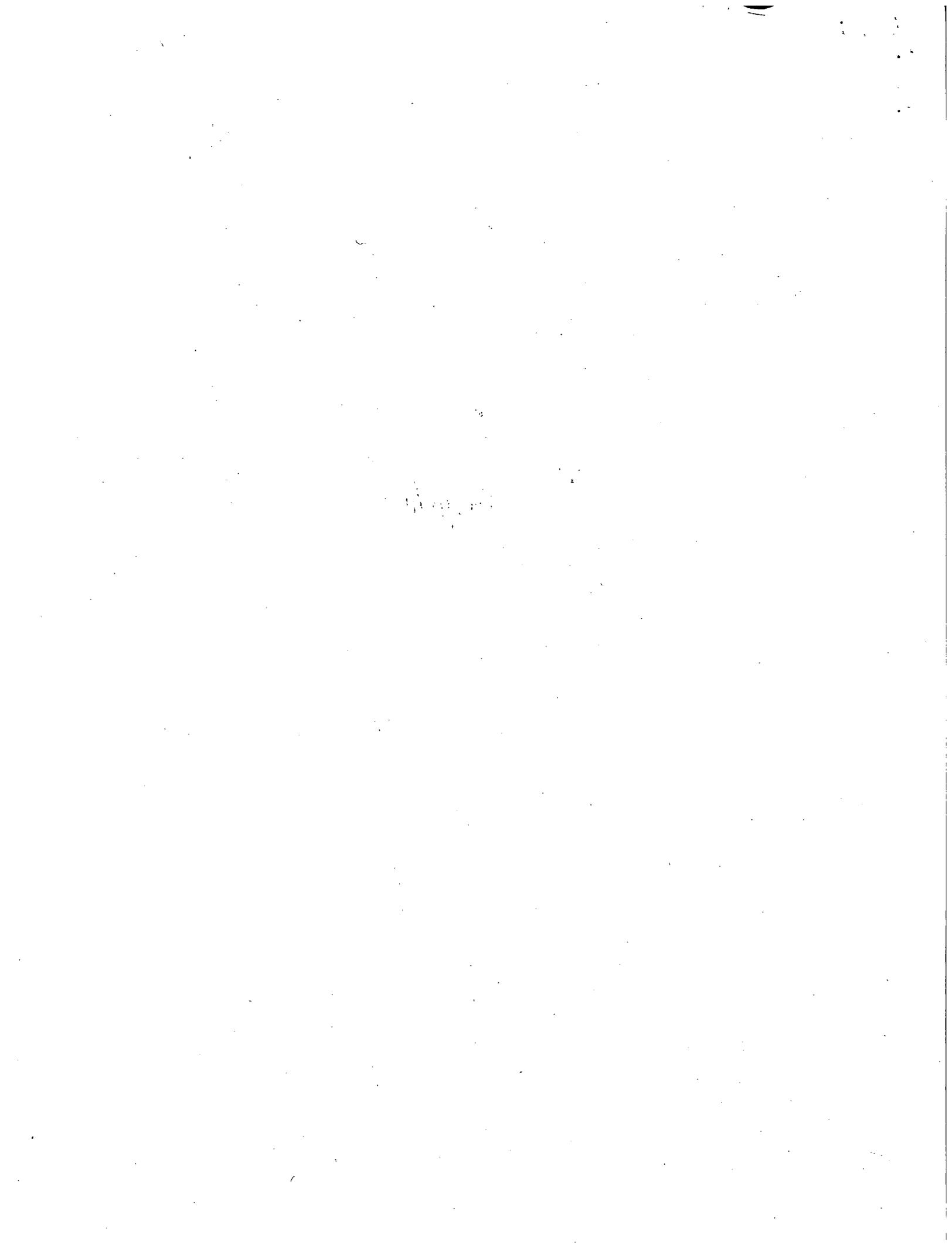
"That's how we normally get people on other violations," said Tholen.

So far, conservation officers have not conducted random checkpoints on the lakes, but Tholen hopes that will change soon. He would like to see periodic boating safety checks similar to seat belt and sobriety checkpoints for automobiles.

"We probably won't do it this season," he said, "but we'll be doing it soon."







This investigation was initiated by a complaint received by the U.S. Consumer Product Safety Commission.

The information contained in this investigation was supplied by the following sources:

1. A telephone interview with the victim on 7-24-2006.

Victim – 31 year old female, 5'6.5", 170 pounds

This incident occurred at Island Lake in Orange Springs, FL (Marion County) on 7-3-2006. Please see the map of the area in the exhibits. This small lake was located approximately 3 miles SW of Orange Springs, FL.

The victim was very athletic and active sports enthusiast and had been skiing, wake and hydro boarding for 15 years and had lots of experience with water sports, boats and water activities. She had no compromising physical disabilities.

The victim could not describe the make and model of the boat but stated that it was intended for pulling skiers and had a special tow rope arm/mount which would secure the tow rope about 6 feet above the floor of the boat so that passengers could transverse without getting entangled in the rope. She could not estimate how high the rope would have been above the level of the water when being used to tow a skier or in this case, the product was a *Wego Kite Tube* by *Sportsstuff, Inc.*

The product belonged to the family of her husband and she did not have the manual or the receipt for the product but indicated it had been recently purchased new. She indicated that it had only been used 3-4 days over two weekends. Her cousin had read the manual before using the product and instructed the other members and the drivers of the boat according to the instructions.

The victim read the manual after the incident and told me that they only thing that they did that was not per the manual, was that the instructions indicated to connect the rope to the lowest portion of the boat. However, this was a ski boat and it was specifically designed to attach ropes to skiers and devices at the elevated position and not elsewhere.

On the previous day and the day of the incident the victim had watched four other family members use the product without incident. The instructions had indicated to attach the rope at the pre manufactured connection on the rope which made the rope the shortest connection which was recommended for beginners and what was being done with the users for those two days. The victim could not

estimate the actual length of the rope from the connection at the boat to the kite tube.

This was the first time the victim had used the product however she had observed several other riders and spoken with them regarding their ride and felt confident about trying the product.

On the day of the incident (unspecified time) the victim indicated there was very little wind and did not believe they were traveling across or with the wind etc. since the wind was little or none and the lake was very calm with very little chop. The main disturbances of the water, was from other boaters and she could not estimate how many other boats were on the water that day. The victim was wearing an unspecified brand of life vest. Her father was driving the boat and this was his first time to drive while towing the kite tube, however he had been fully briefed on how to tow this product from a cousin who had read the instructions.

There was only one person on the kite tube, which was the victim.

According to the victim, "I was using the kite tube for the first time. I was using the shortest rope. The boat was traveling about 30mph (speed recommended per the instructions) and the tube was popping up and down (The tube had floated out above the water twice during the ride) out of the water. (The whole ride lasted about 2 minutes) The last few times I felt the kite was kind of wobbly so I tried to keep the kite from lifting. (The boat had traveled about  $\frac{3}{4}$  of the lake which was a circular route) I then remember lifting again and kind of coming down towards the left a little. The rest I am amnesic to but my family states after that time a sudden gust of wind picked the kite up 10-15 feet and then flipped over and slammed back down into the water. They said it happened so fast there was no time to do anything to keep it from happening. I am sure I must have lost consciousness, however when they got back to me I was awake and dazed. I remained confused for about 20 minutes they said. I only remember bits and pieces surrounding that time. I did go to the hospital because I had a bad headache and shoulder pain and abdominal pain. There were no serious injuries found. So basically it resulted in a concussion, the left side of my face and my left clavicle was swollen but not broken. I had a hematoma to my left scapula. I did not have any abdominal injuries on the CAT scan, but definitely have a strained muscle. And last, my left breast is numb. I spent the entire next day with a severe headache, bouts of nausea and endless tiredness and muscle aches. Of course it is only 2 days since the crash, and hopefully I will make a full recovery.

The victim indicated that there was no way to communicate with the driver and no way to issue instructions to slow down or speed up as you can when water skiing. She indicated that you would have to climb up the kite tube to be able to look and see where you were going and to signal to the boat driver, and no way to maneuver the product.

The victim gave verbal permission to release her name with copies of this report. The victim appears to have healed without further complications since the incident. Further attempts to contact the victim to gain additional information by phone and email were not returned and were abandoned. The product could not

be further identified by a model number, other than it was a *Wego Kite Tube*. The victim indicated that she had not contacted the manufacturer at the time of my interview.

**Product Information:**

**Wego Kite Tube**  
Sportsstuff Inc.  
11213 E Cir # A  
Omaha, NE 68137-1243  
Phone: (402)592-9085  
[www.sportsstuff.com](http://www.sportsstuff.com)

**Attachments:**

Exhibit #1	Contacts
Exhibit #2	Map of the lake and area
Exhibit #3	Information from the web site

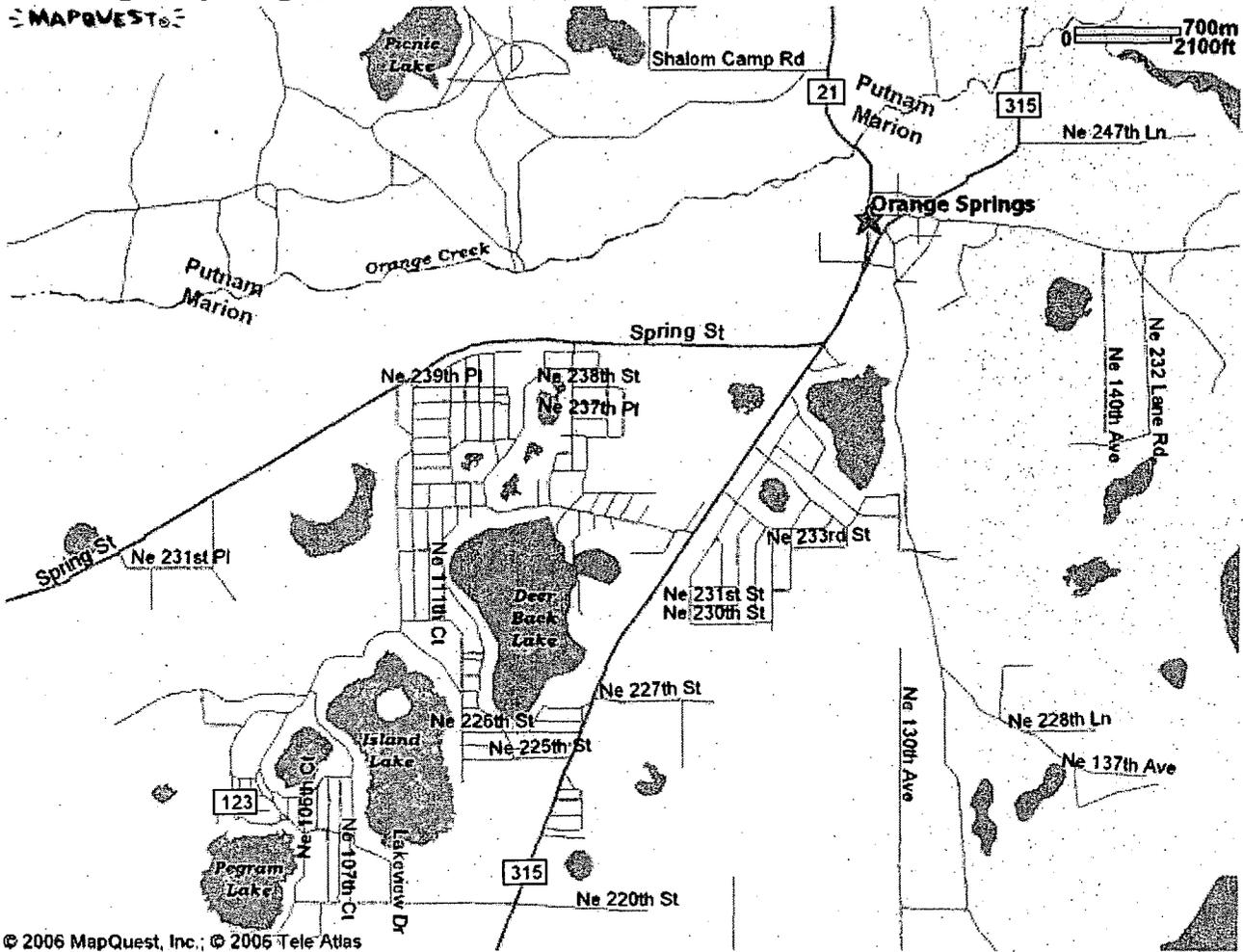
Contacts:

7-24-2006

[REDACTED]



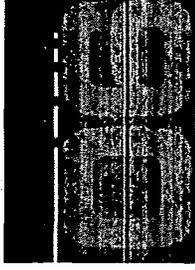
★ Orange Springs, FL US



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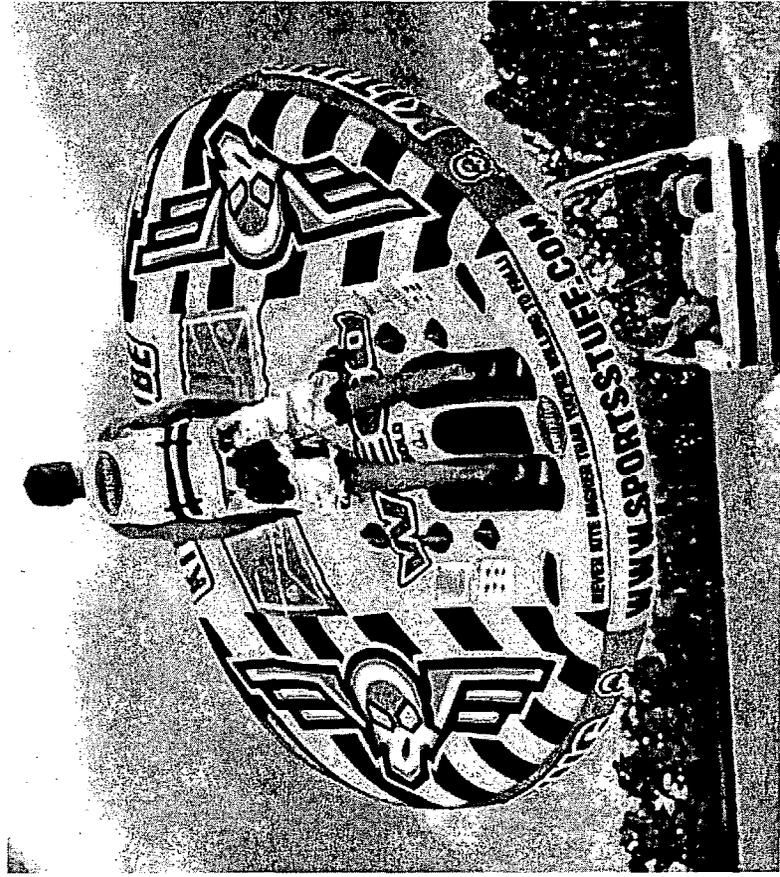
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### Wego Kite Tube

10ft diameter flying tube  
 Take flight with the WEGO KITE TUBE! The next generation of action towable is here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KITE TUBE. Anything else is beneath it...  
 Model 53-5000 Sug. Retail: **\$599.95**



### KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO

Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and

- neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

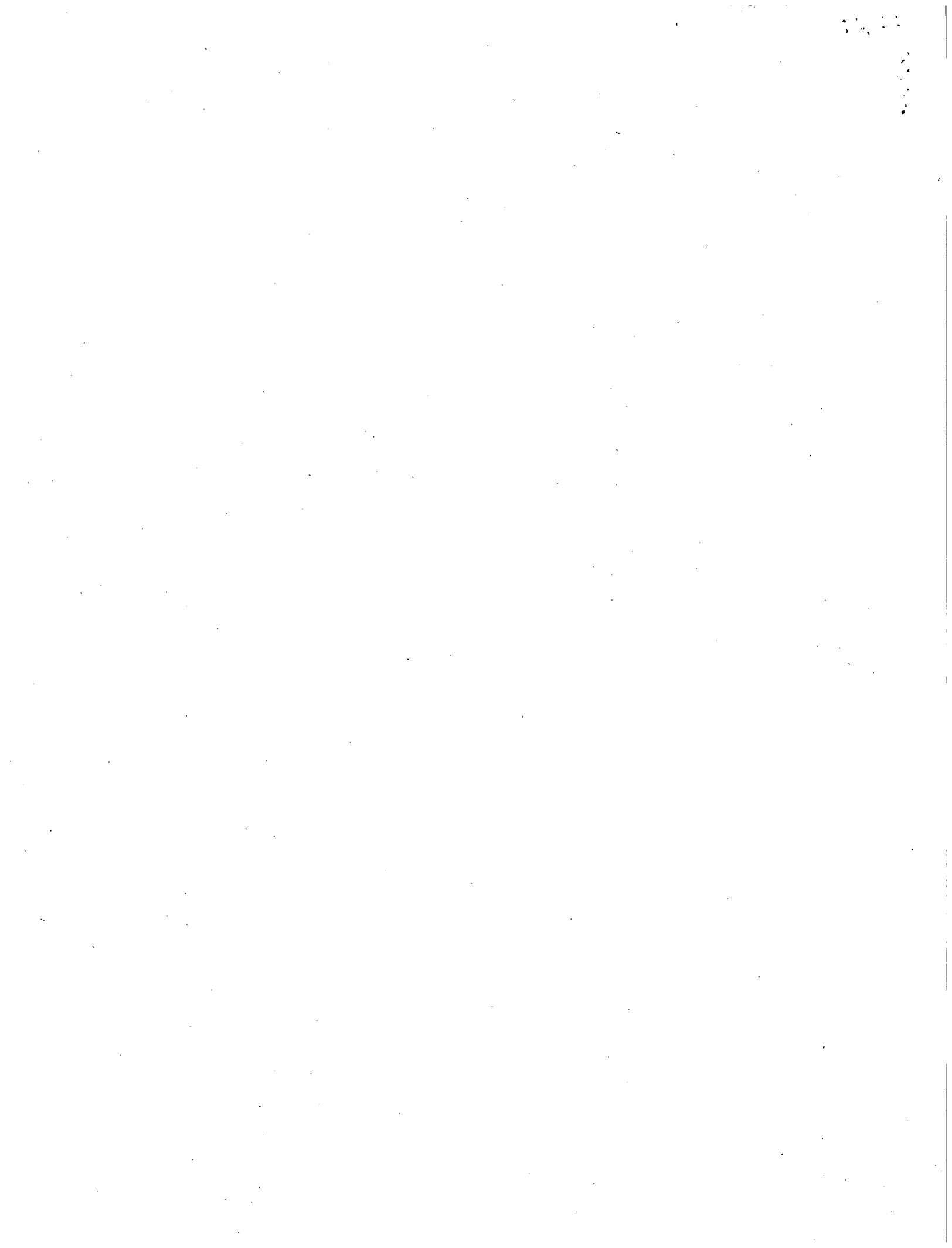
Watch the included instructional video to learn how to fly:  
[Kite Tube Instructional Video](#)

PIER THEN CLICK

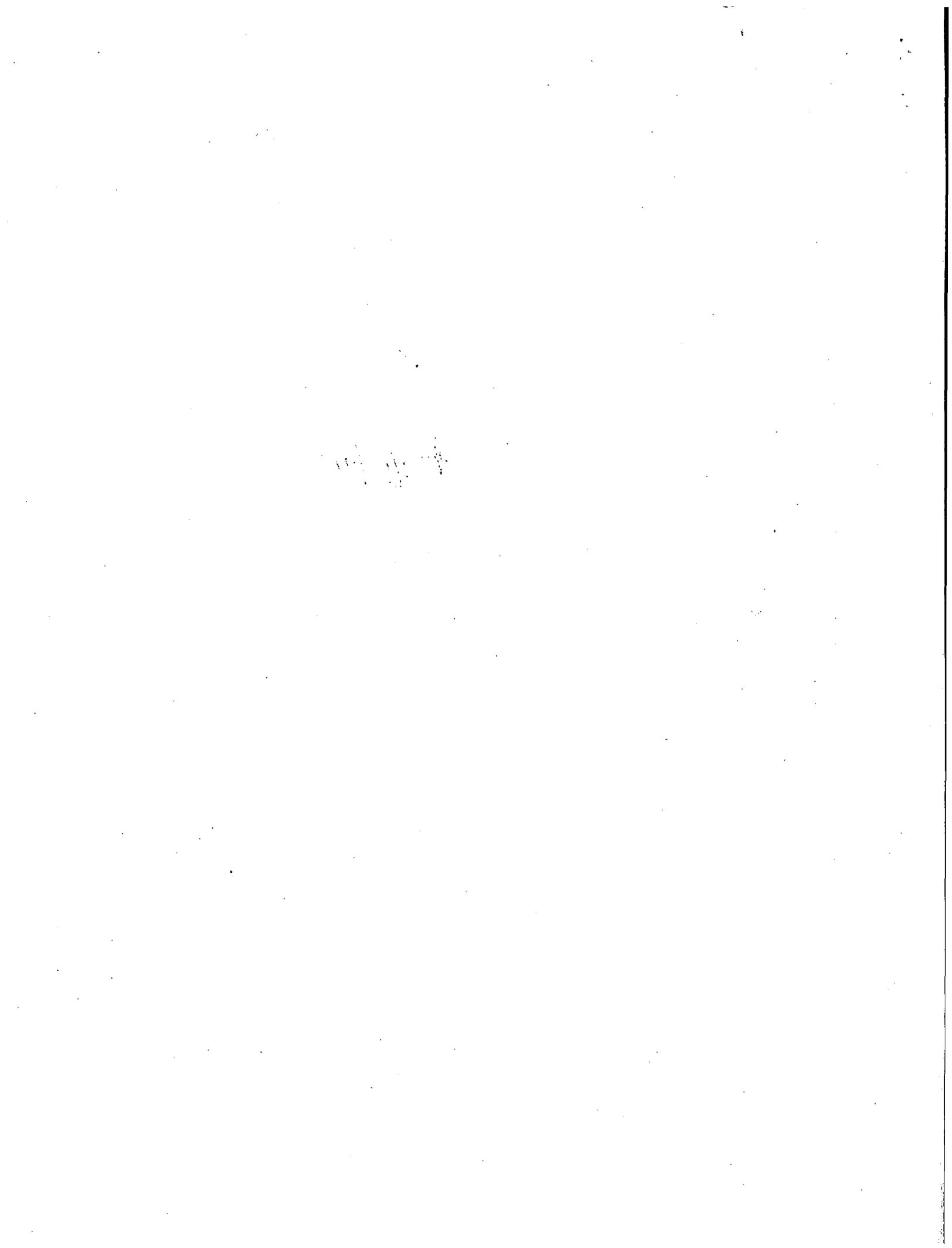
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<b>1. Task Number</b> 060706HBB1616		<b>2. Investigator's ID</b> 9001		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
<b>3. Office Code</b> 810	<b>4. Date of Accident</b> YR MO DAY 2006 06 08	<b>5. Date Initiated</b> YR MO DAY 2006 07 06		
<b>6. Synopsis of Accident or Complaint</b> <b>UPC</b>  A 40 year old male fractured his right ankle while riding a kite tube about six feet high off the lake when the kite tube suddenly flipped to the left side and dove down, crashing to the water. The victim was treated at a local urgent care center where three screws were inserted into his ankle to help repair the fracture.  <div style="text-align: center;"> <p><del>REF/PRV/BR NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED</p> <p><input type="checkbox"/> EXCISIONS/FOIA Exe. _____</p> <p style="margin-left: 40px;">Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY    <input type="checkbox"/> RE-NOTIFY</p> <p style="margin-left: 100px;"><i>Am</i> 1/18/07</p> </div>				
<b>7. Location (Home, School, etc)</b> 9 - SPORTS OR RECREATION PLACE		<b>8. City</b> WAKE FOREST		<b>9. State</b> NC
<b>10A. First Product</b> 3200 - Water Tubing (activity, Appa		<b>10B. Trade/Brand Name</b> WEGO		<b>10C. Model Number</b> 53-5000
<b>10D. Manufacturer Name and Address</b> SPORTSSTUFF 11213 E. Circle, Suite A Omaha, NE 68137				
<b>11A. Second Product</b> 0		<b>11B. Trade/Brand Name</b> NONE		<b>11C. Model Number</b> NONE
<b>11D. Manufacturer Name and Address</b> NONE				
<b>12. Age of Victim</b> 40	<b>13. Sex</b> 1 - Male	<b>14. Disposition</b> 1 - Injured, not Hosp.	<b>15. Injury Diagnosis</b> 57 - Fracture	
<b>16. Body Part(s)</b> Involved 37 - ANKLE	<b>17. Respondent</b> 1 - Victim/Complainant	<b>18. Type of Investigation</b> 3 - Other	<b>19. Time Spent</b> (Operational / Travel) 13 / 1	
<b>20. Attachment(s)</b> 9 - Multiple Attachments		<b>21. Case Source</b> 07 - Consumer Complaint		<b>22. Sample Collection Number</b>
<b>23. Permission to Disclose Name (Non NEISS Cases Only)</b> <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal				
<b>24. Review Date</b> 08/01/2006	<b>25. Reviewed By</b> 8978		<b>26. Regional Office Director</b> Eric B. Ault	
<b>27. Distribution</b> Mele, Stephen V.; Ingle, Robin L.; Topka, Tanya L.; Blasius, Dennis R.			<b>28. Source Document Number</b> 10670073A	



On 6/8/06, a 40 year old male fractured his right ankle while riding a kite tube about six feet high off the lake when the kite tube suddenly flipped to the left side and dove down, crashing to the water.

Information in this report was obtained through an in-person interview with the victim and a brief telephone interview with the boat operator/owner of the kite tube. The victim provided me with a short video clip of the kite tube taken a week or two before the incident. This clip (referred to as Exhibit 1) was forwarded by email to the distribution list for this IDI. Product description, specifications and return information was obtained from the manufacturer's web-site [see Exhibits 3 & 5]. This product was recalled by the manufacturer on 7/13/06 [see Exhibit 4]. No samples were requested in the assignment instructions, only photographs were required. Medical Records were requested, but not provided [see Exhibit 7]. The NC Wildlife Resources Commission had not completed their investigation of this incident at the time this report was submitted. The victim granted authorization for his name to be released [see Exhibit 2]. There were no other officials involved/official reports to collect.

The kite tube involved in the incident was about 10 days old when the incident occurred. The victim stated that he had no previous experience with similar products, but he had over 20 years experience riding on regular tubes. He also tried parasailing once. The victim used the kite tube two or three times prior to the incident, but he didn't get far up into the air on these previous occasions. There were no problems prior to the incident. The victim's estimated weight was about 195 - 200 pounds and he is about 5 feet 10 inches tall. Both the victim and the boat operator/owner stated that the kite tube and the tow rope were new and appeared to be in good condition at the time of the incident. The victim attached the tow rope to the ski pylon or center of the boat. All three sections of the rope were attached together so the full length of the rope (65 feet) was being used at the time of the incident.

On the day of the incident, the victim was at the lake with his friends. They were riding on his friend's motorboat. His friend was driving the boat while he got ready to ride on the kite tube. The victim was wearing a life jacket. He stated that a DVD comes with the product

and that he and the driver of the boat had watched the DVD and followed all of the directions. The victim stated that he read the warnings that are printed on the kite tube. The boat owner purchased the kite tube on-line and did not ask any questions or get any other instructions from the seller.

At the time of the incident, the weather in the nearest recorded city to the lake was around 80 degrees, Fahrenheit and the wind was light - less than 7mph. The victim and boat operator both stated that there was little or no wind on the lake at the time of the incident.

On the afternoon of June 8, 2006, the 40 year old male victim was riding on a kite tube a few feet above the surface of the lake for only about five minutes when the incident occurred. He stated that he was traveling a few feet off the surface of the water when a sudden gust of wind took him up to about six feet above the water. The victim stated that within seconds of the kite tube attaining its maximum height of six feet it flipped to the left and dove down at the same time. The boat operator/owner stated that the kite tube's actual height when the incident occurred was more like three or four feet, although it may have achieved a maximum height of six feet.

The kite tube crashed to the surface of the lake but neither the victim nor the boat operator is sure how the victim landed when he first struck the water. The victim believes that his foot was still in the kite tube and that it struck the kite tube and the water when the crash occurred. The victim broke his ankle (Talus bone) and has three screws in it to repair it.

The victim was helped back into the boat by the other two passengers. They drove the boat back to the victim's friend's car and the victim's friend transported the victim to the urgent care center where he was treated and released that same day.

The victim was the only person on the kite tube and he was the only one being towed by the boat at the time of the incident. The boat operator (victim's friend) was 36 years old and only towed regular tubes prior to using the kite tube. He said the boat was traveling between 29 - 31mph at the time of the incident.

060706HBB1616

The victim stated that he did not believe that he could direct/control the direction and height of the kite tube but he said it was possible to alter the angle by positioning your body or the tube differently. The victim stated that he was at a 90 degree angle at the time of the incident and was trying to sustain an angle of between 45 degrees and 60 degrees.

The victim stated that he could not see the boat at the time of the incident. He did not try to slow the boat down. The victim did not notice any mechanical issues with the kite tube. He could not do anything to lower the kite tube towards the water.

The victim's ankle was operated on that same day (6/8/06) to repair the fracture. Three screws were inserted into his leg to help repair it.

The victim did not report the incident to the manufacturer.

#### PRODUCT INFORMATION

The product is a Wego brand inflatable kite tube that is 10 foot in diameter, yellow colored, and designed to be towed behind a power boat.

**MANUFACTURER: SPORTSSTUFF, INC.**  
11213 E. Circle, Suite A  
Omaha, NE 68137

**BRAND: WEGO**  
**MODEL: 53-5000**

The victim's friend (boat operator) purchased the kite tube new from ebay a few days before Memorial day (5/29/06). He no longer had the original sales receipt. At the time of the phone interview with the victim's friend (owner of kite tube) he was in the process of closing a sale of the kite tube on ebay. He is believed to have sold it prior to the recall.

The product description and specifications for the kite tube are as follows (see Exhibit 5):

060706HBB1616

## Wego Kite Tube

10ft diameter flying tube

Take flight with the WEGO KITE TUBE! The next generation of action towable is here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KITE TUBE. Anything else is beneath it...

Model 53-5000 Sug. Retail: **\$599.95**

## **KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO**

Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:  
[Kite Tube Instructional Video](#)

060706HBB1616

ATTACHMENTS

- Exhibit 1 - video clip of kite tube (sent by separate email).
- Exhibit 2 - Authorization for Release of Name.
- Exhibit 3 - product info. from SportsStuff web-site.
- Exhibit 4 - Release NO. 06-210 (Kite tube recall).
- Exhibit 5 - Return info. from SportsStuff web-site.
- Exhibit 6 - Contact List.
- Exhibit 7 - Status of Missing document form.



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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060706HBB1616 Exhibit 2, Pg. 1 of 1

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

---

YES                       NO

(Signature)

*J. J. [Signature]*

(Date)

7/7/06



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### Wego Kite Tu

10ft diameter flying tu  
Take flight with the WE  
action towable is here,  
excitement! Whip acro  
through the air like a b  
rise above the water, r  
nothing but adrenaline  
has been raised with t  
beneath it...

Model 53-5000 Sug. R



### KITE TUBE W MARKET - CL

#### Features:

- 120 inch inflat configuration
- 840D full body
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- Nylon zippered adjustment
- Multiple mesh
- Two heavy-dut cockpit
- Reinforced tow connector for e
- Speed safety v
- Parallel slotting neoprene padd use
- 8 padded, non
- Heavy-duty sta
- Reflective Safe outside top tap
- Variable loops
- Panoramic see
- Adjustable leng rope included
- High visibility, watersports sa caution accent
- Instructional D included

## **Wego Kite Tube**

10ft diameter flying tube

Take flight with the Wego Kite Tube. The next generation of action towable is here, taking you to a whole new level of excitement. Whip across the water like a deck tube, or fly through the air like a bird. Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake. The level of extreme sport has been raised with the Wego Kite Tube. Anything else is beneath it.

Model 5 -5000 Sug Retail: **\$599.95**

## **KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO**

Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
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- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:

[Kite Tube Instructional Video](#)



# NEWS from CPSC

## U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

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FOR IMMEDIATE RELEASE

July 13, 2006

Release #06-210

**Firm's Recall Hotline: (866) 831-5524**

CPSC Recall Hotline: (800) 638-2772

CPSC Media Contact: (301) 504-7908

### **Sportsstuff Wego Kite Tubes Withdrawn from Market after Reports of Deaths and Injuries**

WASHINGTON, D.C. – In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Sportsstuff, Inc., of Omaha, Nebraska is voluntarily recalling about 19,000 Wego Kite Tubes.

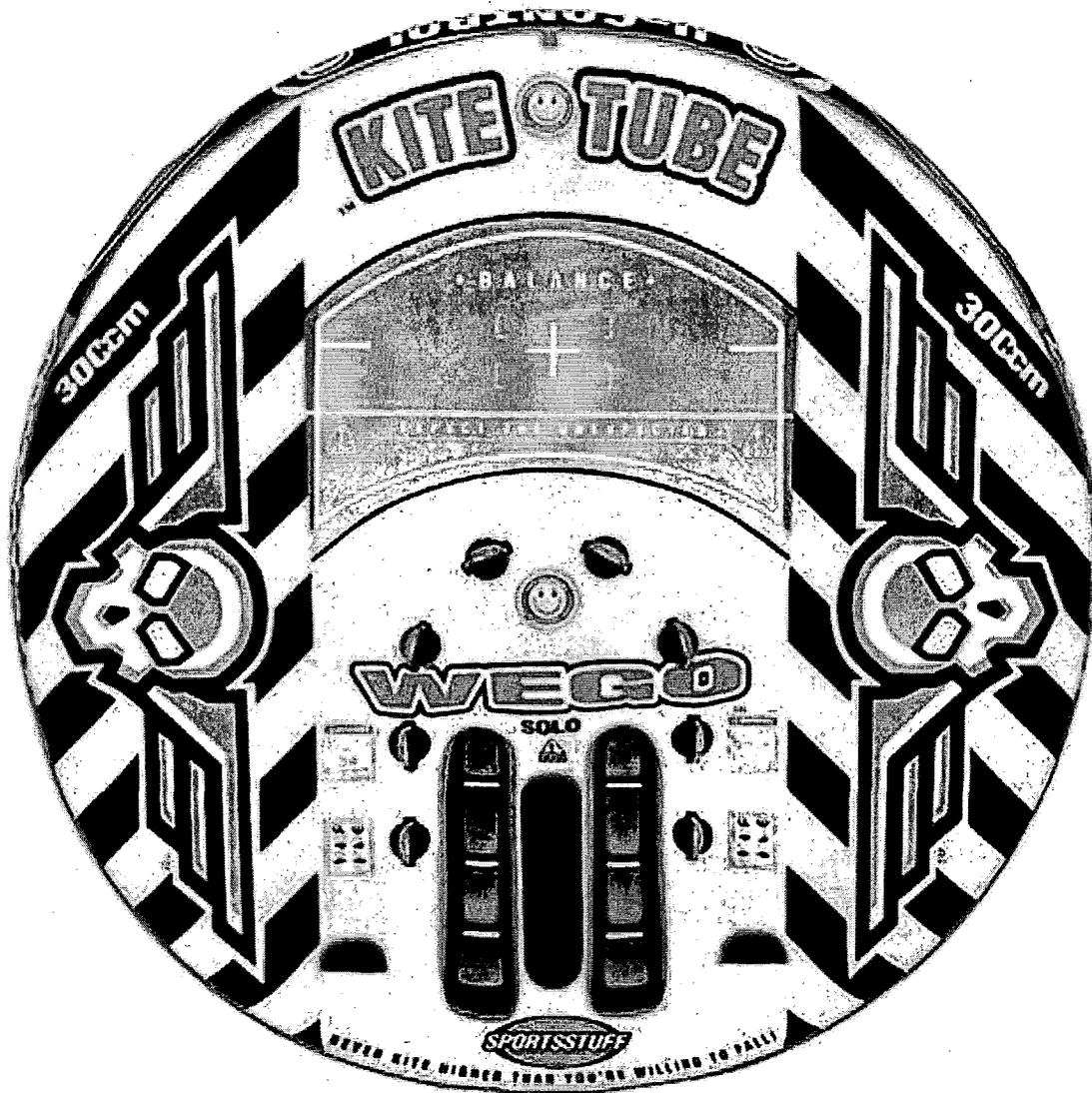
CPSC staff is aware of 39 injury incidents with 29 of those resulting in medical treatment. Those injuries include a broken neck, punctured lung, chest and back injuries and facial injuries. Sportsstuff has received reports of two deaths in the United States and a variety of serious injuries. Sportsstuff has been unable to determine the cause of the incidents. Nevertheless, the company has withdrawn the kite tube from the market and is undertaking this voluntary recall out of an abundance of caution.

The Sportsstuff Wego Kite Tube is a 10-foot-wide, circular, yellow inflatable watercraft designed to be towed behind a power boat. A rider in the tube becomes airborne by pulling on handles attached to the floor of the tube. Model 53-5000 is printed on the tube near the product valve. The floor of the tube has black caution warning stripes. The cover for the product bears a skull and crossbones and the statement "Never Kite higher than you are willing to fall." The tubes were imported and sold through marine distributors, mail order catalogs, and various retailers from approximately October 1, 2005 to July 11, 2006 for about \$500 to \$600.

Consumers should immediately stop using the kite tubes and contact Sportsstuff at (866) 831-5524 between 8 a.m. and 5 p.m. CST Monday through Friday to learn how to obtain free replacement products. Consumers can also visit the firm's Web site at [www.sportsstuff.com](http://www.sportsstuff.com) for more information.

060706HBB1616 Exhibit 4, Pg. 1 of 2





Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at [www.cpsc.gov/talk.html](http://www.cpsc.gov/talk.html). To join a CPSC email subscription list, please go to [www.cpsc.gov/cpscclist.asp](http://www.cpsc.gov/cpscclist.asp). Consumers can obtain this release and recall information at CPSC's Web site at [www.cpsc.gov](http://www.cpsc.gov).

**WE GO KITE TUBE REPLACEMENT REQUEST**

After this form has been submitted, a Customer Service Representative will contact you with an RMA number. Please use the form on this page to request your replacement product(s). Before we ship your chosen replacements, you must send us your Wego Kite Tube as outlined below:

Please completely fill out the form and press the SUBMIT button when you're finished. A FIRST NAME LAST NAME	
Date Purchased:	Month <input type="text"/> Day <input type="text"/> Year <input type="text"/>
Product condition:	<Select Condition> <input type="text"/>
Store where product was purchased:	<input type="text"/>
First and last name:	<input type="text"/>
Street address:	<input type="text"/>
City:	<input type="text"/>
State Province:	<Select> <input type="text"/>
Zip:	<input type="text"/>
Country:	<Select> <input type="text"/>
E-mail address:	yourmail@serviceprovider.com <input type="text"/>
Area code phone number:	<input type="text"/>
Please choose your desired replacement option:	<Select Replacement Option> <input type="text"/>
	<a href="#">Learn more about the replacement options here</a> Close the new window when done to return to this form
CLEAR FORM	<input type="button" value="SUBMIT"/> Thank you

**Wego Return Policy**

Click here if your kite tube is new or unused and has NEVER been inflated  
 If your Wego Kite Tube has been used, please see our return policy for more information.

P AS CUT FFTH F WIN PARTS F UR UNIT T R TURN T SP RTSSTUFF:  
 1 CUT FFTH A UMINUM T W C NN CT R FR M TH C V R  
 2 USIN SCISS RS, CAR FU CUT UT N (1) WARNIN PATCH N TH W  
 C V R IT IS N C SSAR THAT U CUT A TH WA THR U H TH C V R T R TURN  
 TH WARNIN PATCH P AS US TH WARNIN PATCH WITH TH IT M NUM R 5 -  
 5000 PRINT D N IT  
 P AS CAT TH VA V S N ACH F TH TW (2) INN RTU S CUT UT ACH  
 VA V AVIN A 1 INCH RADIUS AR UND ACH VA V WITHIN THIS RADIUS TH R  
 SH U D AN IT M NUM R 5 -5000 SUR T AV THIS NUM R INTACT S  
 THAT W CAN ID NTIF TH IT M WH N UR TURN IT T US  
 4 P AC A F TH S PARTS INT A SIN APPR PRIAT SI D MAI R A AIN W  
 MUST HAV A PARTS ACK IN RD RT PR C SS TH R TURN

A AIN, TH PARTS T R TURN AR :

- 1 A UMINUM T W C NN CT R,
- 1 WARNIN PATCH C NTAININ TH IT M NUM R CUT FR M TH C V R
- 2 VA V S FR M TH INN RTU S WITH IT M NUM RS INTACT

5 P AS WRIT TH RMA NUM R THAT UR C IV AFT R SU MITTIN UR  
 R U ST N TH UTSID F TH MAI R **THI RMA NUMBER I E TREMEL**  
**IM ORTANT. WITHOUT IT OUR RETURN AND E CHAN E ORDER MA NOT BE**  
**ROCE ED.** P AS PRINT TH NTIR NUM R C AR SP RTSSTUFF WI N T  
 R SP NSI F R R TURNS THAT AR MISSIN TH RMA NUM R

We MUST have all of these parts returned before we will ship out the replacement product  
Please send envelope to :

Sportsstuff Inc  
 1121 Circle  
 Suite A  
 maha, N 681  
 ATTN: RMA

**I ou Wego i b e ti i it o igi gi g ot bee**  
**o e e o o e e but e e i te t o o t e e i tu tio o o to**  
**etu t e o ete u it to u**

- 1 e sure to securely close your Wego back in it s original carton All parts must be inside the bo if you had previously opened it, including manuals and DVD
- 2 Remove any shipping labels that were placed on the outside of the carton  
Write the RMA number that you receive from Customer Service on the outside of the carton
- 4 Please also write the name of the person we are shipping the e change order to on the outside of the carton, along with the return address
- 5 Please return the Wego Unit to:

Sportsstuff Inc  
 1121 Circle  
 Suite A  
 maha N 681  
 Attn: RMA

- 6 ou should use UPS round Service to return the unit, and you may charge the ground freight to our UPS account Sportsstuff Customer Service will give you the account number when your request is received  
nce we have received your Wego return, we will process and ship out your e change product via UPS round service

CONTACT LIST (060706HBB1616)

1. Iain Hamilton/victim  
25 West Chase Ct.  
Youngsville, NC 27596  
Wk: (919) 341-5981

7/6 - initiated with phone message.  
7/7 - Conducted in-person interview with victim.

2. Taylor Budd/boat owner & operator  
Apex, NC  
Wk: (919) 313-5630

7/7 - telephone interview.

3. Chris Huebner/CPT  
NC Wildlife Resources Commission  
1717 Mail Service Center  
Raleigh, NC 27699-1717  
(919) 707-0033

7/6 - brief telephone interview.

4. Doctors Urgent Care Center  
3721 Lynn Road, Suite 104  
Raleigh, NC 27613

7/31 - sent letter & waiver requesting medical records.

**Task Number: 060706HBB1616**

**Date: 8/1/06**

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

1. Medical Records (Urgent Care Center, Raleigh, NC).

2. Boating Accident Report (NCWRC)

3.

4. \_\_\_\_\_

5. \_\_\_\_\_

Doc No: I0670073A

Issue: 40

07/06/2006

07/05/2006 13:01:05

Name = Iain Hamilton  
Address = 25 West Chase court  
City = Youngsville  
State = North Carolina  
Zip = 27596  
Email = ihamilton1@nc.rr.com  
Telephone = 919 341 5981  
Name of Victim = Iain Hamilton  
Victim's Address =  
Victim's City =  
Victim's State =  
Victim's Zip =  
Victim's Telephone =

Incident Description: I was riding a Wego Kite tube on Falls Lake NC. At no more than 6 feet off the water the tube twisted and dived uncontrolably to the water. My right foot somehow took the impact completely snapping my tallus bone (Ankle) I required 3 titanium scews to be installed to repair the bone and will not be able to drive for another 8 weeks or so depending on the recovery.

Victim's age at time of incident = 40  
Victim's sex = Male  
Date of incident = 6/08/06  
Product involved = Inflatable watersports tube  
Product brand name/manufacturer = Wego Kite Tube by Sportstuff  
Manufacturer street address = don't know  
Place where manufactured (City and State or Country) = don't know  
Product involved still available = No  
Product model and serial number, manufacture date = A friend of mine bought the tube. He is now selling it on ebay  
Date product purchased = Yes  
Name Release = Release name to the manufacturer and public

1. Task Number 060706HBB1618		2. Investigator's ID 9052		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 07 01	5. Date Initiated YR MO DAY 2006 07 11		
6. Synopsis of Accident or Complaint <span style="float: right;">UPC</span>  A 42-year-old male was riding a kite tube when it started to wave right and left and then took a hard left and slammed into the water. He suffered two broken ribs, a punctured lung and severe bruising from his thighs to his chest. He is in the process of healing and expects a full recovery.  <div style="text-align: center;"> <p><del>REF/PRVLER NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>OVERRULED: <input type="checkbox"/> <input checked="" type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <u>25</u></p> <p style="margin-left: 40px;">Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> <p style="margin-left: 40px;"><i>Am</i> 1/18/07</p> </div>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City LAKE CHAUTAUQUA		9. State NY
10A. First Product 3200 - Water Tubing (activity, Appa		10B. Trade/Brand Name SPORTS STUFF/WEGO		10C. Model Number KITE TUBE
10D. Manufacturer Name and Address SPORTS STUFF 12213 E. Circle, #A Omaha, NE				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 42	13. Sex 1 - Male	14. Disposition 4 - Hospitalized	15. Injury Diagnosis 57 - Fracture	
16. Body Part(s) Involved 31 - UPPER TRUNK	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational / Travel) 8 / 0	
20. Attachment(s) 2 - Documents		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 08/07/2006	25. Reviewed By 9067		26. Regional Office Director Eric B. Ault	
27. Distribution Ingle, Robin L.; Putz, Scott W.; Gabriel, Susan S.			28. Source Document Number I0670098A	

Information contained in this report was obtained from a telephone conversation with the victim. He was in New York where he lives some of the time.

The victim in this incident was a 42-year-old male who weighed 205 pounds and was five feet, eleven inches tall. He stated he was in good health and was very experienced with boating activities. He has been involved in wake boarding, water skiing, wind sailing, parasailing and many other water sports through the years.

The victim related that he purchased the **Sport Stuff Wego** kite tube online from [overtons.com](http://overtons.com). When the kite tube arrived, he read all of the instructions and watched a video that came with the kite tube. He added there were all sorts of warnings on the kite tube itself. He read all of them.

He was at Lake Chautauqua in New York and tried the kite tube for a couple of times in late June. The first two times, he could only get the kite to fly in the air one or two feet. He had no problems with it other than it would not fly like it shows on the Sport Stuff website.

The third time he tried the kite tube, this incident occurred. It was in the afternoon of July 1, 2006. The weather at Lake Chautauqua, New York on July 1, 2006 was reported to be around 77 degrees Fahrenheit with scattered clouds. The wind speed was out of the southwest at 10.4 miles per hour with wind gusts at 21.9 miles per hour.

The victim stated that this was a family day. There was no alcohol or illegal drugs involved in this outing. There were two adults and four children on the boat when he was riding the kite tube.

The boat driver was an experienced boat owner and driver. The victim had full confidence in the boat driver.

The kite tube came with a tow rope that was approximately 65 feet long but they only used about 55 feet of the tow rope. The victim was the only one on the kite tube. He was wearing a bathing suit and a life vest.

The boat driver started out slow and got up to almost 40 miles per hour before the kite tube would go into the air. The victim was in the air for just a minute or two before a gust of wind caught the kite tube. He estimated that he was about 25 to 30 feet in the air.

All of a sudden, the kite tube began waving left and right, then twisted hard to the left. The victim could not see the boat driver while he was on the kite tube. He could not signal the boat driver to slow down. He stated that there was nothing he could not because there is no way to control the kite tube.

When the kite tube twisted hard to the left, the top of the kite headed down to the water. The victim curled up in a ball and hit the water in the lake very hard. He was knocked unconscious from the impact on the water.

The boat driver immediately turned the boat around and came to help him. He was in the water for less than five minutes. The victim's son jumped in the water to help him. They pulled him up at the back of the boat. He was still unconscious. The people in the boat thought he was dead.

The boat driver called 911 and took the victim to a dock for the emergency personnel. By this time, the victim was coughing up and gaining consciousness. He was taken to the local emergency room. He was admitted in the hospital and was there for two days.

He stated that he suffered two broken ribs and a punctured lung. He had severe bruising from his thighs to his chest. He stated that he has been healing but is still somewhat sore.

At first, the victim thought he would send the kite tube back to the retailer, [overtone.com](http://overtone.com) and request his money back. However, at the present time, he has decided to hold on to the kite tube because he is considering litigation with the manufacturer of the kite tube.

The victim related that he would e-mail photographs of the kite tube, but the photographs have not been received.

**PRODUCT IDENTIFICATION:**

The victim described the kite tube as a **Sports Stuff Wego** kite tube. It was circular tube. It was red and yellow with black stripes in color. It had windows on the front of kite tube. It was made for only one rider. There were several warnings imprinted on the kite tube. The manufacturer is **Sport Stuff Inc**, 12213 E. Circle, #A, Omaha, NE.

The victim purchased it new from the website called [overtone.com](http://overtone.com).

**SAMPLE:**

None collected.

**ATTACHMENTS:**

Attachment 1 – Missing Document Form  
Attachment 2 – Identification of Contacts

**Task Number:** 060706HBB1618

**Date:** 8/4/2006

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

1. Victim's photographs of the kite tub
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

060706HBB1618

ATTACHMENT 2

IDENTIFICATION OF CONTACTS:

1. [REDACTED], victim, [REDACTED] FL 34681 –  
[REDACTED] – contacted by telephone.

1. Task Number 060706HBB3649		2. Investigator's ID 8096		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 06 12	5. Date Initiated YR MO DAY 2006 07 11		
6. Synopsis of Accident or Complaint <span style="float: right;">UPC</span>  A 20-year-old male was on a kite tube. He was 25'-35' high in the air and was being towed by a ski boat going between 25-35 mph. The kite tube remained stable for a few moments and suddenly flipped over. He fell off the kite tube and a gust of wind caught the kite tube and it swung between the victim and the water. He landed on the kite tube and then the water. He suffered a broken hip which required 3 bolts to repair and will require further surgery for a full hip replacement.  <div style="text-align: center;"> <p><del>IFR/PRIVACY NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>                  <input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Ex. 25c</p> <p>                  Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> <p style="font-size: 1.5em; margin-top: 10px;"><i>Am 1/18/07</i></p> </div>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City REDDING		9. State CA
10A. First Product 3200 - Water Tubing (activity, Appa		10B. Trade/Brand Name WEGO KITE TUBE		10C. Model Number 53-5000
10D. Manufacturer Name and Address SPORTSUUFF INC, 11213-East Cir. Suite A Ohmaha, NE 68137				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 20		13. Sex 1 - Male		14. Disposition 4 - Hospitalized
15. Injury Diagnosis 57 - Fracture		16. Body Part(s) Involved 79 - LOWER TRUNK		17. Respondent 3 - 2nd Hand Info Only
18. Type of Investigation 3 - Other		19. Time Spent (Operational / Travel) 16 / 1		
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 08/18/2006		25. Reviewed By 9021		26. Regional Office Director Frank J. Nava
27. Distribution Ingle, Robin L.			28. Source Document Number 10670059A	

This IDI is based on a consumer complaint. The information in this report was provided to me by a paralegal to the victim's attorney. She could only provide me with just general information on the incident. They are still gathering information on this incident from the victim and from other witnesses.

The victim, a 20-year-old male, is 6' tall and weighs about 160 lbs. He lives with his roommate in a single family dwelling. He and his roommate owned a 16' ski boat. The boat was made in 1986.

According to the paralegal, on June 11, 2006 or the day prior to the incident, the victim and his roommate visited a water sport retailer and purchased a kite tube. He took the large kite tube box to the counter and paid about between \$500.00 to \$600.00 for this kite tube. He did not ask the sales staff how to use the product and they did not offer any directions or cautions in using the kite tube. Inside the kite tube box there was a DVD video and written instruction on using the kite tube. The legal assistant said the victim read and looked at the instructional video and other material that came with the kite tube.

On June 12, 2006 the victim and his roommate plus another friend went boating in a large nearby lake. The lake is located in a public national forest area. The weather was clear and slightly windy. The victim rode the kite tube three times prior to the incident.

The victim was on the kite tube in the water. The kite tube was on a 45' main tow rope along with 2 extensions. The total length of the tow rope and two extensions was 65'. The victim's roommate was the driver and one of their friends was the spotter. The boat took off and was going between 20-35 MPH. The kite tube reached a height of between 25'- 35'. The kite tube remained stable for a few moments and then suddenly flipped over. The victim let go of the kite tube and started falling back towards the water. A second gust of wind caught the kite tube and it swung between the victim and the water. The victim landed on the kite tube then the water. He immediately felt pain in his leg and thought it was a dislocated hip. The boat circled back and picked up the victim in the water. He was then driven to an emergency room and after receiving X-rays, he was told the hip was broken (displaced femoral neck). He underwent surgery that evening. The surgery involved

placing three 4" long bolts into his hip. He will not be able to walk for three months and he will require another surgery with a full hip replacement.

After the incident, the victim moved from his home to his parents residence in another state. The victim's parents will assist with his care. The victim retained an attorney in his parent's state in a lawsuit against the manufacturer.

The paralegal told me the victim was the only one on the kite tube. He used the kite tube three times prior to the incident. He did not have any prior experience on these kite tubes. He could not recall if he could direct/control the direction and height of the kite tube. He could not signal the boat to slow down. The kite tube had flipped over suddenly. He could not do anything to lower the kite tube back down towards the water. The kite tube did not have any mechanical problems. The victim wore only swimming trunks and did not have any safety gear.

The paralegal told me the victim and his roommate used their 16' ski boat to water ski. So, both the victim and the roommate have experience in towing products behind their boat.

PRODUCT IDENTIFICATION:

The product involved in this incident is a Wego Kite Tube. The kite tube is a 10' diameter saucer shape inflatable which is towed by a boat. The kite tube can be towed across the water like a water tube or fly up in the air. The manufacturer is Sportstuff Inc., 11213 E. Circle, Suite A, Omaha, NE 68137. Telephone number 402.592.9085. . Manufacturer's Internet website, [www.sportsstuff.com](http://www.sportsstuff.com), listed the Wego Kit Tube model number as ~~53-500~~.

The paralegal is in the process of getting the exact model number, other information on this product, and more details of this incident. She will send me photographs of the actual Wego Kite Tube at a later date.

EXHIBITS:

- #1. Manufacturer Internet information on the Wego Kite Tube.
- #2. CPSC Incident Report.
- #3 Authorization for Release of Name.

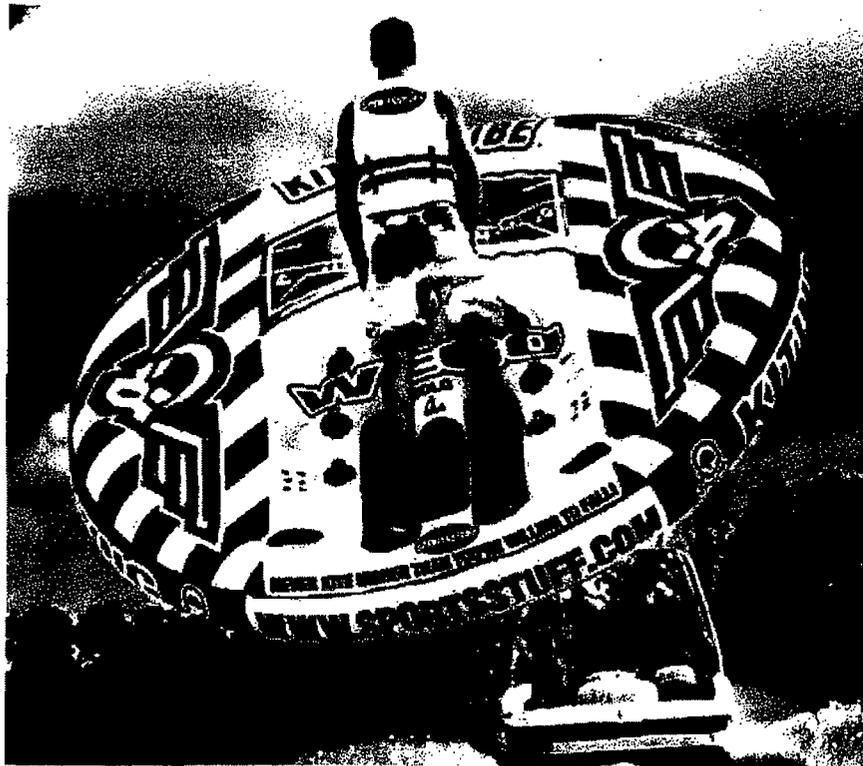
060706HBB3649

EXHIBIT #1



HOME | TOWABLES | LIFE VESTS | INFLATION GUIDE | LOUNGES | SNOW SPORTS | FISHING | RIVER TUBING | FUN  
 INDEX | NEW STUFF | SHOP BAGS | ROPES/PUMPS/ACCESSORIES | COOLERS | FAQ | WARRANTY | MO  
 YOU ARE HERE: HOME -> TOWABLES -> WEGO KITE TUBE

[new\\_stuff](#) | [kite tube](#) | [acrobats](#) | [half-pipes](#) | [mables](#) | [motopods](#) | [speedzones](#) | [patriots](#) | [world\\_class](#) | [decks](#) | [my-t](#) | [concepts](#) | [bxtubes](#)



WATCH VIDEO  FULL COVER  RECOMMENDED TOW ROPE  MAX RIDERS  GET MANUAL



### Wego Kite Tube

10ft diameter flying tube  
 Take flight with the Wego Kite Tube. Action towable is here, excitement! Whip across through the air like a kite. Rise above the water, it's nothing but adrenaline has been raised with the Wego Kite Tube beneath it...

Model 53-5000 Sug. R



### KITE TUBE W MARKET - CL

Features:

- 120 inch inflated configuration
- 840D full body
- Computerized
- Nylon zipper adjustment
- Multiple mesh
- Two heavy-duty cockpit
- Reinforced tow connector for use
- Speed safety
- Parallel slotted neoprene padding
- 8 padded, non
- Heavy-duty st
- Reflective Safety outside top tag
- Variable loops
- Panoramic see
- Adjustable len rope included
- High visibility, watersports safety caution accent
- Instructional CD included

Name  
 Address  
 City =  
 State =  
 Zip =  
 Email  
 Telephone  
 Name  
 Victim  
 Victim  
 Victim  
 Victim  
 Victim

Incident Description: Slightly windy day with Wego Kit Tube on Whiskeytown Lake in Whiskeytown National Recreation Area in Northern California. Travelling about 35mph, kit tube caught a gust of air and reached a height of about 30 or 35ft. Remained stable for a few moments and then suddenly flipped over, I let go to fall and started falling back towards the water. A gust of wind caught the kite tube and it swung between me and the water and I landed on it then the water. I immediately felt pain in my leg and thought maybe it was a dislocated hip. After a car ride to the ER, sitting in the ER for 2 hours, and finally getting X-Rays I was told I'd broken my hip. (Displaced Femoral Neck) which is a major trauma and I had to have surgery that same night. (Surgery involved placing [3] 4" long bolts into my hip) I'm not able to walk on it for 3 months, after which point it will have healed, or it will not have healed properly and I'll have to have another surgery with a full hip replacement. All of the nurses and doctors were shocked that at 20 I'd broken my hip and said the force of the impact must have been extreme. They checked for (but didn't find, luckily) internal bleeding of my organs.

Victim's age at time of incident = 20  
 Victim's sex = Male  
 Date of incident = 6/12/06  
 Product involved = Wego Kite Tube  
 Product brand name/manufacturer = SportsStuff  
 Manufacturer street address = 11213 E Cir Suite A  
 Place where manufactured (City and State or Country) = Omaha, NE  
 Product involved still available = Yes  
 Product model and serial number, manufacture date = Wego Kite Tube  
 Date product purchased = 6/1/06  
 Name Release = Release name to manufacturer only



060706 HBB3649

EXHIBIT #3

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

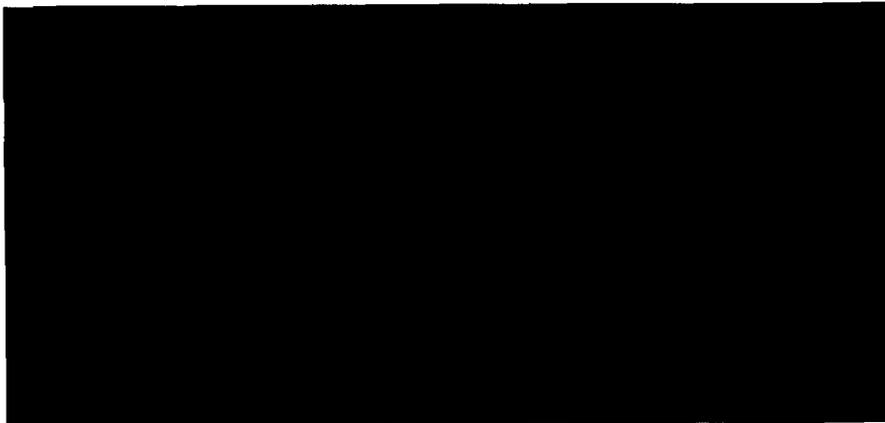
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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

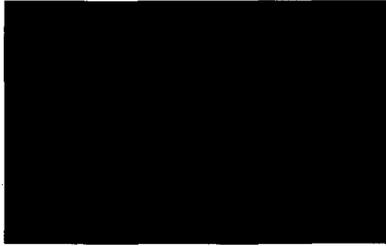
Would you please indicate on the bottom of this page whether you will allow us to disclose your name? If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.



5

List of Contacts:

Victim:



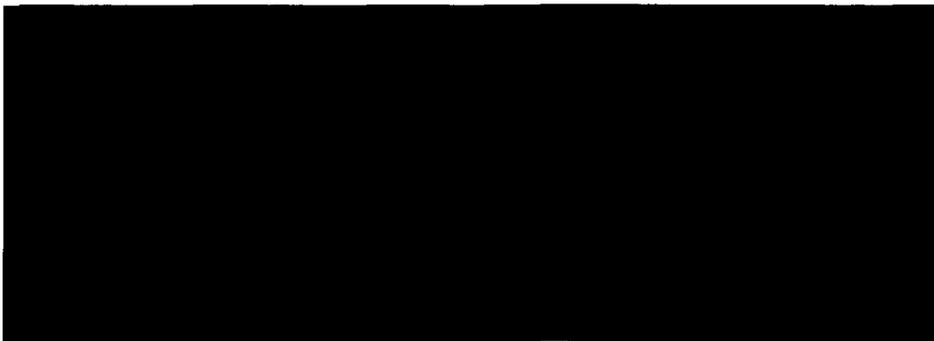
7-11-06 I telephoned the victim and left a message on his telephone recorder.

7-15-06 I telephoned victim and spoke with the victim's roommate. He will relay my message to the victim.

8-7-06 I email a message to the victim.

8-10-06 I telephoned the victim and left a message on his telephone recorder.

8-11-06 Victim email me and told me to contact his attorney.



8-14-06 I called attorney and left a message.

8/17-06 Para-Legal to the attorney called me and gave me general information on the incident. They are still gather information on this incident.

<b>1. Task Number</b> 060707HBB1625		<b>2. Investigator's ID</b> 9001		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
<b>3. Office Code</b> 810	<b>4. Date of Accident</b> YR MO DAY 2006 06 17	<b>5. Date Initiated</b> YR MO DAY 2006 07 07		
<b>6. Synopsis of Accident or Complaint</b> <b>UPC</b>  A 34 year old female suffered a mild concussion as a result of riding a kite tube that crashed while being towed by a motorboat on a lake. The victim was riding the kite tube about two or three feet above the water when a sudden gust of wind took her up to about 10 to 12 feet above the water, she lost control and the kite tube dove down and crashed into the lake sideways. The victim was temporarily knocked unconscious. She was hospitalized overnight for a mild concussion and then released.  <div style="text-align: center;"> <p><del>WPR/PRV/BR NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Exs <u>25c</u></p> <p><input type="checkbox"/> Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY    <input type="checkbox"/> RE-NOTIFY</p> <p style="text-align: right;"><i>[Signature]</i> 1/18/07</p> </div>				
<b>7. Location (Home, School, etc)</b> 9 - SPORTS OR RECREATION PLACE		<b>8. City</b> HENRICO		<b>9. State</b> NC
<b>10A. First Product</b> 3200 - Water Tubing (activity, Appa		<b>10B. Trade/Brand Name</b> WEGO		<b>10C. Model Number</b> 53-5000
<b>10D. Manufacturer Name and Address</b> SPORTSSTUFF, INC. 11213 E. Circle, Suite A Omaha, NE 68137				
<b>11A. Second Product</b> 0		<b>11B. Trade/Brand Name</b> NONE		<b>11C. Model Number</b> NONE
<b>11D. Manufacturer Name and Address</b> NONE				
<b>12. Age of Victim</b> 34	<b>13. Sex</b> 2 - Female	<b>14. Disposition</b> 1 - Injured, not Hosp.	<b>15. Injury Diagnosis</b> 52 - Concussion	
<b>16. Body Part(s) Involved</b> 75 - HEAD	<b>17. Respondent</b> 2 - Eyewitness	<b>18. Type of Investigation</b> 3 - Other	<b>19. Time Spent (Operational / Travel)</b> 11 / 1	
<b>20. Attachment(s)</b> 9 - Multiple Attachments		<b>21. Case Source</b> 13 - Other Case Source		<b>22. Sample Collection Number</b>
<b>23. Permission to Disclose Name (Non NEISS Cases Only)</b> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
<b>24. Review Date</b> 08/03/2006	<b>25. Reviewed By</b> 8978		<b>26. Regional Office Director</b> Eric B. Ault	
<b>27. Distribution</b> Ingle, Robin L.; Topka, Tanya L.; Blasius, Dennis R.			<b>28. Source Document Number</b> X0670067A	

On 6/17/06, a 34 year old female suffered a mild concussion as a result of riding a kite tube that crashed while being towed by a motorboat on a lake. The victim was riding the kite tube about two or three feet above the water when a sudden gust of wind took her up to about 10 to 12 feet above the water, she lost control and the kite tube dove down and crashed into the lake sideways. The victim was temporarily knocked unconscious.. She was hospitalized overnight for a mild concussion and then released.

Information in this report was obtained through telephone interviews with the victim's fiancé, boat operator/owner, and NC Wildlife Resources Commission (NCWRC) officials. The victim's fiancé stated that the victim did not remember anything about the incident due to being knocked unconscious. Information was also obtained from a boating accident report received from NCWRC [see Exhibit 1], as well as from product description, specifications and return information on the manufacturer's web-site [see Exhibits 2&4]. The NC Wildlife Resources Investigator did not take any photos. A photograph was requested from the boat owner/operator (kite tube owner, but it was not provided. This product was recalled by the manufacturer on 7/13/06 [see Exhibit 3]. No medical release was provided by the victim so medical records were not requested from the hospital. There were no other officials involved/official reports to collect.

The kite tube involved in the incident was about two days old when the incident occurred. The victim's fiancé stated that the victim had no previous experience with similar products, but she had ridden on regular tubes a number of times and had gone parasailing once. Both the victim's fiancé and the boat owner/operator stated that the kite tube and the tow rope were new and appeared to be in good condition at the time of the incident. This was the first time that the victim had used the kite tube. The boat owner/operator's son's had apparently used it for a day or two prior to the incident.

On the day of the incident, the victim was at the lake with her fiancé, the boat owner/operator and at least two other people in the boat. They were riding on a 250 horsepower open motorboat. The boat owner was driving the boat and the victim's fiancé was in the boat. The victim was wearing a life jacket and got in the water to ride the kite tube.

The boat owner stated that a DVD comes with the product and that his son had watched the video. The boat/kite tube owner stated that he did not ask the retail sales staff any questions when he purchased the kite tube and they did not offer any directions or cautions. He read the instructions/warnings printed on the kite tube.

At the time of the incident, the weather was clear, the temperature was 90 degrees, Fahrenheit and the water conditions were choppy (waves 6" to 2'). The wind was light (7 to 14 mph), and the visibility was good. Alcohol was not listed as a factor in the incident [see Exhibit 1, pgs. 1&2].

On June 17, 2006 at about 4:15 pm, the 34 year old female victim was flying on the kite tube for about 15 minutes at two or three feet above the surface of the lake when a sudden gust of wind took the kite tube and the victim up about 10 - 12 feet in the air (according to the victim's fiancé) where she suddenly lost control and slammed down sideways onto the surface of the lake. The boat operator stated that the maximum height achieved was more like seven or eight feet above the water. The victim was knocked unconscious for about one full minute. The boat operator whipped the boat around and the victim's fiancé and two other people helped the victim back into the boat within three to three and one-half minutes of the incident. The victim was taken to the emergency room, treated for a mild concussion and kept overnight for observation. She was released the next day.

The victim was the only person on the kite tube and she was the only one being towed by the boat at the time of the incident. The 57 year old boat owner/operator (kite tube owner) had many years of experience operating boats.

The victim's fiancé stated that he did not believe that she could direct/control the direction and height of the kite tube. He stated that the kite tube appears to rock back and forth and become unstable when wind gets a hold of it and drives it up into the air. He believes that the maximum angle that could be achieved on this kite tube is 45 degrees.

The victim's fiancé indicated that the tow rope was about 20 or 30 feet long. There were two sections of the tow rope attached together. The boat operator stated that

060707HBB1625

the boat was traveling at between 18 to 20 miles per hour at the time of the incident.

The boat operator stated that he could not communicate with the victim and that he did not actually see the kite tube dive to the surface because he was operating the boat. The boat operator said his son attached the tow rope to the boat based on the manufacturer's instructions.

The victim did not report the incident to the manufacturer. The boat operator/kite tube owner is aware of the recall but has not yet contacted the manufacturer to report the incident/return the kite tube. He still had possession of it as of August 2, 2006.

#### PRODUCT INFORMATION

The NC Wildlife Resources Commission, the victim's fiancé and the boat owner/operator (kite tube owner) all confirmed that the product is a Wego brand inflatable kite tube that is 10 foot in diameter, yellow colored, and designed to be towed behind a power boat.

**MANUFACTURER: SPORTSSTUFF, INC.**  
**11213 E. Circle, Suite A**  
**Omaha, NE 68137**

**BRAND: WEGO**  
**MODEL: 53-5000**

The boat owner/operator purchased the kite tube from Lake Gaston Sales & Service, Littleton, NC about two days prior to the incident. He no longer has the original sales receipt.

The product description and specifications for the kite tube are as follows (see Exhibit 2):

#### **Wego Kite Tube**

10ft diameter flying tube  
Take flight with the WEGO KITE TUBE! The next generation of action towable is here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KITE TUBE. Anything else is beneath it...

060707HBB1625

Model 53-5000 Sug. Retail: \$599.95

**KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO**

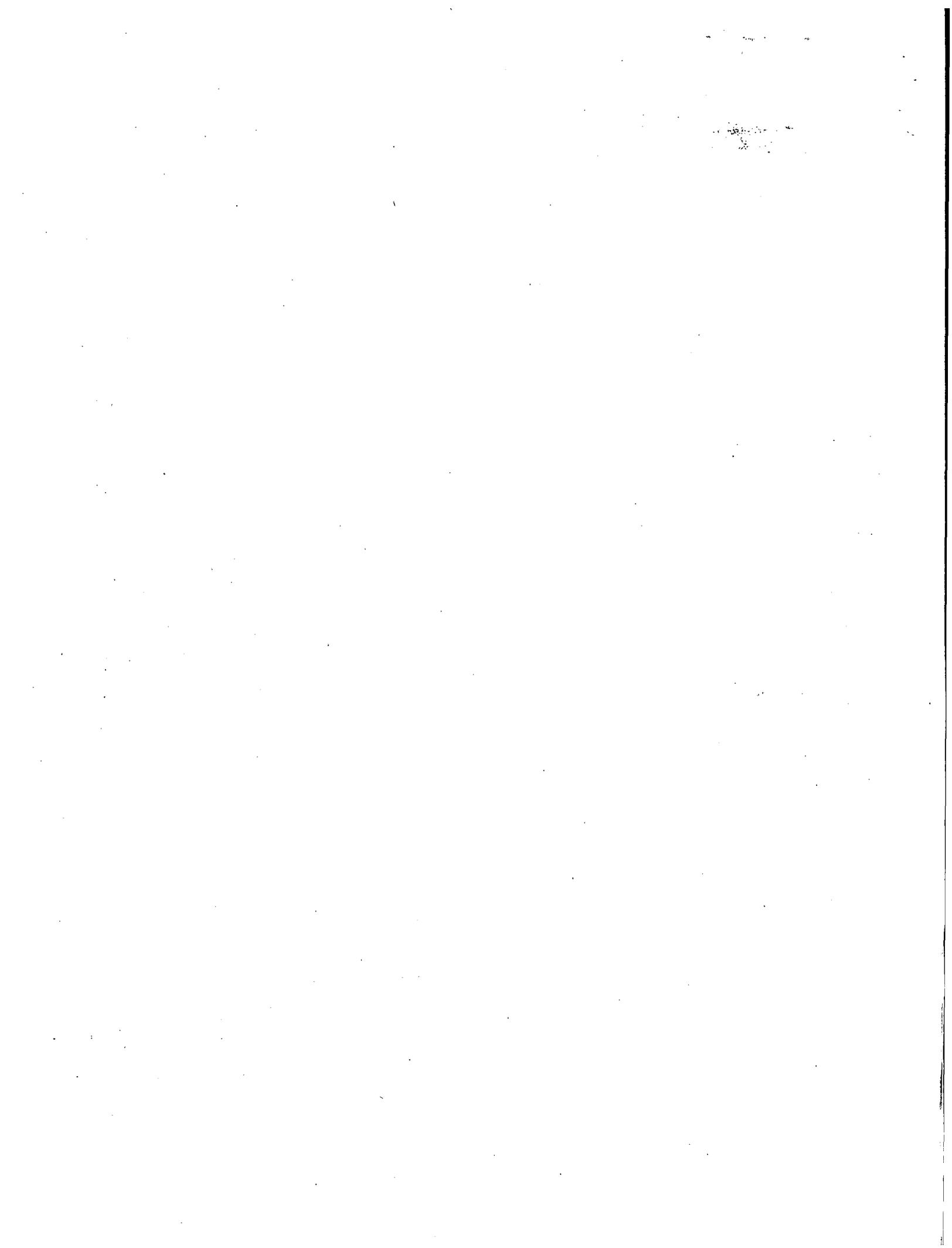
Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:  
[Kite Tube Instructional Video](#)

**ATTACHMENTS**

- Exhibit 1 - Boating accident report (NCWRC).
- Exhibit 2 - Product info. from SportsStuff web-site.
- Exhibit 3 - Release NO. 06-210 (Kite tube recall).
- Exhibit 4 - Return info. from SportsStuff web-site.
- Exhibit 5 - Contact List.
- Exhibit 6 - Status of Missing document form.



ACCIDENT DATA

VESSEL #1 OPERATOR NAME [REDACTED] VESSEL #2 OPERATOR NAME N/A VESSEL #3 OPERATOR NAME N/A

DATE OF ACCIDENT 17-Jun-08 TIME 4:15 am NAME OF BODY OF WATER Lake Gaston NEAREST CITY OR TOWN Henrico

STATE North Carolina LOCATION (Give location precisely) Jimmy's Crk. Lat UNKNOWN Long. COUNTY Northampton

WEATHER:  Clear,  Rain,  Cloudy,  Snow,  Fog,  Hazy  
 WATER CONDITIONS:  Calm (waves less than 6"),  Choppy (waves 6" to 2'),  Rough (waves 2' to 6"),  Very Rough (greater than 6"),  Strong Current  
 TEMPERATURE (Estimate): Air 89 °F, Water 70 °F  
 WIND:  None,  Light (0-6mph),  Moderate (7-14mph),  Strong (15-25mph),  Storm (Over 25mph)  
 VISIBILITY: Day  Good,  Fair,  Poor; Night  Good,  Fair,  Poor  
 ACCIDENT CAUSE(S) (Check all applicable):  Careless/Reckless,  No/Improper Lights,  Weather,  Excessive Speed,  No Proper Lookout,  Restricted Vision,  Overloading,  Improper Loading,  Hazardous Waters,  Improper Anchoring,  Wake,  Alcohol use,  Drug Use,  Fault of Hull,  Fault of Machinery,  Fault of Equipment,  Operator Inexperience,  Operator Inattention,  Dam / Lock,  Sharp Turn,  Ignition of Fuel/Vapor,  Failure to Vent,  Starting in Gear,  Congested Waters,  Other tubing,  Grounding,  Capsizing,  Flooding,  Sinking,  Falls Overboard,  Falls in boat,  Starting Engine,  Sider Mishap,  Struck by boat,  Fire or Explosion (Fuel),  Fire or Explosion (Other than fuel),  Collision with Fixed Object,  Collision with Floating Object,  Hit By Motor or Propeller,  Collision with Vessel,  Struck Submerged Object,  Other  
 TYPE OF ACCIDENT (Check one):  Sider Mishap,  Struck by boat



VESEL #1 INFORMATION

NAME AND ADDRESS OF OPERATOR: John Christbury, 244 Hesbon Dr., Henrico, NC  
 AGE OF OPERATOR: GENDER: MALE  FEMALE   
 DATE OF BIRTH: 6-May-49  
 OPERATOR TELEPHONE NUMBER: 252-537-4334  
 OWNER TELEPHONE #: 252-537-4334  
 OPERATOR EXPERIENCE:  Under 10 Hours,  10 to 100 Hours,  Over 100 Hours  
 OPERATOR EDUCATION:  State,  None,  Red Cross,  USCG Auxiliary,  Power Squadron,  Other

NAME AND ADDRESS OF OWNER: John Christbury, 244 Hesbon Dr., Henrico, NC  
 RENTED BOAT?  YES,  NO  
 NUMBER OF PERSONS ONBOARD VESSEL: 2  
 OWI ARREST:  Yes B.A.C.,  No  
 NUMBER OF OTHER ARRESTS: \_\_\_\_\_  
 NUMBER OF SKIERS TOWED: \_\_\_\_\_

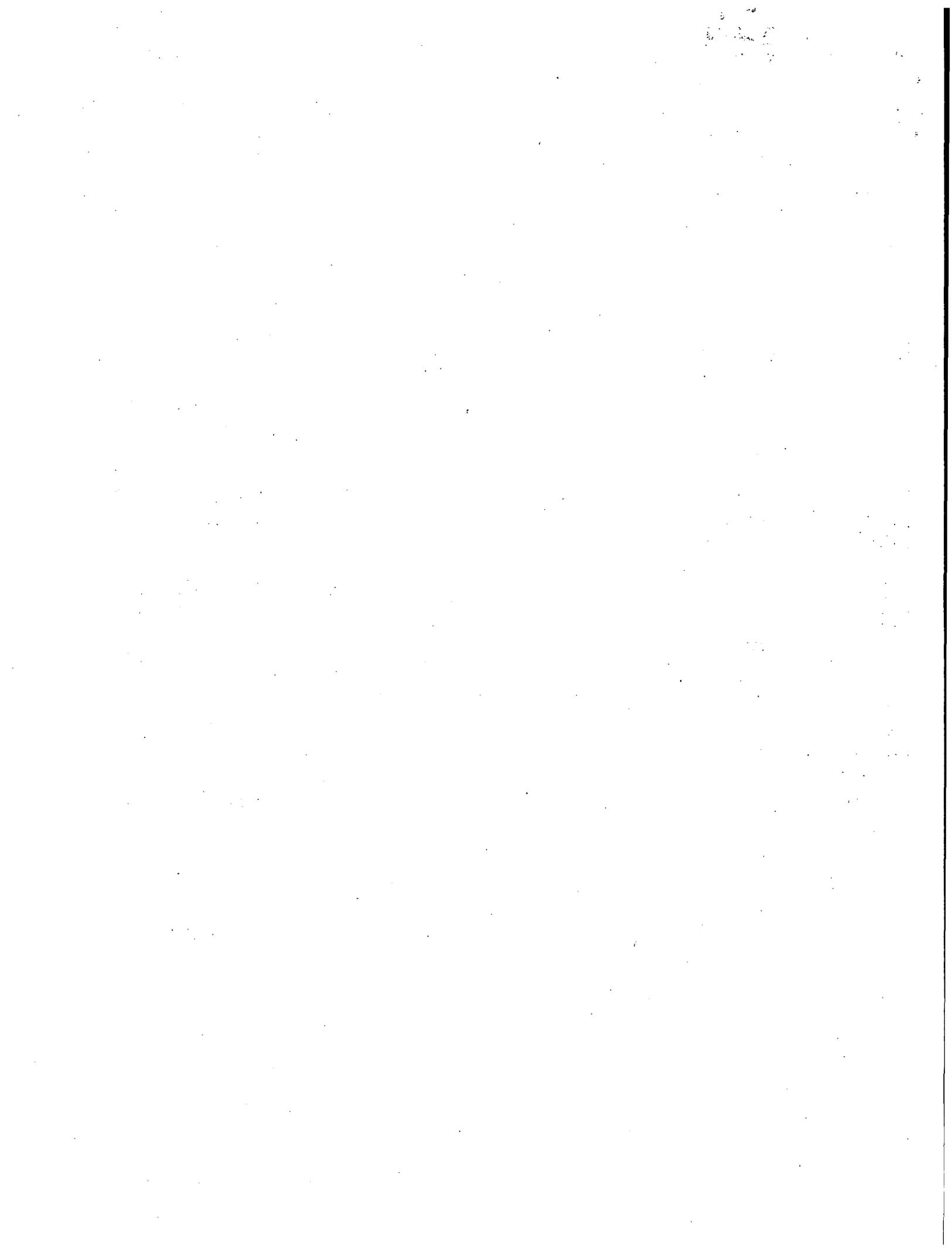
BOAT REGISTRATION #: NC 6992 WJ BOAT NAME: NONE BOAT MAKE: CARAVELLE BOAT MODEL: 1999 Z12 BR MFR HULL IDENTIFICATION #: VCN111071899

TYPE OF BOAT:  Open Motorboat,  Cabin Motorboat,  Auxiliary Sail,  Mini Jet Boat,  Canoe/Kayak,  Other (specify) \_\_\_\_\_  
 HULL MATERIAL:  Wood,  Aluminum,  Steel,  Fiberglass,  Rubber/vinyl,  Plastic,  Other \_\_\_\_\_  
 ENGINE:  Outboard,  Inboard gasoline,  Inboard diesel,  Inboard outdrive,  Jet,  Other (Specify) \_\_\_\_\_  
 PROPULSION: # of engines: 1, Horsepower (total): 250, Type of fuel: Gasoline  
 CONSTRUCTION: Length: 21, Year built (boat): 1999  
 Has boat had a Safety Examination?  Yes,  No  
 For current year?  Yes,  No. Year \_\_\_\_\_  
 Indicate whether:  USCG Auxiliary Courtesy Marine Exam,  State / local exam,  Other

OPERATION AT TIME OF ACCIDENT (Check all applicable):  Commercial Activity,  Cruising,  Maneuvering,  Docking/Undocking,  Rowing/Paddling,  Water Skiing,  Racing,  Towing,  Sailing,  Changing Direction,  Whitewater Sports,  Starting Engine,  Other (Specify) \_\_\_\_\_  
 Drifting, At Anchor, Tied to Dock, Fueling, Fishing, Hunting, Skin Diving, Swimming, Being Towed, Launching, Changing Speed, Making Repairs, Tournament  
 FIRE EXTINGUISHER: Were they used? (If yes, list Types(s) and #)  Yes,  No,  NA. Types: \_\_\_\_\_

PERSONAL FLOTATION DEVICES (PFD'S)  
 Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES?  Yes,  No  
 Were they accessible?  Yes,  No  
 Were they serviceable?  Yes,  No  
 Were they used by survivors?  Yes,  No  
 What type?  I,  II,  III,  IV,  V (specify) \_\_\_\_\_  
 Was the vessel carrying NON approved flotation devices?  Yes,  No  
 Were they accessible?  Yes,  No  
 Were they used?  Yes,  No  
 If Yes, indicate kind \_\_\_\_\_

PROPERTY DAMAGE  
 Estimated amount: This Boat: N/A  
 Other Property: \_\_\_\_\_  
 DESCRIBE PROPERTY DAMAGE: \_\_\_\_\_  
 NAME AND ADDRESS OF OWNER: \_\_\_\_\_  
 OF DAMAGED PROPERTY: N/A  
 DESCRIBE VESSEL DAMAGE: N/A  
 BOAT SPEED:  Not Moving,  Under 10mph,  10-20,  21-40



VESSEL # 2 INFORMATION (If more than two vessels, add additional forms)

NAME AND ADDRESS OF OPERATOR N/A		AGE OF OPERATOR GENDER: Male <input type="checkbox"/> Female <input type="checkbox"/>		OPERATOR EXPERIENCE <input type="checkbox"/> Under 10 Hours <input type="checkbox"/> 10 to 100 Hours <input type="checkbox"/> Over 100 Hours	
OPERATOR TELEPHONE #		DATE OF BIRTH		OPERATOR EDUCATION <input type="checkbox"/> None <input type="checkbox"/> State <input type="checkbox"/> Red Cross <input type="checkbox"/> USCG Auxiliary <input type="checkbox"/> Power Squadron <input type="checkbox"/> Other	
NAME AND ADDRESS OF OWNER		RENTED BOAT? <input type="checkbox"/> Yes <input type="checkbox"/> No		# of persons on board vessel: _____	
BOAT REGISTRATION #		BOAT NAME		BOAT MAKE	
BOAT MODEL		MFR HULL IDENTIFICATION #		OWI ARREST <input type="checkbox"/> Yes B.A.C. _____ # OF OTHER ARRESTS _____ # OF SKIERS TOWED _____	

TYPE OF BOAT <input type="checkbox"/> Open Motorboat <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> Mini Jet Boat <input type="checkbox"/> Canoe/Kayak <input type="checkbox"/> Other (specify) _____		HULL MATERIAL <input type="checkbox"/> Wood <input type="checkbox"/> Aluminum <input type="checkbox"/> Steel <input type="checkbox"/> Fiberglass <input type="checkbox"/> Rubber/Vinyl <input type="checkbox"/> Plastic <input type="checkbox"/> Other		ENGINE <input type="checkbox"/> Outboard <input type="checkbox"/> Inboard gasoline <input type="checkbox"/> Inboard diesel <input type="checkbox"/> Inboard-outdrive <input type="checkbox"/> Jet <input type="checkbox"/> Other (Specify) _____	
PROPULSION # of engines _____ Horsepower (total) _____ Type of fuel _____		CONSTRUCTION Length: _____ Year built (boat) _____		Has boat had a Safety Examination? <input type="checkbox"/> Yes <input type="checkbox"/> No For current year? <input type="checkbox"/> Yes <input type="checkbox"/> No Year _____ Indicate whether <input type="checkbox"/> USCG Auxiliary Courtesy Marine Exam <input type="checkbox"/> State/local exam <input type="checkbox"/> Other	

OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> Commercial Activity <input type="checkbox"/> Cruising <input type="checkbox"/> Maneuvering <input type="checkbox"/> Docking/Undocking <input type="checkbox"/> Rowing/Paddling <input type="checkbox"/> Water Skiing <input type="checkbox"/> Racing <input type="checkbox"/> Towing <input type="checkbox"/> Sailing <input type="checkbox"/> Changing Direction <input type="checkbox"/> Whitewater Sports <input type="checkbox"/> Other (Specify) _____		PERSONAL FLOATION DEVICES (PFD'S) COAST GUARD APPROVED FLOTATION DEVICES? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they serviceable? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they used by survivors? <input type="checkbox"/> Yes <input type="checkbox"/> No What Type? <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> V (specify) _____ Were PFD's properly Used? <input type="checkbox"/> Yes <input type="checkbox"/> No Was the vessel carrying NON approved flotation devices? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No Were they used? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, indicate kind _____		PROPERTY DAMAGE Estimated amount: This Boat \$ _____ Other Property \$ _____ Were they used? (if yes, list Type(s) and # used.) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA Types: _____	
DESCRIBE PROPERTY DAMAGE: _____		NAME AND ADDRESS OF OWNER OF DAMAGED PROPERTY: _____		DESCRIBE VESSEL DAMAGE: _____	

BOAT SPEED:  Not Moving  Under 10 MPH  10 - 20 MPH  21 - 40 MPH

FATALITIES AND INJURIES (If more than 3 fatalities and / or injuries, attach additional form(s))

DECEASED					
Name N/A	Address N/A	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type _____	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> OTHER <input type="checkbox"/> DISAPPEARANCE	Physical Condition: Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes B.A.C. _____
Name	Address	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type _____	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> OTHER <input type="checkbox"/> DISAPPEARANCE	Physical Condition: Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes B.A.C. _____
Name	Address	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer PFD Worn? <input type="checkbox"/> Yes Type _____	DEATH CAUSED BY <input type="checkbox"/> DROWNING <input type="checkbox"/> OTHER <input type="checkbox"/> DISAPPEARANCE	Physical Condition: Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes B.A.C. _____

INJURED					
Name Heather Olesevich	Address 738 Henery St. Roanoke Rapids, NC	DATE OF BIRTH 12-1-71	Primary Injury head injury/knocked Out Secondary Injury _____ Propeller Injury? <input type="checkbox"/> Yes Injury Caused By: falling off tube	Medical Treatment? <input checked="" type="checkbox"/> Yes Hospitalized? <input checked="" type="checkbox"/> Yes Alcohol? <input type="checkbox"/> Yes B.A.C. _____ PFD Worn? <input checked="" type="checkbox"/> Yes	
Name	Address	DATE OF BIRTH	Primary Injury _____ Secondary Injury _____ Propeller Injury? <input type="checkbox"/> Yes Injury Caused By: _____	Medical Treatment? <input type="checkbox"/> Yes Hospitalized? <input type="checkbox"/> Yes Alcohol? <input type="checkbox"/> Yes B.A.C. _____ PFD Worn? <input type="checkbox"/> Yes	
Name	Address	DATE OF BIRTH	Primary Injury _____ Secondary Injury _____ Propeller Injury? <input type="checkbox"/> Yes Injury Caused By: _____	Medical Treatment? <input type="checkbox"/> Yes Hospitalized? <input type="checkbox"/> Yes Alcohol? <input type="checkbox"/> Yes B.A.C. _____ PFD Worn? <input type="checkbox"/> Yes	

**ACCIDENT DESCRIPTION**

Page 5

DESCRIBE WHAT HAPPENED (sequence of events; include and explain any failure of equipment or machinery. Include information regarding the involvement of alcohol and/or drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's)

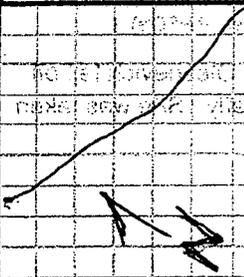
The operator of vessel # 1, [REDACTED] was pulling [REDACTED] on a tube. [REDACTED] fell off the tube while rounding the point near Jimmy Creek and the main Lake. She was knocked out briefly. She was taken to the Halifax Regional Medical Center for treatment of a mild concussion.

Name <u>Patrick Browne</u>		Address <u>Po Box 97</u>		Telephone # <u>(252) 586-5732</u>	
Officer Badge Number <u>129</u>		<u>Littleton, NC</u>		Date Submitted <u>6-29-06</u> <i>(JVM)</i>	
SIGNATURE <u>Patrick Browne #129</u>		<u>27850</u>			
(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)					
Causes based on (check one)		Secondary Cause of Accident		Date Received	
<input type="checkbox"/> This report investigation <input checked="" type="checkbox"/> Investigation and this report <input type="checkbox"/> Could not be determined				7/5/06	
Primary Cause of Accident <u>SUBJECT FELL OFF OF KITE TUBE</u>		Secondary Cause of Accident		Reviewed By <u>Lt. J.R. HALE #364</u> <u>NCWRC</u>	

*Capt. Mark H. Banton*

ACCIDENT DIAGRAM

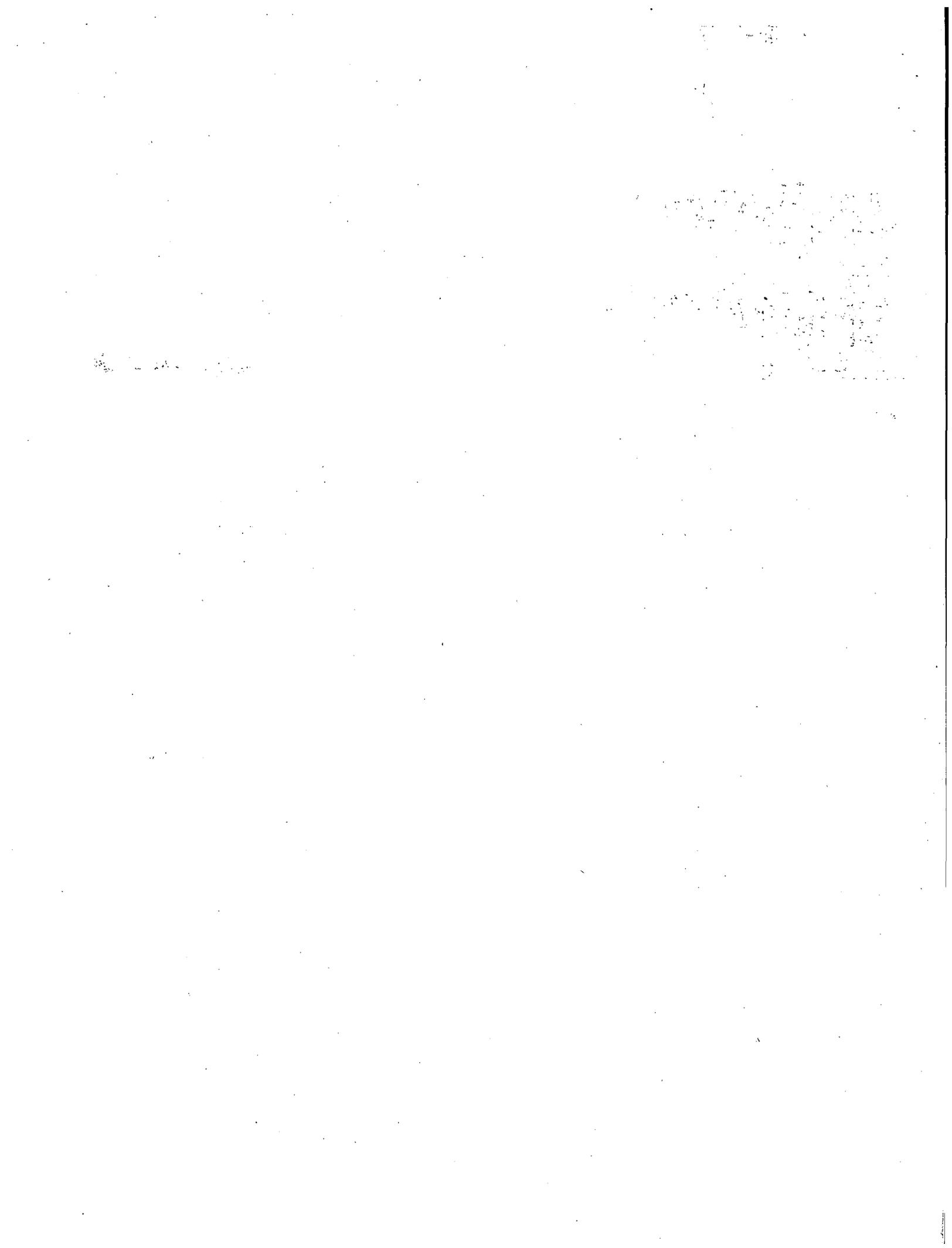
Gaston Dam



Jimmy Creek

Lake Gaston  
(main lake)





STATE OF NORTH CAROLINA WILDLIFE RESOURCES COMMISSION		PLEASE TYPE OR PRINT - FILL OUT COMPLETELY		Form MB 4.1 Rev 8/01	
BOATING ACCIDENT REPORT					
The operator of every vessel involved is required to file a report in writing whenever a boating accident results in loss of life, medical treatment beyond first aid, disappearance from a vessel under circumstances that indicate death or injury, or property damage in excess of \$500. Reports in death, disappearance and injury cases must be submitted within 48 hours; reports in other cases are required within 10 days. All reports shall be submitted to the Wildlife Resources Commission, 1717 Mail Service Center, Raleigh, North Carolina 27699-1717					
COMPLETE ALL BLOCKS, (Indicate those not applicable by "NA")					
NAME AND ADDRESS OF OPERATOR [REDACTED]		AGE OF OPERATOR 57		OPERATORS EXPERIENCE <input type="checkbox"/> Under 10 hours <input type="checkbox"/> 10 to 100 hours <input checked="" type="checkbox"/> Over 100 hours	
		DATE OF BIRTH 5-6-49		OPERATOR GENDER <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
OPERATOR TELEPHONE #		OWNER TELEPHONE #			
NAME AND ADDRESS OF OWNER [REDACTED]		RENTED BOAT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NUMBER OF PERSONS ON BOARD 3	
				FORMAL INSTRUCTION IN BOATING SAFETY <input type="checkbox"/> None <input checked="" type="checkbox"/> USCG Auxiliary <input type="checkbox"/> U.S. Power Squadron <input type="checkbox"/> American Red Cross Other (Specify)	
BOAT REGISTRATION #		BOAT NAME Catalina Interceptor		MFR HULL IDENTIFICATION # [REDACTED]	
BOAT MAKE 1999		BOAT MODEL			
TYPE OF BOAT <input checked="" type="checkbox"/> Open Motorboat <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> Sail (only) <input type="checkbox"/> PWC <input type="checkbox"/> Canoe/Kayak <input type="checkbox"/> Airboat		HULL MATERIAL <input type="checkbox"/> Wood <input type="checkbox"/> Aluminum <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Fiberglass <input type="checkbox"/> Rubber/vinyl <input type="checkbox"/> Plastic <input type="checkbox"/> Other		ENGINE <input type="checkbox"/> Outboard <input checked="" type="checkbox"/> Inboard gasoline <input type="checkbox"/> Inboard-outdrive <input type="checkbox"/> Inboard-diesel <input type="checkbox"/> Jet <input type="checkbox"/> Other (Specify)	
PROPULSION No. of engines: 1 Horsepower (total): 250 Type of fuel: Gas		NUMBER OF SKIERS BEING TOWED		CONSTRUCTION Length: 21 Year built (boat): 1999	
Has boat had a Safety Examination? For current year? Indicate Whether:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		<input checked="" type="checkbox"/> USCG Auxiliary Courtesy Marine Exam <input type="checkbox"/> State / local examination <input type="checkbox"/> Other			
DATE OF ACCIDENT 6-17-06		TIME 4:15 am		NAME OF BODY OF WATER Lake Gaston	
STATE NC		NEAREST CITY OR TOWN Henrico		LOCATION Jimmy's Camp	
WEATHER <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Fog		WATER CONDITIONS <input type="checkbox"/> Calm (waves less than 6") <input checked="" type="checkbox"/> Choppy (waves 6" to 2') <input type="checkbox"/> Rough (waves 2' to 6") <input type="checkbox"/> Very Rough (greater than 6") <input type="checkbox"/> Strong Current		TEMPERATURE (Estimate) Air: 89 °F Water: 76 °F	
WIND <input type="checkbox"/> None <input checked="" type="checkbox"/> Light (0-6 mph) <input type="checkbox"/> Moderate (7-14 mph) <input type="checkbox"/> Strong (15-25 mph) <input type="checkbox"/> Storm (Over 25 mph)		VISIBILITY Day: <input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor			
OPERATION AT TIME OF ACCIDENT (Check all applicable) <input type="checkbox"/> Commercial Activity <input type="checkbox"/> Cruising <input type="checkbox"/> Maneuvering <input type="checkbox"/> Docking/Undocking <input type="checkbox"/> Rowing/Paddling <input type="checkbox"/> Water Skiing <input type="checkbox"/> Racing <input type="checkbox"/> Towing <input type="checkbox"/> Changing Speed <input type="checkbox"/> Making Repairs <input type="checkbox"/> Tournament <input type="checkbox"/> Changing Direction <input checked="" type="checkbox"/> Other (specify): Tubing		TYPE OF ACCIDENT (Check One) <input type="checkbox"/> Grounding <input type="checkbox"/> Capsizing <input type="checkbox"/> Flooding <input type="checkbox"/> Sinking <input type="checkbox"/> Fire or Explosion (Fuel) <input type="checkbox"/> Fire or Explosion (Other than fuel) <input type="checkbox"/> Skier Mishap <input type="checkbox"/> Collision with Vessel <input type="checkbox"/> Starting Engine <input checked="" type="checkbox"/> Other (specify): Fall off tube		WHAT IN YOUR OPINION CONTRIBUTED TO THE ACCIDENT? (Check all applicable) <input type="checkbox"/> Careless / Reckless <input type="checkbox"/> Weather <input type="checkbox"/> Excessive Speed <input type="checkbox"/> No Proper Lookout <input type="checkbox"/> Restricted Vision <input type="checkbox"/> Overloading <input type="checkbox"/> Improper Loading <input type="checkbox"/> Hazardous Waters <input type="checkbox"/> Dam / Lock <input type="checkbox"/> Sharp Turn <input type="checkbox"/> Starting in Gear <input type="checkbox"/> Failure to Vent <input checked="" type="checkbox"/> Other: Gust of Wind	
PERSONAL FLOATATION DEVICES Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES? Were they accessible? Were they serviceable? Where they used by survivors? What Type? <input type="checkbox"/> I, <input type="checkbox"/> II, <input checked="" type="checkbox"/> III, <input type="checkbox"/> IV, <input type="checkbox"/> V (specify) Were PFD's properly Used? Adjusted? Sized?		BOAT SPEED: <input type="checkbox"/> Not Moving <input type="checkbox"/> Under - 10 mph <input checked="" type="checkbox"/> 10 - 20 mph <input type="checkbox"/> 21 - 40 mph Was the vessel carrying NON-approved flotation devices? Were they accessible? Were they used? If Yes, indicate kind.		PROPERTY DAMAGE Estimated amount: This Boat: None Other: None Property: None Name and Address of Property Owner: None DESCRIBE PROPERTY DAMAGE: None	
FIRE EXTINGUISHER Were they used? (If yes, list Types (s) and number used.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA Types:		DESCRIBE VESSEL DAMAGE: None			

1947

1948

1949

1950

1951

INVESTIGATION REPORT

Name	Address	Date of Birth	<input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer <input type="checkbox"/> PFD Worn? <input type="checkbox"/> Yes <input type="checkbox"/> No Type	Death Caused By <input type="checkbox"/> Drowning <input type="checkbox"/> Other	Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes
Name	Address	Date of Birth	<input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer <input type="checkbox"/> PFD Worn? <input type="checkbox"/> Yes <input type="checkbox"/> No Type	Death Caused By <input type="checkbox"/> Drowning <input type="checkbox"/> Other	Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes
Name	Address	Date of Birth	<input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer <input type="checkbox"/> PFD Worn? <input type="checkbox"/> Yes <input type="checkbox"/> No Type	Death Caused By <input type="checkbox"/> Drowning <input type="checkbox"/> Other	Propeller Injury? <input type="checkbox"/> Yes Alcohol Involved? <input type="checkbox"/> Yes

INJURED

Name	Address	Date of Birth	Primary Injury Secondary Injury Propeller Injury? <input type="checkbox"/> Yes Injury Caused By:	Medical Treatment Hospitalized? Alcohol? PFD Worn?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes
Name	Address	Date of Birth	Primary Injury Secondary Injury Propeller Injury? <input type="checkbox"/> Yes Injury Caused By:	Medical Treatment Hospitalized? Alcohol? PFD Worn?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes
Name	Address	Date of Birth	Primary Injury Secondary Injury Propeller Injury? <input type="checkbox"/> Yes Injury Caused By: <i>Falling off Tube</i>	Medical Treatment Hospitalized? Alcohol? PFD Worn?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes

ACCIDENT DESCRIPTION

DESCRIBE WHAT HAPPENED (sequence of events, include and explain any failure of equipment or machinery. Include information regarding the involvement of alcohol and/or drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's)

*Was Towing kite Tube west past Edwards beach when boat passed point gust of wind off Main Lake capsized Tube Throwing rider off*

VESSEL # 2 (if more than 2 vessels, attach additional form(s))

Name of Operator	Operator Telephone #	Boat #
Operator Address		
Name of Owner	Owner Telephone #	
Owner Address		

WITNESSES

Name	Address	Telephone #
Name	Address	Telephone #
Name	Address	Telephone #

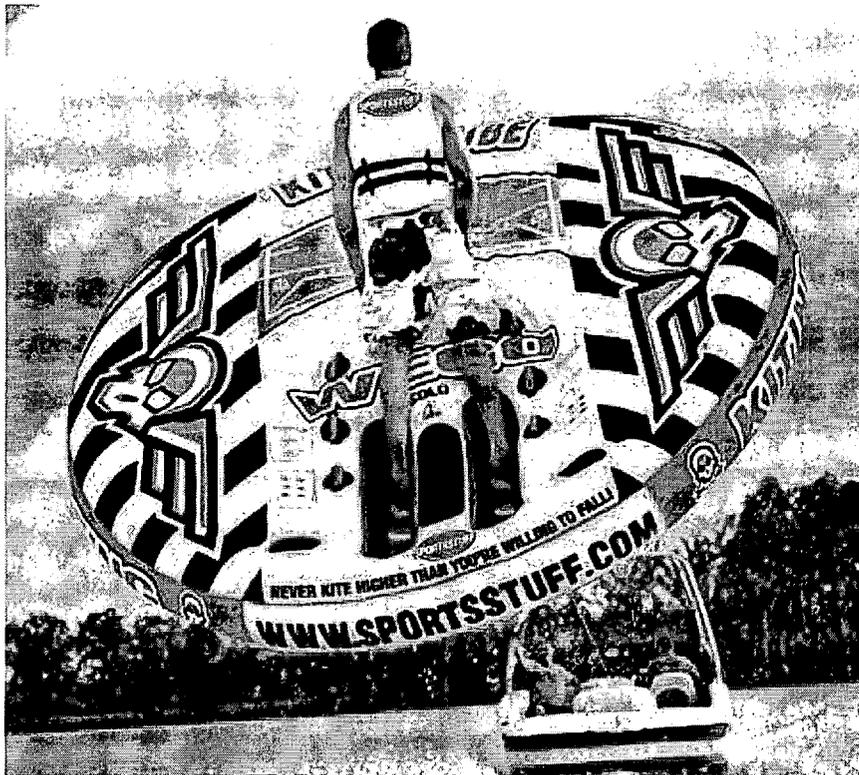
PERSON COMPLETING REPORT

Name	Address	Telephone #
<input checked="" type="checkbox"/> Operator <input type="checkbox"/> Owner		
Signature	Date Submitted <i>6-19-06</i>	



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### Wego Kite Tu

10ft diameter flying tu  
 Take flight with the WE action towable is here, excitement! Whip acro through the air like a b rise above the water, r nothing but adrenaline has been raised with t beneath it...

Model 53-5000 Sug. R



### KITE TUBE W MARKET - CL

Features:

- 120 inch inflat configuration
- 840D full body
- Computerized
- Nylon zippered adjustment
- Multiple mesh
- Two heavy-dut cockpit
- Reinforced tow connector for e
- Speed safety v
- Parallel slotting neoprene padd use
- 8 padded, non
- Heavy-duty sta
- Reflective Safe outside top tap
- Variable loops
- Panoramic see
- Adjustable leng rope included
- High visibility, watersports sa caution accent
- Instructional D included

## **Wego Kite Tube**

10ft diameter flying tube

Take flight with the Wego Kite Tube. The next generation of action towable is here, taking you to a whole new level of excitement. Whip across the water like a deck tube, or fly through the air like a bird. Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake. The level of extreme sport has been raised with the Wego Kite Tube. Anything else is beneath it.  
Model 5 -5000 Sug Retail: **\$599.95**

## **KITE TUBE WITHDRAWN FROM MARKET - CLICK HERE FOR INFO**

Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:  
[Kite Tube Instructional Video](#)

# NEWS from CPSC

## U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

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FOR IMMEDIATE RELEASE

July 13, 2006

Release #06-210

**Firm's Recall Hotline: (866) 831-5524**

CPSC Recall Hotline: (800) 638-2772

CPSC Media Contact: (301) 504-7908

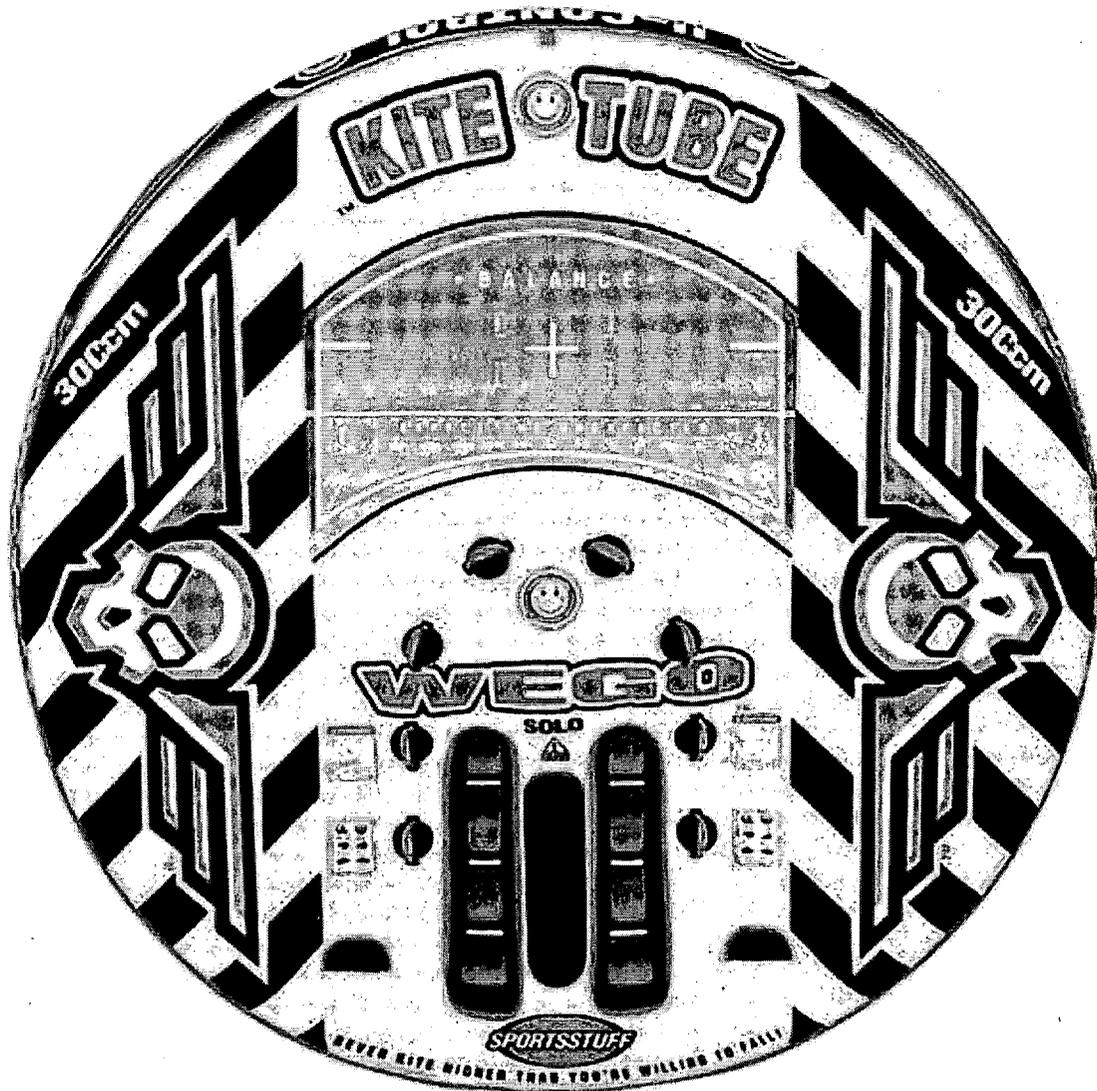
### **Sportsstuff Wego Kite Tubes Withdrawn from Market after Reports of Deaths and Injuries**

WASHINGTON, D.C. – In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Sportsstuff, Inc., of Omaha, Nebraska is voluntarily recalling about 19,000 Wego Kite Tubes.

CPSC staff is aware of 39 injury incidents with 29 of those resulting in medical treatment. Those injuries include a broken neck, punctured lung, chest and back injuries and facial injuries. Sportsstuff has received reports of two deaths in the United States and a variety of serious injuries. Sportsstuff has been unable to determine the cause of the incidents. Nevertheless, the company has withdrawn the kite tube from the market and is undertaking this voluntary recall out of an abundance of caution.

The Sportsstuff Wego Kite Tube is a 10-foot-wide, circular, yellow inflatable watercraft designed to be towed behind a power boat. A rider in the tube becomes airborne by pulling on handles attached to the floor of the tube. Model 53-5000 is printed on the tube near the product valve. The floor of the tube has black caution warning stripes. The cover for the product bears a skull and crossbones and the statement "Never Kite higher than you are willing to fall." The tubes were imported and sold through marine distributors, mail order catalogs, and various retailers from approximately October 1, 2005 to July 11, 2006 for about \$500 to \$600.

Consumers should immediately stop using the kite tubes and contact Sportsstuff at (866) 831-5524 between 8 a.m. and 5 p.m. CST Monday through Friday to learn how to obtain free replacement products. Consumers can also visit the firm's Web site at [www.sportsstuff.com](http://www.sportsstuff.com) for more information.



Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at [www.cpsc.gov/talk.html](http://www.cpsc.gov/talk.html). To join a CPSC email subscription list, please go to [www.cpsc.gov/cpscmail.asp](http://www.cpsc.gov/cpscmail.asp). Consumers can obtain this release and recall information at CPSC's Web site at [www.cpsc.gov](http://www.cpsc.gov).

**WEGO KITE TUBE REPLACEMENT REQUEST**

After this form has been submitted, a Customer Service Representative will contact you with an RMA number. Please use the form on this page to request your replacement product(s). Before we ship your chosen replacements, you must send us your Wego Kite Tube as outlined below:

Please completely fill out the form and press the SUBMIT button when you're finished. A FINDER RUIRD	
Date Purchased:	Month <input type="text"/> Day <input type="text"/> Year <input type="text"/>
Product condition:	<Select Condition> <input type="text"/>
Store where product was purchased:	<input type="text"/>
First and last name:	<input type="text"/>
Street address:	<input type="text"/>
City:	<input type="text"/>
State Province:	<Select> <input type="text"/>
Zip:	<input type="text"/>
Country:	<Select> <input type="text"/>
E-mail address:	yourmail@serviceprovider.com <input type="text"/>
Area code phone number:	<input type="text"/>
Please choose your desired replacement option:	<Select Replacement Option> <input type="text"/> <a href="#">Learn more about the replacement options here</a> Close the new window when done to return to this form
CLEAR FORM	SUBMIT Thank you

**Wego Return Policy**

Click here if your kite tube is new or unused and has N.V.R. been inflated.  
 If you Wego Kite Tube because it is out of date  
 or is defective

P AS CUT FFTH F WIN PARTS F UR UNIT T R TURN T SP RTSSTUFF:  
1 CUT FFTH A UMINUM T WC NN CT RFR MTH C V R  
2 USIN SCISS RS, CAR FU CUT UT N (1) WARNIN PATCH NTH W  
C V R IT IS N C SSAR THAT UCUT A TH WA THR U HTH C V R T R TURN  
TH WARNIN PATCH P AS US TH WARNIN PATCH WITH TH IT M NUM R 5 -  
5000 PRINT D N IT

P AS CAT TH VA V S N ACH FTH TW (2) INN RTU S CUT UT ACH  
VA V AVIN. A 1 INCH RADIUS AR UND ACH VA V WITHIN THIS RADIUS TH R  
SH U D AN IT M NUM R 5 -5000 SUR T AV THIS NUM R INTACT S.  
THAT W CAN ID NTIF TH IT M WH N UR TURN IT T US  
4 P AC A FTH S PARTS INT A SIN APPR PRIAT SI D MAI R A AIN W  
MUST HAV A PARTS ACK IN RD RT PR C SS TH R TURN

A AIN, TH PARTS T R TURN AR :

- 1 A UMINUM T WC NN CT R,
- 1 WARNIN PATCH C NTA ININ TH IT M NUM R CUT FR MTH C V R
- 2 VA V S FR MTH INN RTU S WITH IT M NUM RS INTACT

5 P AS WRIT TH RMA NUM R THAT UR C IV AFT R SU MITTIN UR  
R U ST NTH UTSID FTH MAI R **THIS RMA NUMBER I E TREMEL**  
**IM ORTANT. WITHOUT IT OUR RETURN AND E CHAN E ORDER MA NOT BE**  
**ROCE ED.** P AS PRINT TH NTIR NUM R C AR SP RTSSTUFF WI N T  
R SP NSI F R R TURNS THAT AR MISSIN TH RMA NUM R

We MUST have all of these parts returned before we will ship out the replacement product  
Please send envelope to :

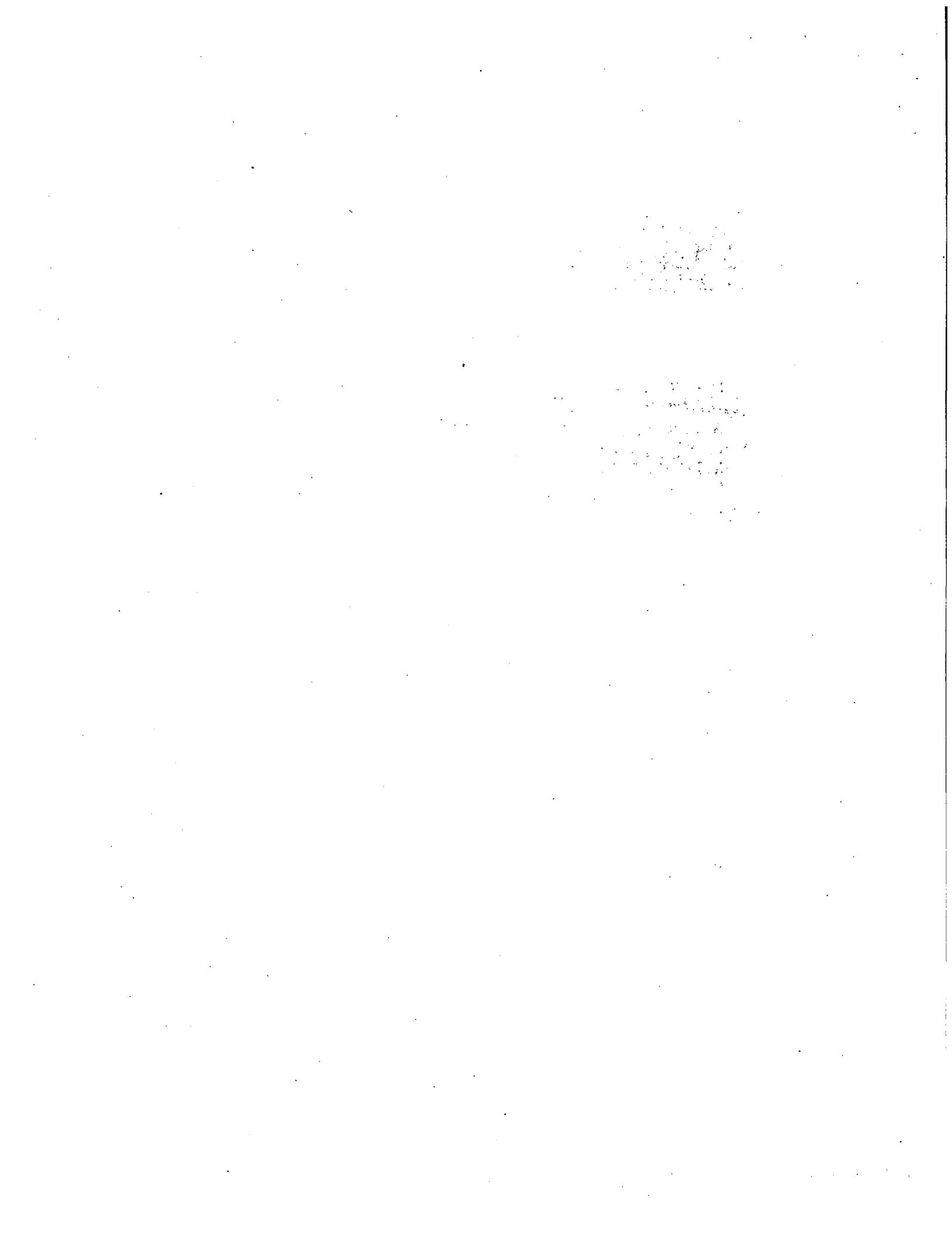
Sportsstuff Inc  
1121 Circle  
Suite A  
maha, N 681  
ATTN: RMA

**I ou Wego i b e ti i it o igi gi g ot bee**  
**o e e o o e e but e e i te t o o t e e i tu tio o o to**  
**etu t e o ete u it to u**

- 1 e sure to securely close your Wego back in it s original carton All parts must be inside the bo if you had previously opened it, including manuals and DVD
- 2 Remove any shipping labels that were placed on the outside of the carton  
Write the RMA number that you receive from Customer Service on the outside of the carton
- 4 Please also write the name of the person we are shipping the e change order to on the outside of the carton, along with the return address
- 5 Please return the Wego Unit to:

Sportsstuff Inc  
1121 Circle  
Suite A  
maha N 681  
Attn: RMA

- 6 ou should use UPS round Service to return the unit, and you may charge the ground freight to our UPS account Sportsstuff Customer Service will give you the account number when your request is received  
nce we have received your Wego return, we will process and ship out your e change product via UPS round service



CONTACT LIST (060707HBB1625)

1. [REDACTED]/victim's fiancé

[REDACTED]  
[REDACTED], NC 27870  
[REDACTED]

7/7 - Conducted telephone interview.

2. [REDACTED]bury/Boat owner & Operator,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

7/12 - telephone interview.

3. Chris Huebner/CPT  
NC Wildlife Resources Commission  
1717 Mail Service Center  
Raleigh, NC 27699-1717  
(919) 707-0033

7/6 - initiated with brief telephone interview & email.  
7/13 - picked up boating accident report.

4. CPT Mark Bruton  
NC Wildlife Resources Commission  
Roanoke Rapids, NC  
(252) 443-3791

7/6 - telephone interview with CPT Bruton.

**Task Number: 060706HBB1625**  
**Date: 8/2/06**

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

1. Photo of kite tube (from boat operator/owner).

2.

3.

4. \_\_\_\_\_

5. \_\_\_\_\_

X0670067

ISSUE 40

-----Original Message-----

From: Mele, Stephen V.

To: Mele, Stephen V.; Topka, Tanya L.; Ault, Eric B.; Blasius, Dennis R.

CC: Kohen, Beverly J.

Sent: Thu Jul 06 12:52:03 2006

Subject: RE: Wego Kite Tube Accident - NEW ONE! (Lake Gaston)

JUL 07 2006

Here are some more details for this to be assigned.

Incident location: near Roanoke Rapids, NC (where Jimmy Creek connects with main body of Lake Gaston).

Date of incident: 6/17/06

Victim: 34 YOF

Also note that no photos were taken by NCWRC.

Stephen V. Mele

U.S. CPSC

Raleigh/Durham Field Office

P.O. Box 52054

Durham, NC 27717

PH: (919) 403-0281

Fax: (775) 908-8050

email: [smele@cpsc.gov](mailto:smele@cpsc.gov) <<mailto:smele@cpsc.gov>>

Chris,

Just had another on my desk on Lake Gaston.

A subject was pulling a female near Jimmy Creek on Lake Gaston and the tube was off the water approximately 2 feet when they hit the main body of the lake and the tube shot up approximately 10 feet and turned sideways and the female was slammed to water and knocked unconscious but was pulled from water by occupants of boat and taken to hospital where she was ok. I just got this across my desk and made contact with the female boyfriend and talked to him about this and he gave me this blow by blow report. If that subject needs to call me about this I can talk to him. I'm sending this boating accident report to Raleigh in Courier today. Let me know if you need further on this.

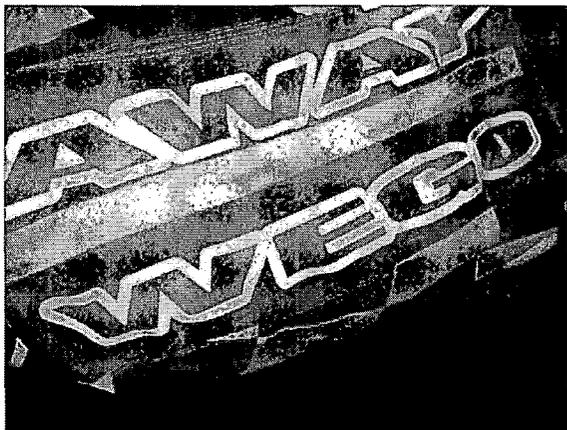
1. Task Number 060710HBB2668		2. Investigator's ID 9044		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 06 04	5. Date Initiated YR MO DAY 2006 07 12		
6. Synopsis of Accident or Complaint UPC Unknown  On the first use of a kite tube by a consumer, being pulled by a boat at about 30-35 mph, he fell off about 15 feet into a lake. He had a severe spiral fracture to the upper leg and was hospitalized for 6 days, during which he had surgery and needed two blood transfusions. He later suffered a compartment syndrome with severe swelling and was hospitalized for 2 more days. He reported this injury to the manufacturer on 7/5/2006, 8 days prior to the recall.  <div style="text-align: center;"> <p><del>REF/PRV/LBR NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED</p> <p><input type="checkbox"/> EXCISIONS/FOIA Exs. _____ Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> <p><i>mm 1/18/07</i></p> </div>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City JEFFERSON		9. State IA
10A. First Product 3200 - Water Tubing (activity, Appa		10B. Trade/Brand Name WEGO		10C. Model Number 53-5000
10D. Manufacturer Name and Address SPORTSSTUFF INC. 11213 E. Circle # A Omaha, NE				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 31		13. Sex 1 - Male		14. Disposition 4 - Hospitalized
15. Injury Diagnosis 57 - Fracture		16. Body Part(s) Involved 81 - UPPER LEG		17. Respondent 1 - Victim/Complainant
18. Type of Investigation 1 - On-Site		19. Time Spent (Operational / Travel) 16 / 4		
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 09/07/2006		25. Reviewed By 8929		26. Regional Office Director Frank J. Nava
27. Distribution Topka, Tanya L.			28. Source Document Number 10670118A	

All information contained in this report, was obtained through an on-site visit with the victim and his wife, who was a witness. The consumer reported this incident (source document).

On 5/12/2006, a 31-year-old consumer purchased a new product called a kite tube from an online internet retailer. He had researched the product for 3-5 hours before purchasing it and watched the video that came with it several times, as well as read the written directions prior to using the product.

The consumer selected this model of kite tube because it appeared to be the largest model on the market, with the widest diameter and he thought it was a quality product. He noted the weight limit for the rider was about 200 pounds. He was about 5'11" tall and he weighed about 185 pounds and he was confident he could ride the kite tube safely and enjoy it the way it was designed.

**Exhibit 1, Photo 1:  
Label on the kite tube.**



The consumer understood that kite tubing was a new sport using a new product that he had not seen on the market before. He also knew it was considered an extreme sport. However, he felt confident in the safety of the product as well as his ability to operate it. He had enjoyed many sports over the years

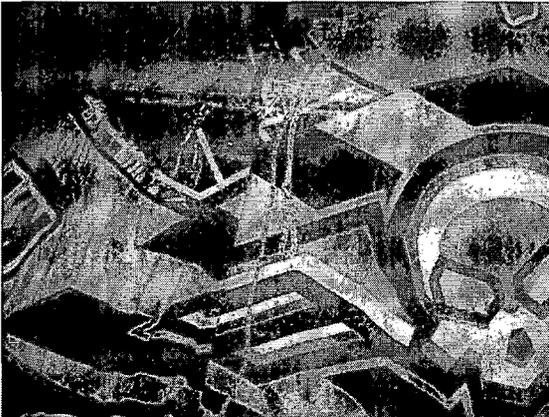
including knee-boarding and parasailing, and he and his wife had been avid boaters for many years.

In addition, the consumer and his wife were both members of the National Guard and he had spent much time in the past few years in an active status. He had over 14 years of service time and had spent significant time away from home on active duty in various places in the world. His professional role in the National Guard was as a teacher of

"hand-to-hand" combat. He worked on staying physically fit and he felt he was in prime physical condition. He often ran 5-10 miles at a time and enjoyed many sports. He was always careful to warm up and do things the right way to stay in good condition.

The consumer purchased the kite tube on a website called EBay for about \$350.00, plus shipping, and it was delivered to his home a few days later in mid-May, 2006. He purchased the associated tow rope and it also came with a video. It arrived in an original shipping carton and was not inflated. The consumer also received the owner's manual and he read it prior to using the product. A few weeks later they inflated the kite tube and used it for the first time. Two young friends of his took turns riding it. Everyone had fun and they had no problems with the kite tube while using it that day.

**Exhibit 1, Photo 2:  
Close up of the kite tube.**



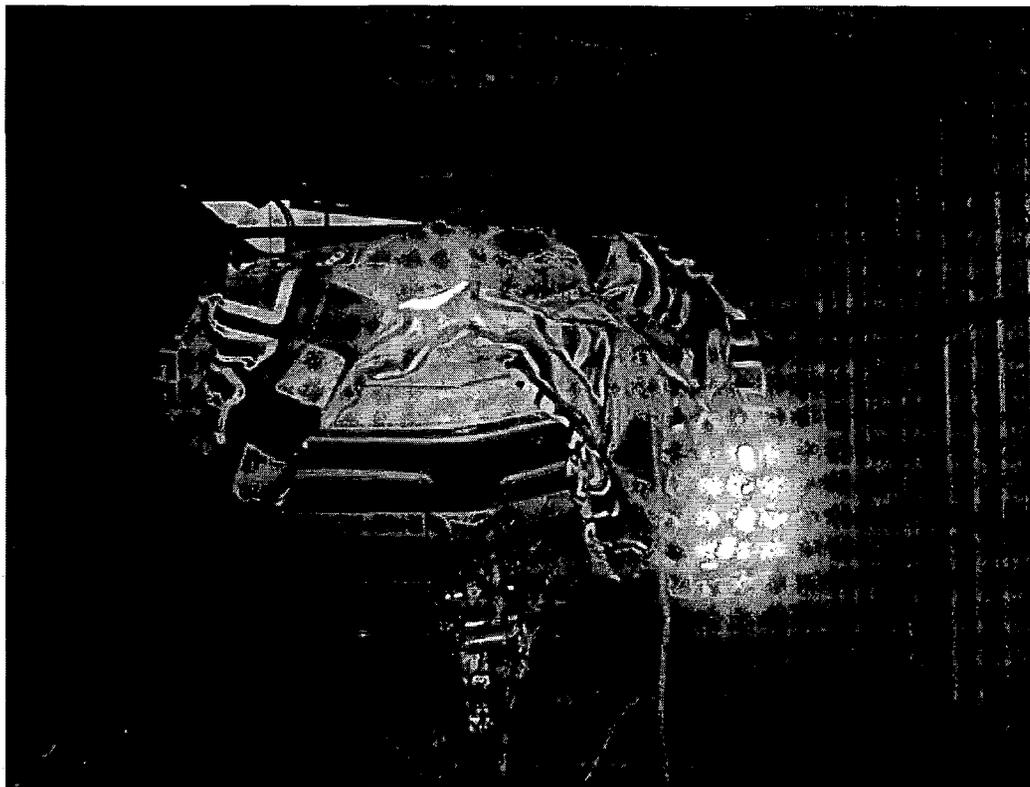
On 6/4/2006, the family took the boat out for the day on a nearby lake called Twin Lakes, in western Iowa. The boat they were operating was a 2001 Model, 25" "Mariah", with a 325 HP inboard - outboard motor. They were very familiar with it and had owned it for many years. The family was avid boaters and they took the boat out about 50 times a summer spending over 100 hours on the water near their home. They also took regular boating trips to other lakes in the Midwest.

On the boat that day was the 31-year-old male and his wife, and the family's three young children. They also had two other adults with them including a 26-year-old male friend who used the kite tube for the first time that day on the lake. It had been inflated as directed. It was a warm day with temperatures in the 80's, and a light breeze about 5 mph.

At about 6:00 pm, the 26-year-old male went first and he rode the kite tube for about 10 minutes as it was being

towed by the boat. He went airborne for about 5 minutes of the time and he appeared to enjoy the experience. They stopped the boat and the 31-year-old male climbed on to the kite tube for his first turn on it. He knew immediately that it was hard to ride and control which was a surprise to him. Within 2 minutes of use, he was airborne and it felt like he was out of control as it went up and down, and side to side, in an erratic pattern.

**Exhibit 1, Photo 3: The boat and deflated kite tube.**



At this time, the 31-year-old male's wife was operating the boat, and the 26-year-old male friend who had just ridden the kite tube was acting as the spotter. They did not observe that the rider was in distress, and did not know that he was panicked. It appeared to them that he was having fun, even though the kite tube was not performing in a smooth motion as it was portrayed in the video. They really had no way of communicating with each other. They could not hear each other due to the distance and the boat's motor noises.

They also could not see each other well because the rider was above the kite tube. The small clear plastic window in the bottom of the kite tube did not offer a clear or focused view. The 31-year-old male tried to signal to the boat to stop, because he felt the tube was getting out of control, but he knew that they could not see or hear him. He tried to extend his body to get above the line of site of the tube, but this made the tube fly even higher.

After just a few minutes of riding the kite tube, at about 6:30 pm, on 6/4/2006, as the tube went higher, it flipped over and threw the rider into the water. The boat was traveling about 30-35 mph with the minimum length of tow rope extended at 45 feet long for beginners, and he was about 10-15 feet in the air. The rider was wearing a wet suit and a life jacket. The kite tube was unstable as the wind blew from the left to his right, and the next thing he knew he was in the water.

**Exhibit 1, Photo 4: Injury caused to the lower left leg.**



The 31-year-old male immediately knew he was injured. His face hurt and after a few moments in the water, his left leg started to hurt. He ran his hand down along his leg he felt it was bulging in one place and he knew it was broken at the femur. He rested in the water floating with the

aid of his life jacket, until the boat came up along side him and picked him up.

They called 911 for help and made arrangements for the ambulance to meet them on shore. The ambulance transported the 31-year-old male to the nearest hospital. They confirmed that he had a spiral fracture of the left femur and that it was shattered from three inches below the hip down to two inches above the knee.

**Exhibit 1, Photo 5: Injury caused to the upper left leg.**

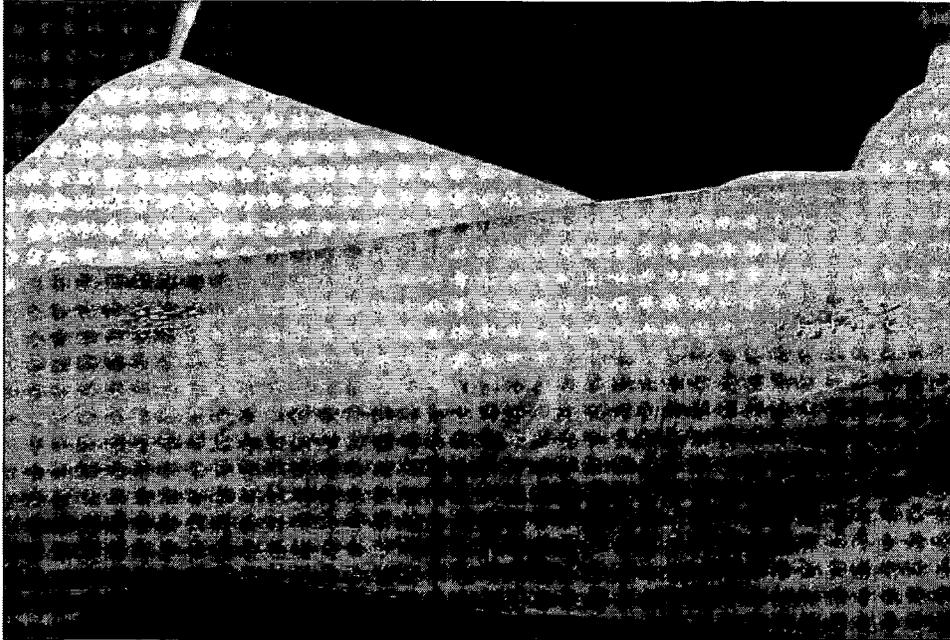
The victim spent a total 6 days at this hospital. He had surgery 20 hours after the incident, where they inserted a rod and pins to stabilize the leg.

Later, after returning home, he was again hospitalized after he developed complications called "compartment syndrome". His leg swelled up to measure about 31" at the thigh, and 22" at his calf. This compared with his waist size of 32". This was a very severe and painful condition which was difficult for him to endure for several days. In addition, the victim lost feeling in his right foot for awhile. He spent two days in the hospital.

During the first hospitalization, the victim required two units of blood the day after surgery and another 2 units the next day after that. He spent a total of 8 days in the hospital. His full recovery was expected to take about 4 months.

**Exhibit 1, Photo 6: Photo shows the injury to the left leg including where he required surgery under each of the 3 bandages.**

**Exhibit 1, Photo 7: Close up of the leg after surgery.**



On 7/7/2006, the victim reported this incident to CPSC on-line (source document). On 7/10/2006, the victim's wife had their fourth child. Both she and her husband were hospitalized at the same time, but in different hospitals.

On 7/12/2006, I contacted the victim and made an appointment to visit him as soon as possible. On 7/19/2006, I visited the victim and his wife, who was a witness to this incident. The nature of the interview process included interviews with the victim and his wife both together and separately and the enclosed information was collected.

Also during this visit, I observed a deflated incident unit being stored in their boat in a covered building and I photographed it (exhibit 1). They also provided the Kite Tube Owner's Manual (exhibit 2) and Towable Owner's Manual (exhibit 3). I also observed they had the video that came with the kite tube when they purchased it.

During this visit, the victim explained that he was what he would call an adrenaline junky and that he thought kite tubing would be fun. He noted that he always took the required precautions and he never took unnecessary risks

always following recommended guidelines. He took pride in not being "stupid" and doing things right.

The victim stated that it just blew his mind that this type of severe unpredictable injury could be caused on the first use of the kite tube. He said if he had any idea it was such a dangerous product he would have never used it, especially since they were expecting their fourth child. He also stated that after this incident, he wanted everyone to know that he felt that the kite tube was dangerous and it should not be sold. He stated that there is no way to control it after it leaves the water and goes airborne and that the second concern is that there is no communication between the boat and the tube.

Also, during this visit, the victim's wife explained they knew there was some risk with the kite tube and that in fact they had waited to use it the first time until their new health insurance became effective. They had a delay in coverage because her husband had recently changed jobs.

In addition, she noted that they had much experience with parasailing and that they thought they knew what they were doing but that this kite tube was totally different than anything else they had experienced. She reported that she operated the boat 99 percent of the time they were on it including when her husband parasailed. She noted that when he parasailed that he could rise as high as 200 feet in the air and that they always felt in control and safe at what they were doing. As compared, she said the kite tube was totally unpredictable.

They reported that they did not know what they will do with the incident unit. They reported that they notified the manufacturer of this incident and the serious injury that it caused on 7/5/2005, a few days before contacting the CPSC. They waited to notify them due to the hospitalization and medical complications the victim was having. They reportedly told them the kite tube was unsafe and gave them specific reasons for this conclusion including details of his injury.

They noted that the manufacturer's representative took their name and telephone number but they said they were not sure if they were going to buy back the kite tube or just

replace the value of it for other products. The victim felt they were cooperative, but that they did not appear to be decisive as to the concerns he raised. They did not mention a pending recall and overall did not appear concerned about the severity of the injury that it caused him.

During my visit on 7/19/2006, the victim and his wife reported they were aware of both CPSC news releases on kite tubes including CPSC News Release 06-202, dated June 30, 2006; and CPSC News Release 06-202, dated July 13, 2006, titled "Sportsstuff Wego Kite Tubes Withdrawn from Market after Reports of Deaths and Injuries", in which they announce that the incident unit had been recalled. They noted that they only learned of these news releases after the incident, and that it was interesting especially since they had spoken with the Manufacturer on 7/5/2006, prior to the recall on 7/13/2006.

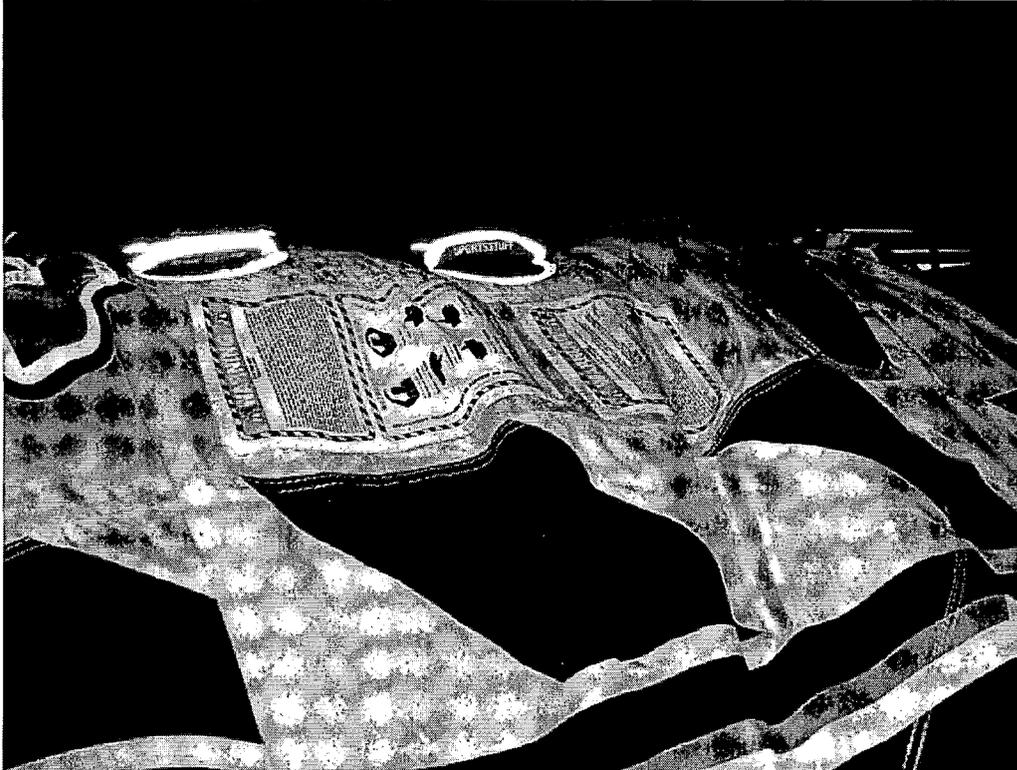
They said they were glad that the product was not longer on the market. I noted that the victim was using crutches to be mobile and that they had set up a convalescent bed for his use in the first floor family room so he did not have to go to the second floor to sleep. He reported he was doing better and he was recovering but that he was not certain as to the status of his ability to continue to serve on a full commission in the National Guard. This concern distressed him greatly.

The victim reported that he was also very upset that he had this injury about the time his wife gave birth to their fourth child and that it had caused significant problems for them to handle all the responsibilities associated with that. He reported that he had a very severe injury and that had been very hard on him. He reported that his weight had dropped from 185 to 159 pounds since he was injured.

The victim told me that he felt confident that he would recover and stated that he was very concerned that others would be injured if they did not know about the recall. He reported that his doctors told him that only 50 percent of the people who suffer this type of spiral fracture to the femur survive the injury because they usually suffer a severe blood loss at the time of the incident.

They also told him that just 10 years ago, a person with this type of injury would have had a permanent disability from it, but that today's medicine helped to prevent this level of disability and that he hoped for a full recovery.

Exhibit 1, Photo 8: Warning label on kite tube.



The victim reported that he was aware of another person who he works with who suffered a very serious injury after he had his injury. This other person had a broken arm and two severely bruised legs after he fell from a similar kite tube. He reported that his employer had since these two incidents asked all of their 110 employees to not use kite tubes, so that they do not loose other employees to injuries like these two had.

The victim provided the additional photos of his injuries and I requested his medical records and will provide them as an addendum to this report (exhibit 6) when they are received.

ADDITIONAL INFORMATION:

## FROM VICTIM:

- How many people were on the kite tube at the time of the incident? ONE
- Did you have previous experience with similar products? YES
- Did you have any experience with this unit? NO
- Did this unit perform differently than the others you tried? YES
- Did you believe you could direct / control the direction and height of the kite tube? YES
- What happened when you became airborne? FLIPPED OVER & LOST CONTROL
- How high off the surface of the water were you at the time that things began to go wrong? ABOUT 10-15 FEET
- What was the maximum height achieved during the incident? ABOUT 15 FEET
- Could you see the boat (due to the angle of the tube kite)? NOT VERY WELL
- Did you try to signal the boat to slow down? YES
- Did you do anything to try to lower the tube kite back down towards the water? TRIED TO RISE ABOVE IT SO TO BE SEEN
- Describe specifics regarding the actual crash. FLIPPED OVER
- Did you notice any mechanical issues with tube kite? YES, IT WAS MOVING, TWISTING AND DIPPING FROM SIDE TO SIDE
- What were you wearing (safety gear)? YES, LIFE JACKET & WET SUIT

## FROM DRIVER AND WITNESSES:

- Had you towed inflatable or similar products behind the boat previously? YES
- What experience did you have with this particular product? FIRST USE
- Who attached the tow rope/ tow harness to the tube kite and to the boat? VICTIM
- Was it done based on instructions provided? YES
- How long was the rope (i.e., distance from where it was tied on boat to where it was tied to the kite tube, after tying)? SET AT MIN. LENGTH OF 45 FEET
- What was the age and condition of the tow rope? NEW, CAME WITH ORDER
- What was the speed of the boat? ABOUT 30-35 MPH
- How did you decide what speed you would travel? FROM EXPERIENCE
- How high off the surface of the water was the kite tube at the time that things began to go wrong? ABOUT 10-15 FEET
- What was the maximum height achieved during the incident? ABOUT 15 FEET
- How did you communicate with the kite tube rider? SIGHT ONLY
- Did you actually see the kite tube dive to the surface? NO, FIRST SAW THE VICTIM FALL
- Why/ why not? KITE TUBE FELL TOO, WHEN STOPPED BOAT
- Did you try to do anything to halt the dive or avoid the crash? SLOWED DOWN
- What did you do after the crash? RESCUE VICTIM
- Was there any damage or apparent equipment failure noted? NO

## FROM PURCHASER OF KITE TUBE:

- Did you ask the sales staff how to use the product? BOUGHT ON-LINE, SAW INFO ON WEBSITE ONLY
- Did they offer any directions/ cautions? YES, IN VIDEO
- Did any instructional material come with the product? YES
- Did you read it? YES
- Did you read any safety warnings that may have been on the product itself? YES, HAS MANY, READ THEM ALL.

**PRODUCT IDENTIFICATION:**

**Water Tubing** (Product Code 3200)

Type: Kite Tube, included tow rope, DVD and starting leash  
Item # 53-5000

Brand: "WEGO"

Manufacturer: Sports Stuff Inc., 11213 E. Circle # A,  
Omaha, NE, 402-592-9085, [www.sportstuff.com](http://www.sportstuff.com)

Retailer: Purchased from EBay

Date Purchased 5/12/2006

Price: \$350.00 (plus shipping)

**SAMPLES COLLECTED:** None

**ATTACHMENTS:**

- Exhibit 1 - 8 Photographs
- Exhibit 2 - Kite Tube Owner's Manual
- Exhibit 3 - Towable Owner's Manual
- Exhibit 4 - Authorization for Release of Name
- Exhibit 5 - Description of Respondents
- Exhibit 6 - Authorization to Release Medical Records



## WEGO KITE TUBE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. DO NOT RETURN this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.



# WARNING



**A RELEASE OF LIABILITY**

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture

### A KITE TUBE DESCRIPTION A

Away Wego! "Kite Tubing", the mystery of flying, becomes a reality. The Kite Tube creates an air pocket on the under carriage bottom that enables lift via ground effect and the aerodynamic shape. Be prepared to reach new heights! Spend the summer gaining experience riding the Kite Tube. The Kite Tube is designed to glide, soar, and fly. You can use it like a regular deck tube in the whips, figure eights, and circles. It "kites" the best in a straight boat pattern into the wind and will rise out of the water slowly or quickly based on the rider weight, wind and boat speed. Expect the unexpected! The basic idea behind the Kite Tube is simple: The Kite rider kneels or stands on the tube that is tethered to the tow boat. As the boat moves forward into the wind, the Kite and the rider rise up from the water's surface to perform a water ballet in the air with the rider balancing on top. Kite Tubing is not as dangerous as some extreme sports, however it can be more dangerous than regular tubing with the added dimension of height. In Kite Tubing, safety has to be taken seriously. EVERYONE is a beginner, regardless of previous experience. Read all instruction and warnings before using the Kite Tube. Start slow and begin by using the 45 foot section of the included tow rope.

### A KITE TUBE SPECIFICATIONS A

- 120 inch inflated diameter (10 foot) with slanted saucer configuration.
- 840D nylon double cover with pu coating (full body cover).
- Reinforced towing system with molded aluminum connector for easy tow rope connection.
- Computerized double-stitched sewing.
- Multiple mesh bar-tacked drain ports.
- Nylon zippered openings for bladder insertion and adjustment.
- Parallel slotting system with footsteps and neoprene padding for comfort.
- Reflective piping on all handles and on the outside top taping.
- Various loops for use of detachable leashes(s).
- Panoramic see-through double windows.
- High visibility red and yellow watersports safety colors with checkerboard and caution accent striping.
- Easily seen bold, billboard-style graphics.
- Skull graphics is a reminder to pay attention and not to fool around, take nothing for granted.
- Two heavy duty pvc bladders, one supports the outer ring and the other is the slotting system cockpit for the rider. Both have speed safety valves for easy inflation/deflation.
- Leash with two sponge balls is included.
- Segmented tow rope is included. Adjustable length style in 45, 55, and 65 foot lengths.

### A KITE TUBE ASSEMBLY AND INFLATION A

Proper inflation is key to the optimum performance of this towable. The tube is designed to fit snugly in the cover, and there should be no wrinkles in the cover when the tube is properly inflated.

IMPROPER INFLATION



PROPER INFLATION

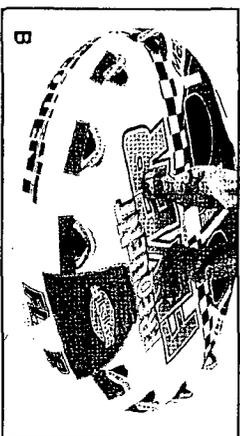


Photo "A" shows a severely underinflated tube. Note how the adult sinks in when standing on the tube. Under-inflation causes the towable to sit low in the water. Additional stress is applied to the tube, cover, rope and boat/watercraft, by being dragged through the water instead of pulled across it. This stress causes the air in tubes to be displaced and the tube may rupture. The same stress causes nylon covers to tear and ropes to stretch. The boat/watercraft cannot plane off and extra gas is consumed.

Photo "B" shows a properly inflated tube. Note how the cover is taut with few wrinkles, and how the adult barely sinks in when standing on the tube. This tube would ride high on the water, providing you with an exciting ride - less stress on the tube, cover, rope, and boat/watercraft. Proper inflation will insure a longer life-span for your product.

#### Inflation Maintenance:

Finally, it is not enough to simply fill it up and go! It is important to monitor the amount of air in this product as heat will cause the bladder to expand, possibly causing damage to the seams or I-beams. Don't let it sit on the beach, dock, or boat/watercraft full of air! If it is stored out of the sun in a cool place, you may need to add air. Check and adjust inflation levels each time you use your tube. You'll have more fun, and your toys will last longer.

The best air pumps to use are:

- 110v electric: 2.5 psi (model #57-1504A) or 3.0 psi (model #57-1508)
- Hand/foot pump specifically for towables: LP1 (model #57-1003)
- 12v pumps (model #57-1510) can also be used but a their maximum output is only .8 psi so a secondary pump such as the Sportsstuff LP1 hand pump (model #57-1003) will need to be used.
- Leaf Blower
- Vacuum with two-way switch

Your WEGO towable is equipped with the Speed Safety Valve pictured below:



**Speed Safety Valve** - A hybrid valve utilizing the best of both the Oversized Safety Valve and the Speed Valve. Pulls out for fast inflation/deflation, then can be pushed in flush with the tube. For use with standard electric pumps, shop vac, wet vac, leaf blowers, and vacuums with a 2-way switch for fast inflation/deflation.

Secure the valve by firmly inserting the bottom portion of the valve into the base. To inflate, open only the top portion of the valve. Using the hose from your inflator, inflate through the top opening of the valve.

The optimal inflator is a 2.5 psi or higher electric pump. You may also use a 1.1 or 3.0 psi pump. Using the 12v pump (model #57-1510) followed by the LP1 hand pump (model #57-1003) to top off the unit takes about 3.5 minutes. The 1.1 psi 110v pump followed by using the LP1 hand pump (model #57-1003) to top off the unit will inflate the WEGO in a few minutes. The 2.5 electric pump (model #57-1504A) will inflate the WEGO in just over 3 minutes. The 3.0 pump (model #57-1508) will inflate the WEGO in as little as 2 minutes.

Please call Sportsstuff at 1-888-814-8833 to order directly.

1. Open the box and locate Owner's manual information and instructional DVD.
2. Review owner's manual and instructional DVD first and share the information with all other users and or spotters.
3. Locate a flat, wide-open, clean and clear area to open and assemble the product.
4. Unfold the nylon cover so the yellow cover with winged skulls is completely unfolded along with slotting system cockpit.
5. Please notice the bladders have already been assembled in the cover. There are two valves total. One on the slotting portion and another on the outside ring.
6. Locate and open the padded valve cover on the slotting portion (cockpit area). Open the valve and inflate until firm and the cover is wrinkle free and taut. It may be necessary to adjust the cover to fit the inflation holes. Use the zippered openings in the cover to adjust bladder position if necessary.
7. Close valve completely and secure valve cover.
8. Locate the valve on the outer ring and repeat steps 6-7.
9. Please note that the window panels are not supported by an internal bladder, so stay off of this portion of the cover.
10. With assistance, carefully lift the unit into water.
11. Do not drag across harsh surfaces, as this will damage the unit.
12. Once at the water entry point attach tow rope to unit and hook up to the boat. Make sure leash is attached to the nose loop.
13. Enjoy your Kiting experience.

**PLEASE NOTE OVER INFLATION WILL CAUSE THE BLADDER TO HAVE A CONCAVE EFFECT ON THE UNDERSIDE, CAUSING THE KITE TUBE TO SUBMARINE.**

**PLEASE NOTE UNDER INFLATION WILL CAUSE KITE TUBE TO NOT PERFORM AS DESIGNED, WHEN KITING, YOU CAN TELL VISUALLY IF YOU ARE CORRECTLY INFLATED**

Proper inflation means you'll have a wonderful flight experience, so follow the above instructions closely.

#### **▲ KITE TUBE CARE AND MAINTENANCE ▲**

- You may clean your towable using a soap and water or mild detergent.
- You should inspect your unit frequently for wear and tear. If you need parts replacement please contact Sportsstuff 1-888-814-8833.
- Before each use always check inflation, tow connection and boat connection.
- After using the Kite Tube do not leave out in direct sunlight, but keep in a shaded area.
- When the unit is not in use NEVER leave this unit in direct Sunlight at any time.
- The strong UV rays will quickly destroy and downgrade the nylon cover and age the materials prematurely.
- Monitor and adjust bladder pressure on warm days.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight. (In between uses and at the end of the boating season.)
- To deflate, simply open red valve.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towables may bleed or fade when initially wet. Protect all boat interiors, docks and car interiors from possible staining.

#### **▲ KITE TUBE TETHER TOW ROPE ▲**

We have included a new style tether tow rope for use with the Kite Tube. Overall the tow rope is 65 foot length, but can be adjusted to 55 foot length and 45 foot length. Since the Kite Tube is unlike any previous towable tube with the added dimension of sustained height. We believe that the boat driver, rider and spotter are all beginners. We recommend the following to get the hang of Kiting, how the Kite reacts being towed by the boat, how the wind affects the flight while being ridden by different size riders. Experience is the best teacher.

#### **Step one: BEGINNER LEVEL**

All beginners start with 45 foot tow rope to get some experience. Use at least 12 times for a minimum of 20 minutes per use.

**Step two: INTERMEDIATE LEVEL**

All intermediates can increase rope length to 55 foot to get more experience. Use at least 24 times for a minimum of 20 minutes per use.

**Step three: MASTER LEVEL.**

All masters can increase length to 65 foot to get more experience.

You can spend all summer gaining experience Kiting and really still not have experienced all things, wind speed, rider weight and boat speed create many variables (different kinds of watercraft, lack of wind) etc. Attach the Kite Tube Tether tow rope to the aluminum connector on the tube and to a towable hook on the rear of the boat. We recommend you use a low tow point on the rear transom of the boat or tow hook.

**A KITE TUBE HEIGHT INSTRUCTION A****NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL**

Just think of the fall, in normal tubing you can get thrown off and go up to 15 to 20 foot high, but in Kiting you are already at a certain height above the water and can get thrown higher. At a boat speed of 10 and 20 mph the water gets harder the faster and higher you go so control the boat speed and tube height and watch out for gusty and cross winds. Many bodies of water have natural barriers or wind breaks, be aware of these situations. Due to the height factor, you must use the Kite Tube in waters at least 6 feet deep (a guideline could be 1 foot of water depth for every foot of tube height). For best kiting use against the wind in straight-line runs.

**A RIDER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Into a steady wind, flight occurs more easily.
- With the wind, flight is not so easy.
- Based on rider weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability, Kiting takes a practiced level of skill.
- Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planning speed.
- Rider safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines and

other immovable objects.

- Be aware of natural wind breaks and barriers that change the wind flow.

- Use rear transom tow point. Using higher tow point means the Kite can Kite higher.
- Maximum 1 rider capacity
- Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
- Balance to minimize movement while airborne. Too much movement can cause the Kite Tube to become wobbly and overturn. Maintain a good center of gravity.
- 10 and 2 o'clock are the best control hand positions.
- Hang time, Kite time, can be 1 second or many minutes.
- Length of hang time depends on the wind, boat speed and rider weight.
- A straight boat heading into the wind creates the optimum Kiting performance.
- Ballet performance is what you are looking for (up and down).
- Use the large panoramic window to see the boat and to view rider height.
- Force the tube down by pushing your weight down with a swift, sitting motion.
- Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.
- Use the handles to adjust left to right balance.
- Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
- Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
- Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.
- A rider that falls or is ejected should try to fall away from the Kite Tube.
- Experience safe Kiting.

**A BOAT DRIVER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite Tube and its performance.
- Adjust boat speed to reduce the height of the Kite Tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.

- Avoid excessive boat speed at all times.
- Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
- Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
- Give-way to all other watercraft, especially sailboats.
- The Kite Tube can sustain flight with steady head wind and boat speed. Head into the wind
- Be aware of cross winds and wind gusts.
- Use the large, panoramic window to monitor and communicate with the rider.
- Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
- Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
- Most boating accidents happen in less than 2 seconds.
- Reaction time varies from 120 to 255 feet of boat length.
- Do not be in-attentive. Do not let your mind wander. Focus on what you are doing
- Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
- Don't Kite in electrical storms.
- The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
- Instruct all riders of rules and warnings, plus how to ride.
- In riding position, the rider and tube are at a 45° angle to the water's surface.
- Avoid floating objects and all immovable objects.
- All riders should be towed at speeds that allow for reasonable control.
- Avoid submarining the towable when first starting out or on spills.
- Slow boat down to 5 mph to turn around and pick up the rider.
- In many cases when the rider falls off, the Kite will continue to be airborne
- Don't be a gunner; slamming the throttle forward and forgetting about the towable and your rider. Focus
- In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite Tube will Kite in, but remember the Kite Tube is designed to Kite into the wind.
- Do not throw away your owners manual or DVD. You must review periodically and especially when allowing others to use or borrow your Kite Tube.
- Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
- Don't overload your boat with a lot of passengers.
- Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff, till the boat reaches planing speed and lift occurs on the Kite Tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.

- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite Tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph, otherwise the towable might act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

#### **A SUBMARINE EFFECT WARNING ▲**

LIKE MANY TOWABLES, A RIDER'S BALANCE TOO FAR FORWARD CAN CAUSE TOWABLE TO NOSE UNDER. THIS WE CALL SUBMARINING. WHEN THE BOAT DRIVER STARTS FORWARD, HE OR SHE SHOULD MAKE SURE THE RIDER HOLDS THE LEASH TO HELP KEEP THE NOSE UP DURING TAKEOFF TILL THE BOAT REACHES PLANING SPEED AND LIFT OCCURS ON THE KITE TUBE. IF THE BOAT DRIVER, SPOTTER AND RIDER ARE NOT PAYING ATTENTION THE TOWABLE COULD NOSE IN. THIS CAUSES THE SUBMARINE EFFECT, WHICH RESULTS IN THE TOWABLE ACTING LIKE AN ANCHOR. REDUCE SPEED IMMEDIATELY, OTHERWISE YOU WILL CREATE TOO MUCH DRAG ON THE BOAT AND TUBE CAUSING THE SOMETHING TO BREAK. PAY ATTENTION, WHEN STARTING OUT TO PREVENT THIS EFFECT.

LET'S SAY, EVERYTHING GOES RIGHT AND THE KITE TUBE AND RIDER ARE TRAVELING A SUSTAINED HEIGHT ABOVE THE WATER AND THE RIDER FALLS OFF. THE KITE MIGHT CONTINUE IT'S FLIGHT OR CRASH DOWN INTO THE WATER. WE SUGGEST YOU SLOW THE BOAT DOWN TO 5MPH, OTHERWISE THE TOWABLE MIGHT AGAIN ACT LIKE A SUBMARINE BECAUSE IT IS UPSIDE DOWN OR WIND CONDITIONS HAVE FORCED IT INTO A WEIRD POSITION. WHERE IT CANNOT BE TOWED AT ANY SPEED OTHER THAN 5 MPH. BOAT DRIVER SHOULD TURN TO PICK UP RIDER AND START ALL OVER AGAIN.

IT IS THE OBLIGATION OF THE BOAT DRIVER TO OPERATE THE BOAT IN RESPONSIBLE SAFE MANNER AND NOT TRY TO "DUMP THE RIDER". THE KITE TUBE IS DESIGNED TO BE RIDDEN AT SAFE LEVEL WITHOUT HAVING TO HAVE SOME CRAZY BOAT DRIVER TRYING TO CREATE PROBLEMS. EXPERIENCE SAFE KITING.

#### **A SPOTTER OR OBSERVER INSTRUCTION ▲**

- Have watersports safety flag
- Keep driver aware of other boating traffic, obstacles, etc
- Keep driver aware of towable state and rider conditions and how the towable is doing
- Keep tow ropes from getting caught on protrusion from the boat
- We have found that small megaphone helps to communicate with rider prior to takeoff and give last minute instructions

**▲ WIND SPEED AND EFFECT ▲**

We are providing you with the following information to help you evaluate your current conditions before Kite tubing.

Wind speed(mph)	Wind effect
0-1	smoke rises vertically
2-3	direction of the wind shown by smoke drift, but not by wind vanes
4-7	wind felt on face: leaves rustle: ordinary wind vane moved by wind
8-12	leaves and twigs in constant motion; wind extends a light flag
13-18	raises dust, loose paper: small branches are moved
19-24	small trees in leaf begin to sway; crested wavelets form on inland waters
25-33	large branches in motion; whistling heard in power lines; umbrella difficult to use
34-40	gale
41-47	strong gale
48-55	storm
56-63	violent storm
64+	hurricane

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customer-care@sportsstuff.com](mailto:customer-care@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)



## TOWABLE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. **DO NOT RETURN** this product to the store!

Contact us **TOLL FREE: 888-814-8833 (USA)** (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.

# ! WARNING !

To lessen your risk of serious injury or death, follow these rules:

- Not a lifesaving device. Never leave children unattended. Use only under competent supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under six (12) years of age.
- The watercraft driver is responsible for the towable and riders since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced watercraft driver at the helm and always have three or more people present for safe tubing-one to drive the watercraft, one to observe and one or more to ride.
- Observer in the boat/watercraft should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other boats/watercrafts, swimmers, towables, and other obstructions in the water. Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Never exceed 20 mph when towing adults or 15 mph with children.
- Use a tow rope specifically designed for the WEGO
- Never operate the boat/watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness.
- Riders should keep arms and feet out of the water.
- Do not exceed the manufacturer's recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average

tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.

- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.
- Always wear a U.S. Coast Guard approved Type III (PFD) ski vest or as recommended by proper government authorities.
- Use this product only on water.
- Know your limits. Stop when you're tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.

The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller liable for any loss, damage, injury or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear and deterioration from use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

#### REPLACING PRODUCT PARTS:

If a leak or problem is suspected with your tube, locate the valves, deflate the item and remove the inflatable PVC bladder to inspect possible problem areas. Contact Sportsstuff warranty department for prompt parts replacement if a problem is located. For non-warranty parts replacement, follow the same procedure. When a replacement is received, follow the steps below:

1. Unfold the cover and lay the bladder out.
2. Locate the bladder and the inflation valve. Carefully place the PVC bladder inside the cover of the product in the appropriate location.
3. Line up the valve with the valve opening in the cover.
4. Refer to the WEGO manual for further assembly information.

#### MAINTENANCE:

Very little care is required for the bladder or cover.

- You may clean your towable using soap and water or mild detergent.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight.
- To deflate, simply unfasten the entire valve from the base.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towable may bleed or fade when initially wet. Protect all boat interiors and all other surfaces from possible staining.

#### TOW ROPE RECOMMENDATIONS FOR SPORTSSTUFF PRODUCTS:

- The watercraft owner/operator is responsible for informing all the persons riding or using tow ropes of the WSIA Recommendations for tow ropes. Improper use of your tube and rope could result in serious injury or death.
- Following are the WSIA (Water Sport Industry Association) Recommendations for tow ropes (Do not exceed recommended rider capacity for your tube):

Number of Riders	Combined Weight of Riders	Rope Tensile Strength
One	min 100lbs - max 200 lbs	1500 lbs

- A standard tow rope should not exceed 65 feet.
- The tow rope should be assembled in a manner appropriate for the watercraft and tow tube.
- Please check all rope connections for frays, cuts, sharp edges, knots and wear and tear before each use. Discard any ropes that appear to be worn. It is recommended that you replace each tow rope at the beginning of the boating season.
- Tow ropes are subject to stretching during use. Please warn riders and persons in the boat/watercraft of the danger of ropes recoiling.
- DO NOT place arms, legs or head in the handle section as serious injury may result.
- Ensure that the tow rope is free from all body parts prior to towing a rider and while the tube is in use.
- Do not use a tow rope with a bungee material to pull skiers or riders. This type of apparatus could also result in serious injury or death to the tube rider or passengers in the boat/watercraft.
- Ropes will deteriorate with direct sunlight exposure. Please store away from direct sunlight and discard any rope that is frayed, discolored or raveling.
- Do not add hardware to this product that is not supplied by Sportsstuff.
- Avoid the propeller and engine at all times. Should the rope become tangled in the propeller, shut off the engine and remove key from ignition before retrieving rope from propeller.

#### **▲ WARNING! GENERAL USE AND SAFETY: ▲**

- When using a Sportsstuff product, you are engaging in an exciting recreational activity with inherent risks. Act responsibly and only use your product with the awareness of and willingness to accept the risks involved.
- Read all instructions and warnings provided to you in this owner's manual and those printed on the product. Do not discard this manual.
- As in any recreational activity, reckless use, misuse, inexperience and/or neglect of the proper equipment used may result in serious injury or death.
- Visually inspect the towable and tow rope before each use. Do not use if product or tow rope is damaged in any way.
- This product is NOT for use by children under 12 years of age.
- Never leave children unattended. Use only under competent supervision.
- Sportsstuff products are NOT to be used for rental use.
- Do not consume alcohol or other drugs while using this product. Even small quantities of alcohol and other drugs can impair judgment, balance, and coordination which can greatly affect one's performance.
- Make sure all riders are wearing a U.S. Coast Guard Type III (PFD) approved life vest at all times.
- Be conscious of the weather conditions as weather changes can occur very quickly.
- Check with your state or local government to learn their specific legal requirements concerning towables and towing.
- Use tow ropes that are designed specifically for towables with WSIA (Water Sports Industry Association) break strength guidelines.

#### **▲ WARNING! BOAT DRIVERS NOTICE: ▲**

- The boat/watercraft driver has the ultimate responsibility for the safety of the riders.
- Carefully survey the water before you begin towing riders.

- Do Not pull a towable without a rider. A towable is designed to have a rider in order to balance the weight distribution of the product
- Be aware of water conditions along with changes in the weather. The condition of the water greatly influences the type of ride the rider will have. Please take into consideration the age and physical ability of your rider.
- It is the boat/watercraft driver's responsibility to instruct the riders how to ride a towable. The boat/watercraft driver should carefully instruct the riders of potential risks and possible injury that may occur if they partake in careless behavior.
- At the beginning of the ride, carefully take the slack out of the tow rope. Never jerk start a towable. After the rider has signaled that he/she is ready, the driver can slowly bring the towable to a planing point.
- Most towables will plane out at 10 to 20 mph, depending on the weight of the rider. It is important to keep the nose of the item up until the item is planing.
- The resistance of the product varies widely with these factors: boat speed, turns, water conditions, number of riders and their weight, towable size, shape and function. The boat/watercraft driver should adjust the boat speed to fit these situations to minimize resistance of the towable.
- Use in wide, open spaces. Stay at least 100 yards from shallow water, shore, rocks, boats, docks and buoys. Most accidents happen on turns and in congested areas.
- The boat/watercraft driver determines the speed and the action of the towable in turns and when crossing the boat/watercraft wake. In the straight-a-ways, the boat/watercraft towing speed is the same as the towable speed. The towable speed will increase when the boat/watercraft makes a 90 to 180 degrees turn without increasing the boat/watercraft speed. If the boat/watercraft speed is 20 mph, the towable speed can be 30-40 mph. The "slingshot effect" sends the user outward from the center of the towable. Be aware of the limitations of the rider.
- Large wakes combined with the wave action and speed can contribute to a rough ride. Use a safe speed that enables the towable to plane out. The boat/watercraft driver should adjust the boat/watercraft speed and turns to fit the water conditions and the age, experience, skill and physical strength of the rider.
- Excessive speed or sharp turns might cause the tube to flip over abruptly, possibly causing serious injury to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- Under normal conditions, the maximum safe speed for adults is 20 mph. Safe speeds for children are less than 15 mph, depending on the age and physical capability of the child.
- Please make sure your boat/watercraft is tow-worthy and has the appropriate horsepower to pull rider(s) and the tow tube. Do not exceed the boat/watercraft passenger capacity.
- Extreme drag forces can develop when pulling this tube. Please use towable in calm water. Heavy waves or choppy conditions can create more drag or even result in a submarine or anchor effect.
- Extreme drag forces may also result if: the rider(s) fall off, the tube noses in or tips over and water fills cockpit/seating area. The boat/watercraft operator should immediately slow or stop to eliminate this factor.
- Death or serious injury can result from the submarine or anchor effect causing more extreme drag forces on the tow rope and/or tow point. The tow rope might have too much stress and either break and snap back at the rider(s) or other occupants of the boat. It is the boat driver's responsibility to make sure this does not occur.

- Do not exceed the weight guidelines of your boat. Do not allow passengers to hang outside the boat or side on the gunwales (sides/edges of the boat) outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales (sides/edges of the boat) of the boat.

#### **A WARNING! BOAT OWNERS WITH HIGH TOWER AND PYLONS A**

- Tow/Ski towers are not designed for use with any inflatable tube towing.
- Use only lifting eyes/transoms or tournament-rated ski pylons for towing tubes.
- Consult your boat's manufacturer if you are unsure of it's tournament rating.
- Do not tow any inflatable from a ski eye.
- Any tow pylon or ski pylon installed after market is not intended for inflatable tube towing.
- Death or serious injury may result if an unapproved ski/tow pylon is used.

#### **A WARNING! SPOTTERS NOTICE: A**

- Always use a spotter (observer) in the boat to communicate the needs of the rider to the driver.
- The spotter must be the eyes of the driver and the rider, always alert to recognize possible danger so proper action can be taken to avoid any risk to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- The spotter should hold up a safety flag cautioning all other boaters that riders are in the water.

#### **A WARNING! RIDERS NOTICE: A**

- Do not use this item as a personal flotation device.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not to exceed 65 feet.
- Only use this product with a responsible boat/watercraft operator who knows how to effectively operate the equipment.
- This product should be used in water only. Do not launch from dock or land.
- Do not use near piling, docks, shores or shallow water or other obstructions that could cause serious injury to the rider.
- Carefully instruct the other riders the proper way to attach rope and operate the towable.
- DO NOT strap or attach arms or legs to cover or tube. Never place hands or feet in between the tube or cover.
- This item has no braking or steering mechanism and can develop high speeds under certain towing conditions. Use at your own risk!
- This product is not a life saving device.
- Take necessary breaks when you are tired.
- Never get near the propeller with the engine running, even if it is in neutral.

**GENERAL TROUBLE SHOOTING GUIDE:**

**Symptom:** Product won't hold air.

**Solution:** Check to see that the valve is fastened properly. Re-fasten valve if needed. Check to see if the product was inflated fully from the beginning. If you suspect it wasn't inflated fully, add more air. PVC Repair Adhesive is available from Sportsstuff at [www.sportsstuff.com](http://www.sportsstuff.com) or 888-814-8833 for small hole or seam repairs.

**Symptom:** Valve is leaking

**Solution:** Listen closely to hear if air is leaking. Be sure the valve and cap are screwed in or fastened straight and are tight. Leakage can occur if the valve is not fastened correctly.

**Symptom:** Product inflates but doesn't become firm.

**Solution:** Please check to make sure it was inflated firmly with a high volume air pump. If you are sure you inflated it properly, fully assess it for a leak or re-fasten the valve. If a leak is detected, the bladder may be patched by using Sportsstuff PVC Adhesive which can be purchased directly from Sportsstuff.

**Symptom:** Cover is very loose (Applies only to products with covers).

**Solution:** Please check to make sure that your product is inflated fully and the tube is in place. The cover should fit snugly over the well-inflated tube. If the cover remains loose, add more air. See also the INFLATION section of this manual.

**WARRANTY POLICY:**

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Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

**WATERSPORTS RESPONSIBILITY CODE**

Be aware that there are elements or risk in boating, skiing, and riding that common sense and personal awareness can help reduce. Know your ability level and stay within it.

To increase your enjoyment of the sport follow the "Watersports Responsibility Code". It is your responsibility to:

- Familiarize yourself with all applicable laws, the risks inherent in the sport, and proper use of the equipment.
- Know the waterways where you will be skiing or riding. Do not ski or ride in shallow water, near shore, docks, pilings swimmers or other watercraft.
- Always have a person other than the boat driver as an observer and agree on hand signals before starting.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Read your owner's manual and inspect your equipment prior to use.
- Ski or ride within your limits. Always ski or ride in control and at speeds appropriate for your ability.
- Always turn ignition off when anyone is near watercraft power drive unit.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Never "Platform Drag" or touch a swim platform while the engine is running.
- Not operate watercraft, ski or ride under the influence of alcohol or drugs.

Water Sports Industry Association



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U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

YES

NO

Trat D. Dunston  
(Signature)

July 19, 2006  
(Date)



060710HBB2668

Exhibit 5

DESCRIPTION OF RESPONDENTS:

Trent Gierstorf, Victim  
Val Gierstorf, Witness  
1943 K Ave., Jefferson, IA 50129  
(C) 515-370-8449, (H) 515-386-8922, [tvgierst@netins.net](mailto:tvgierst@netins.net)

Initially contacted on 7/12/2006

On-site visit on 7/19/2006

**APPENDIX VII-D-7 MEDICAL RECORDS DISCLOSURE FORM**

**U.S. CONSUMER PRODUCT SAFETY COMMISSION**

**AUTHORIZATION FOR MEDICAL RECORDS DISCLOSURE**

This form authorizes release of information in accordance with the Health Insurance Portability and Accountability Act, 45 C.F.R. Parts 160 and 164, 5 U.S.C. 552a, and 38 U.S.C. 5701 and 7332. I understand that my disclosure of the information requested on this form is voluntary. I further understand that the Social Security Number will be used to locate records for release and if not voluntarily furnished completely and accurately, the health or medical facility will be unable to comply with the request.

**TO WHOM IT MAY CONCERN:**

I request and authorize TRINITY (name of health or medical facility) to furnish the United States Consumer Product Safety Commission all information and copies of any and all records you may have pertaining to (my case)(the case of)

Patient Name SCOTT OLDEROG

Relationship to you HUSBAND

Patient Social Security Number 480-02-5367

including, but not limited to, medical history, physical reports, laboratory reports and pathological slides, and X-ray reports and films.

AUTHORIZATION: I certify that this request has been made freely, voluntarily and without coercion and that the information given above is accurate and complete to the best of my knowledge. I understand that I will receive a copy of this form after I sign it. I may revoke this authorization, in writing, at any time except to the extent that action has already been taken to comply with it. Written revocation is effective upon receipt by the unit or office at the facility housing the records. Redisclosure of my medical records by those receiving the above authorized information may be accomplished without my further written authorization and my records may no longer be protected. Without my express revocation, the authorization will automatically expire: (1) upon satisfaction of the need for disclosure; (2) on 12/31/06 (date supplied by patient); or (3) under the following conditions:

7/26/06  
(DATE)

Scott Oldery  
(SIGNATURE OF PATIENT OR PERSON AUTHORIZED TO SIGN FOR PATIENT)

(WITNESS)

07/07/2006 13:01:12

Name = Trent Gierstorf  
Address = 1932 K Ave  
City = Jefferson  
State = Iowa  
Zip = 50129  
Email = tvgierst@netins.net  
Telephone = 515 386 8922  
Name of Victim = Trent Gierstorf  
Victim's Address = 1932 K Ave  
Victim's City = Jefferson  
Victim's State = Iowa  
Victim's Zip = 50129  
Victim's Telephone = 515 386 8922

Incident Description: I bought the Wego Kite tube in May. I watched the video several times, and I also read the directions that came with the tube. I took the tube out for the second time on 6/4/06.

We started with the 45 foot rope that the recommend for beginners according to the video. I was only on the tube a few minutes when I started to see some of the safety problems. The first problem I saw that when the tube goes into the takeoff position ( lifts off the water at a 45 degree angle) the rider can no longer see the boat and the boat can no longer see the rider. The tube is ten foot across and with the rider sitting on the very back of the tube, they are totally hidden. The second problem is that any crosswind sends the tube out of control. It will not land even and will flip over in mid flight.

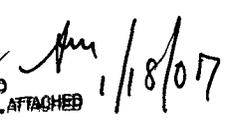
I was on the Wego Kite tube for about three minutes when I thought the tube was getting out of control. I tried to signal the boat to stop but they could not see or hear me. I tried to extend my body to get above the line of site of the tube, but this made the tube fly even higher. When the tube went up it flipped over and slammed me back to the water. It happened so fast that I do not even know how I hit the water. After a second in the water my left leg started to hurt. I ran my hand down my leg and I was sure that my leg was broke at the femur. I was taken by ambulance to the hospital. The hospital confirmed that I had a spiral fracture of the left femur (shattered from three inches below the hip down to two inches above the knee). I had a rod and pins put in to stabilize the leg. I also required 2 units of blood the day after surgery and another 2 unit's the next day. After eight days in the hospital I was released . The Doctor said that my recovery will take about four months.

In my opinion this tube is dangerous and should not be sold. There is no way to control the tube when it leaves the water. The second concern is the communication between the boat and the person on the tube.

Thank You,

Trent Gierstorf

Victim's age at time of incident = 31  
Victim's sex = Male  
Date of incident = 6/4/06  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = Sportssuff  
Manufacturer street address =  
Place where manufactured (City and State or Country) =  
Product involved still available = Yes  
Product model and serial number, manufacture date =  
Date product purchased = 5/12/06

1. Task Number 060710HBB2674		2. Investigator's ID 8156		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 07 04	5. Date Initiated YR MO DAY 2006 07 12		
6. Synopsis of Accident or Complaint UPC 029808  The 40 year old male victim was riding a kite tube on a lake pulled by a 21' boat powered by a 351 HP inboard engine. He was riding at about 15' when a wind gust pushed the kite tube up to about 25/30'. The kite tube nose dived into the water. The victim was rescued and he was taken to the hospital and treated for a perforated right ear drum.				
 <input type="checkbox"/> REPLY BY NOTIFIED COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED <input type="checkbox"/> EXCISIONS/FOIA Exs. _____ <small>Revisions</small> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City WILMAR		9. State MN
10A. First Product 3200 - Water Tubing (activity, Appa)		10B. Trade/Brand Name SPORTSSTUFF		10C. Model Number WEGO 53-5000
10D. Manufacturer Name and Address SPORTSSTUFF, INC. 11213 E. Circle Suite A Omaha, NE				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 40	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 63 - Puncture	
16. Body Part(s) Involved 94 - EAR	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 3 - Other	19. Time Spent (Operational / Travel) 14 / 4	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 13 - Other Case Source		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Verbal				
24. Review Date 07/26/2006	25. Reviewed By 8929		26. Regional Office Director Frank J. Nava	
27. Distribution Topka, Tanya L.; Blasius, Dennis R.			28. Source Document Number X0670097A	

060710HBB2674

SUMMARY

The product involved in this incident is a 10' diameter flying kite tube. It is similar to inner tubes that are designed to be towed behind a motorized boat on the water. With this inflatable device you can pull up on the front of the kite tube and it becomes airborne as it is being pulled.

The brother-in-law of the 40 year old victim (180 lbs) is a deputy sheriff. On 7-3-2006 he went into a sporting goods store with his brother with the intention of buying a towable inner tube. They were going up to their mother's house which is on Eagle Lake north of Wilmar, MN. While in the store there was a video tape playing and promoting the "Wego" kite tube. He said the video tape really made riding the kite tube look like a lot of fun so they decided to buy one.

They brought it home that day and they watched the enclosed DVD. They watched the DVD because they wanted to learn how to ride or operate the kite tube. They wanted to know how to get the kite tube airborne and maneuver it. They didn't read the owners manual or any other written instructions or warnings that came with it.

They went out to their mother's house for the holiday and some fun on the water. They used the kite tube several times without any problems on the first day.

The next day (7-4-2006) they decided to use the kite tube once again. The temperature was around 85 degrees F and there was moderate wind estimated at between 7/14 MPH.

The boat they were using was a 21' 1993 inboard fiberglass motorboat. It was powered by a 351 Ford engine. It was owned by the brother of respondent.

They used trial and error figuring out how to ride the kite tube. They used the tow rope that was provided with it. They used it at the 65' length. They found that you have to be traveling between 25/30 MPH to get the rider up in the air. You also have to be traveling against the wind.

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He said during the course of the day four of the family members had used the kite tube with different degrees of success.

His wife used it and never got it off the water. She rode it around the lake similar to a normal towable inner tube. The respondent and his brother both weigh about 250 lbs. He said when they rode the kite tube it would bounce up and down off the water. He said it was similar to a frog hopping up and down. They never got more than 6/7' off the water. His brother was riding it once and never got more than a couple feet off the water. He got thrown off the kite tube and sustained a bruise to his arm. The injury wasn't serious and he didn't require any professional medical attention.

He said his brother-in-law doesn't weigh as much as he estimated his weight at about 180 lbs. He was able to get a little higher while riding the kite tube.

He said at the time of the accident his brother-in-law was riding the kite tube. They were going across the lake at about 30 MPH and he was riding at about 7'. Near the end of the ride when they were nearing the end of the lake the kite tube went up to about 15/20'. They were nearing the end of the run and started to slow down to lower the kite tube. He said they hit a wind gust which pushed up the kite tube to about 25/30'. The kite tube turned and did a nose dive to the water.

The rider held onto the kite tube as it hit the water. When they looked back the victim was laying face first in the water. He was wearing a PFD. They quickly turned around and drove back to the victim. He dove into the water and pulled him into the boat. He was still unconscious so they unhooked the kite tube, called 9-1-1 on their cell phone and headed to shore.

While on the way to shore the victim regained consciousness and started to spit out water. He guessed that the victim was out about 30 seconds. When they arrived on shore the paramedics had arrived and checked over the victim. He was

Page 3

starting to feel better and told the paramedics he didn't need to go to the hospital. Later that day he complained of water in the ear and his wife took him into the ER. He was diagnosed with a perforated ear drum.

The respondent said once you get the kite tube up in the air you are at the hands of driver of the boat. He said while you are close to the water you can maneuver the kite tube by shifting your weight with your feet and pulling on the handles and rope. However, once you are airborne the boat controls the kite tube. He said once you get up you can't see the boat anymore. There is a plastic window, but you can't see through it. He had a hard time figuring out how high the kite tube was flying while he was on it. He said hand signals wouldn't work as no one would see them.

I spoke with the 40 year old victim. He said the kite tube was purchased by the respondent's brother. He had never been on a kite tube until the day of the accident. He hadn't looked at any training DVD's or the owners manual. His brother-in-law briefly told him what he had to do to ride the kite tube.

He said the first time he rode the kite tube he had no problems. He was pulled across the lake at about 30 MPH behind the boat and he went up and down in the air. He guessed that he might have reached a height of about 10/15'. The longest ride in the air was about 15 seconds.

He said during the second ride he was able to get the kite tube off the water easier. He said the last thing he remembers was being up in the air about 15' and the kite tube shooting up higher in the air and the nose turning over towards the water. The last thing he remembers was the kite tube nose diving towards the water.

The next thing he remembers was sitting on the dock and the paramedics were examining him. He told the paramedics that he was feeling better and they could leave. However, later he started his head continued to ring and he had a headache. His wife took him to the hospital and he was treated for a perforated right eardrum. He is still experiencing soreness in his right shoulder and neck from his injuries.

Page 4

He said that once you are in the air riding the kite tube you have no control over it. You are controlled by the speed of the boat and wind. Once in the air he couldn't see the boat or boat operators because of the angle of the kite tube. He said there was a plastic window that you couldn't see through.

PRODUCT IDENTIFICATION

The product involved in this incident is a 10' diameter flying inner tube. It has two heavy duty bladders that are covered by a nylon skin cover. There are two built in slots for the rider's feet and 8 padded handles. There is a rope with easy grip sponge balls attached to the front for pulling up the front during use.

The suspect kite tube was purchased on 7-3-2006 from:

Shields Sporting Goods Store  
St. Cloud, MN

It was identified as a "Wego" kite tube Model# 53-5000. It is distributed by:

Sportsstuff, Inc.  
11213 E. Circle Suite A  
Omaha, NE 68137

The suspect kite tube had been returned to the dealer so no photographs were available.

The boat used during the incident is a 1993 21' open motorboat with a fiberglass hull. It is powered by an inboard Ford 351 engine.

ATTACHMENTS

1. Minnesota DNR Report
2. Contact List

State Use Only

# STATE OF MINNESOTA WATERCRAFT ACCIDENT REPORT

County Complaint No.

060710HBB2674  
Attachment #1

06019380

This form must be submitted whenever a watercraft accident results in:

- 1. Loss of Life
- 2. Injury beyond First Aid.
- 3. Property Damage of \$2000 or more.

PLEASE TYPE OR PRINT. COMPLETE ALL BLOCKS (INDICATE THOSE NOT APPLICABLE BY "NA")

Time & Place	DATE OF ACCIDENT 7/4/2006-	TIME 04:45 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	NAME OF BODY OF WATER Eagle Lake	1 <input checked="" type="checkbox"/> LAKE 2 <input type="checkbox"/> RIVER 3 <input type="checkbox"/> POND/DITCH 4 <input type="checkbox"/> OTHER (Specify)
	LOCATION WHERE VICTIM WAS FOUND (Give Location Precisely) NW corner about 300 yard from shore. Out from old Tom Thumb.		NEAREST TOWN/CITY Willmar	COUNTY Kandiyohi

WATERCRAFT NUMBER 1

OPERATOR (Last, First Middle) <u>Redmond, Brian Mark</u> ADDRESS: <u>5835 Hwy 71 NE</u> CITY: <u>Willmar</u> STATE: <u>MN</u> ZIP CODE: <u>56201</u> TELEPHONE: HOME <u>3202310964</u> WORK _____	OPERATOR'S DATE OF BIRTH 5/20/1974	OPERATOR'S EXPERIENCE (check one from each type) This Type of Boat      Other Types of Boats 1 <input type="checkbox"/> Under 20 hours      1 <input type="checkbox"/> Under 20 hours 2 <input type="checkbox"/> 20 to 100 hours      2 <input type="checkbox"/> 20 to 100 hours 3 <input type="checkbox"/> 100 to 500 hours      3 <input checked="" type="checkbox"/> 100 to 500 hours 4 <input checked="" type="checkbox"/> Over 500 hours      4 <input type="checkbox"/> Over 500 hours 5 <input type="checkbox"/> Unknown      5 <input type="checkbox"/> Unknown		
	OPERATOR'S AGE 32			
	OWNER: (Last, First Middle) <u>Redmond, Gregory James</u> ADDRESS: <u>5835 Hwy 71 NE</u> CITY: <u>Willmar</u> STATE: <u>MN</u> ZIP CODE: <u>56201</u> TELEPHONE: HOME _____ WORK _____	WAS BOAT RENTED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	OPERATOR'S FORMAL INSTRUCTION IN BOATING SAFETY (Check All that Apply) 1 <input type="checkbox"/> State _____ 5 <input checked="" type="checkbox"/> None Permit Number      6 <input type="checkbox"/> Unknown 2 <input type="checkbox"/> USCG Auxiliary      7 <input type="checkbox"/> Other (Specify) 3 <input type="checkbox"/> U.S. Power Squadrons 4 <input type="checkbox"/> American Red Cross	
NO. OF PERSONS ON BOARD 3				
BOAT NUMBER (State & Number) MN 3197 GP	BOAT MAKE Ski Centurion	BOAT MODEL Trutrac II	MFG HULL IDENTIFICATION NO. FINA1664J889	BOAT NAME N/A
TYPE OF BOAT (Check One) 1 <input checked="" type="checkbox"/> Open Motorboat 9 <input type="checkbox"/> Other 2 <input type="checkbox"/> Cabin Motorboat 3 <input type="checkbox"/> Auxiliary Sail 4 <input type="checkbox"/> Sail (Only) 5 <input type="checkbox"/> Rowboat (non-motorized) 6 <input type="checkbox"/> Canoe 7 <input type="checkbox"/> Personal Watercraft (jet ski) 8 <input type="checkbox"/> Pontoon	HULL MATERIAL 1 <input type="checkbox"/> Aluminum 2 <input checked="" type="checkbox"/> Fiberglass (plastic) 3 <input type="checkbox"/> Wood 4 <input type="checkbox"/> Steel 5 <input type="checkbox"/> Rubber (Vinyl) 6 <input type="checkbox"/> Other (Specify)	ENGINE (check one) 1 <input type="checkbox"/> Outboard 2 <input type="checkbox"/> Inboard-Outdrive 3 <input checked="" type="checkbox"/> Inboard gasoline 4 <input type="checkbox"/> Inboard diesel 5 <input type="checkbox"/> Water Jet 6 <input type="checkbox"/> None 7 <input type="checkbox"/> Other (Specify)	BOAT DATA (Propulsion) Number of Engines <u>one</u> Make of Engine(s) <u>Ford 351</u> Horsepower (total) <u>unknown</u> Year Built (Engine) <u>1993</u>	BOAT DATA (Construction) Length <u>21</u> Feet <u>0</u> Inches Year Built <u>1993</u> (Boat)
PERSONAL FLOTATION DEVICES (Answer All Questions) Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> Was boat adequately equipped with CG Approved Lifesaving Devices <input checked="" type="checkbox"/> <input type="checkbox"/> Were PFD's Accessible <input checked="" type="checkbox"/> <input type="checkbox"/> Were PFD's Used		If Worn, What Type <input type="checkbox"/> I <input type="checkbox"/> II <input checked="" type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> V	FIRE EXTINGUISHERS Yes No NA <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Were approved fire extinguishers used (Check Yes or No only if there was a fire)	LIGHTS (Answer All Questions) Yes No NA <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Was boat equipped with required lights (If operating after sunset) <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Were lights used (If operating after sunset)

WATERCRAFT NUMBER 2

OPERATOR (Last, First Middle) ADDRESS: CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE: HOME _____ WORK _____	OPERATOR'S DATE OF BIRTH	OPERATOR'S EXPERIENCE (check one from each type) This Type of Boat      Other Types of Boats 1 <input type="checkbox"/> Under 20 hours      1 <input type="checkbox"/> Under 20 hours 2 <input type="checkbox"/> 20 to 100 hours      2 <input type="checkbox"/> 20 to 100 hours 3 <input type="checkbox"/> 100 to 500 hours      3 <input type="checkbox"/> 100 to 500 hours 4 <input type="checkbox"/> Over 500 hours      4 <input type="checkbox"/> Over 500 hours 5 <input type="checkbox"/> Unknown      5 <input type="checkbox"/> Unknown		
	OPERATOR'S AGE			
	OWNER: (Last, First Middle) ADDRESS: CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE: HOME _____ WORK _____	WAS BOAT RENTED <input type="checkbox"/> YES <input type="checkbox"/> NO	OPERATOR'S FORMAL INSTRUCTION IN BOATING SAFETY (Check All that Apply) 1 <input type="checkbox"/> State _____ 5 <input type="checkbox"/> None Permit Number      6 <input type="checkbox"/> Unknown 2 <input type="checkbox"/> USCG Auxiliary      7 <input type="checkbox"/> Other (Specify) 3 <input type="checkbox"/> U.S. Power Squadrons 4 <input type="checkbox"/> American Red Cross	
NO. OF PERSONS ON BOARD				
BOAT NUMBER (State & Number)	BOAT MAKE	BOAT MODEL	MFG HULL IDENTIFICATION NO.	BOAT NAME
TYPE OF BOAT (Check One) 1 <input type="checkbox"/> Open Motorboat 9 <input type="checkbox"/> Other 2 <input type="checkbox"/> Cabin Motorboat 3 <input type="checkbox"/> Auxiliary Sail 4 <input type="checkbox"/> Sail (Only) 5 <input type="checkbox"/> Rowboat (non-motorized) 6 <input type="checkbox"/> Canoe 7 <input type="checkbox"/> Personal Watercraft (jet ski) 8 <input type="checkbox"/> Pontoon	HULL MATERIAL 1 <input type="checkbox"/> Aluminum 2 <input type="checkbox"/> Fiberglass (plastic) 3 <input type="checkbox"/> Wood 4 <input type="checkbox"/> Steel 5 <input type="checkbox"/> Rubber (Vinyl) 6 <input type="checkbox"/> Other (Specify)	ENGINE (check one) 1 <input type="checkbox"/> Outboard 2 <input type="checkbox"/> Inboard-Outdrive 3 <input type="checkbox"/> Inboard gasoline 4 <input type="checkbox"/> Inboard diesel 5 <input type="checkbox"/> Water Jet 6 <input type="checkbox"/> None 7 <input type="checkbox"/> Other (Specify)	BOAT DATA (Propulsion) Number of Engines _____ Make of Engine(s) _____ Horsepower (total) _____ Year Built (Engine) _____	BOAT DATA (Construction) Length _____ Feet ____ Inches Year Built _____ (Boat)
PERSONAL FLOTATION DEVICES (Answer All Questions) Yes No <input type="checkbox"/> <input type="checkbox"/> Was boat adequately equipped with CG Approved Lifesaving Devices <input type="checkbox"/> <input type="checkbox"/> Were PFD's Accessible <input type="checkbox"/> <input type="checkbox"/> Were PFD's Used		If Worn, What Type <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV <input type="checkbox"/> V	FIRE EXTINGUISHERS Yes No NA <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Were approved fire extinguishers used (Check Yes or No only if there was a fire)	LIGHTS (Answer All Questions) Yes No NA <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Was boat equipped with required lights (If operating after sunset) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Were lights used (If operating after sunset)



060710HBB2674

Attachment# 2

Contact List

Kandiyohi County Sheriffs Department

Todd Newman

Wilmar, MN

320-214-6700

Brad Redmond

Brother-in-law

Wilmar, MN

320-231-0964

Kevin Eckhoff

Victim

New London, MN

320-354-0022

State Use Only

STATE OF MINNESOTA WATERCRAFT ACCIDENT REPORT

County Complaint No.

05019380

This form must be submitted whenever a watercraft accident results in: 1. Loss of Life 2. Injury beyond First Aid. 3. Property Damage of \$2000 or more.

PLEASE TYPE OR PRINT. COMPLETE ALL BLOCKS (INDICATE THOSE NOT APPLICABLE BY "NA")

DATE OF ACCIDENT: 7/4/2006 TIME: 6:45 AM NAME OF BODY OF WATER: Lake Superior 1 [X] LAKE 2 [ ] RIVER 3 [ ] POND/DITCH 4 [ ] OTHER (Specify):

LOCATION WHERE VICTIM WAS FOUND: NW corner about 300 yards from shore... NEAREST TOWN/CITY: Wilmar COUNTY: Kandiyohi

OPERATOR (Last, First Middle): Redmond, Brian Mark OPERATOR'S DATE OF BIRTH: 5/20/1974 OPERATOR'S EXPERIENCE: 4 [X] Over 500 hours

OWNER (Last, First Middle): Redmond, Gregory James OPERATOR'S AGE: 32 OPERATOR'S FORMAL INSTRUCTION IN BOATING SAFETY: 5 [X] None

BOAT NUMBER (State & Number): MN 3197GB BOAT MAKE: Starcraft BOAT MODEL: 1700 MFG HULL IDENTIFICATION NO.: 8200000000 BOAT NAME: N/A

PERSONAL FLOTATION DEVICES: [X] Was boat adequately equipped with CG Approved Lifesaving Devices

FIRE EXTINGUISHERS: [X] Were approved fire extinguishers used

LIGHTS: [X] Was boat equipped with required lights

OPERATOR (Last, First Middle): OPERATOR'S DATE OF BIRTH: OPERATOR'S EXPERIENCE: 1 [ ] Under 20 hours

OWNER (Last, First Middle): OPERATOR'S AGE: OPERATOR'S FORMAL INSTRUCTION IN BOATING SAFETY: 5 [ ] None

BOAT NUMBER (State & Number): BOAT MAKE: BOAT MODEL: MFG HULL IDENTIFICATION NO.: BOAT NAME:

PERSONAL FLOTATION DEVICES: FIRE EXTINGUISHERS: LIGHTS:

ACCIDENT DESCRIPTION

<p><b>OPERATION AT TIME OF ACCIDENT</b> (Check all that apply for each Watercraft)</p> <p>1 <input type="checkbox"/> Fishing 2 <input type="checkbox"/> Cruising 3 <input type="checkbox"/> Anchored 4 <input type="checkbox"/> Drifting 5 <input type="checkbox"/> Approaching or Leaving Dock 6 <input type="checkbox"/> Tied to Dock 7 <input type="checkbox"/> On Boat Lift 8 <input type="checkbox"/> Fueling 9 <input checked="" type="checkbox"/> Water Sports (Skiing etc.) 10 <input type="checkbox"/> Towing a Boat 11 <input type="checkbox"/> Being Towed by Another Boat 12 <input type="checkbox"/> Racing 13 <input type="checkbox"/> Hunting 14 <input type="checkbox"/> Scuba Diving or Swimming 15 <input type="checkbox"/> Other (Specify) _____</p>	<p><b>WHAT IN YOUR OPINION CAUSED THE ACCIDENT</b> (Check All That Apply)</p> <p>1 <input type="checkbox"/> Weather Conditions    6 <input type="checkbox"/> Improper (Loading) 2 <input type="checkbox"/> Excessive Speed    7 <input type="checkbox"/> Hazardous Waters 3 <input type="checkbox"/> No Proper Lookout    8 <input type="checkbox"/> Fault of Equipment 4 <input type="checkbox"/> Overloading    9 <input checked="" type="checkbox"/> Other (Specify) <u>Hazardous Water</u> 5 <input type="checkbox"/> Alcohol / Drug Use</p>	<p><b>OPERATORS CONDITION</b> (Check for each operator)</p> <p>1 <input type="checkbox"/> Had Been Drinking 2 <input type="checkbox"/> Had not been drinking 3 <input type="checkbox"/> Unknown 4 <input type="checkbox"/> Other _____ 1) 0 <u>BAC</u> 2) 0 <u>BAC</u></p>	<p><b>WEATHER</b> (Check One Only)</p> <p>1 <input checked="" type="checkbox"/> Clear 2 <input type="checkbox"/> Cloudy 3 <input type="checkbox"/> Fog 4 <input type="checkbox"/> Rain 5 <input type="checkbox"/> Snow 6 <input type="checkbox"/> _____</p>				
<p><b>WATER CONDITIONS</b></p> <p>1 <input checked="" type="checkbox"/> Calm (Waves less than 6") 2 <input type="checkbox"/> Choppy (Waves 6" to 2') 3 <input type="checkbox"/> Rough (Waves 2' to 6') 4 <input type="checkbox"/> Very Rough (Greater than 6") 5 <input type="checkbox"/> Strong Current</p>		<p><b>TEMPERATURES</b></p> <p>Air <u>85</u> °F Water <u>78</u> °F</p>		<p><b>WIND</b></p> <p>1 <input type="checkbox"/> None 2 <input type="checkbox"/> Light (0 to 6 mph) 3 <input checked="" type="checkbox"/> Moderate (7 to 14 mph) 4 <input type="checkbox"/> Strong (16 to 25 mph) 5 <input type="checkbox"/> Storm (Over 25 mph)</p>		<p><b>VISIBILITY</b></p> <p>DAY NIGHT</p> <p>1 <input checked="" type="checkbox"/> Good <input type="checkbox"/> 1 2 <input type="checkbox"/> Fair <input type="checkbox"/> 2 3 <input type="checkbox"/> Poor <input type="checkbox"/> 3</p>	
<p><b>PRIMARY CAUSE OF ACCIDENT</b> (Check one Only)</p> <p>1 <input type="checkbox"/> Falls Overboard    9 <input type="checkbox"/> Collision with fixed object 2 <input type="checkbox"/> Capsizing    10 <input type="checkbox"/> Collision with floating object 3 <input type="checkbox"/> Grounding    11 <input type="checkbox"/> Falls in Boat 4 <input type="checkbox"/> Flooding    12 <input type="checkbox"/> Hit by boat Propeller (Fuel) 5 <input type="checkbox"/> Sinking    13 <input checked="" type="checkbox"/> Other (Other than fuel) <u>Person Kite</u> 6 <input type="checkbox"/> Fire or Explosion    14 <input type="checkbox"/> Hit by boat 7 <input type="checkbox"/> Fire or Explosion (Other than fuel) 8 <input type="checkbox"/> Collision with watercraft</p>				<p><b>DESCRIBE WHAT HAPPENED</b> (Sequence of events. Include failure of equipment. If diagram is needed attach separately. Continue on additional sheets if necessary. Include any information regarding the involvement of alcohol and / or drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's.)</p> <p>This boat was pulling a kite tube. While pulling the kite the operator of the boat noticed that it was getting too high so he slowed the motor. Witness estimated the kite tube was approximately 15 feet above the water. When the boat slowed the kite tube dove into the water. The victim was seen floating face down in the water. The witness jumped in, turned him over, and lifted him into the boat. The victim was unconscious for an estimated 30 seconds. The motor released (possibly by the ambulance) however was later taken to the emergency room by his wife. He learned that he had a perforated eardrum. The victim was wearing a PFD.</p>			

VICTIM(S)

<p><input type="checkbox"/> Deceased    <input checked="" type="checkbox"/> Injured</p> <p>NAME (Last, First Middle) <u>Eckhoff, Kevin Jerome</u></p> <p>ADDRESS: <u>2834 65th Ave NE</u></p> <p>CITY: <u>New London</u> STATE: <u>MN</u> ZIP CODE: <u>56274</u></p>	<p>DATE OF BIRTH <u>70-02-65</u></p>	<p>LOCATION WHERE VICTIM WAS FOUND <u>Boat</u></p>	<p>WAS VICTIM (Check that Apply)</p> <p>1 <input type="checkbox"/> Swimmer 2 <input type="checkbox"/> Non-Swimmer 3 <input checked="" type="checkbox"/> Wearing a PFD 4 <input type="checkbox"/> Not Wearing a PFD 5 <input type="checkbox"/> Unknown</p>
<p>DATE AND TIME OF RECOVERY <u>7/7/2006 1:45</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM</p> <p>MEDICAL TREATMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> NATURE OF INJURY <u>perforated eardrum and lacerated</u></p> <p>DEATH CAUSED BY <u>person kite</u></p>	<p>DATE OF BIRTH <u>7/7/2006</u></p>	<p>LOCATION WHERE VICTIM WAS FOUND <u>Boat</u></p>	<p>WAS VICTIM (Check that Apply)</p> <p>1 <input type="checkbox"/> Swimmer 2 <input type="checkbox"/> Non-Swimmer 3 <input type="checkbox"/> Wearing a PFD 4 <input type="checkbox"/> Not Wearing a PFD 5 <input type="checkbox"/> Unknown</p>

DAMAGE

<p><b>ESTIMATE OF DAMAGE</b></p> <p>Watercraft 1 \$ <u>0</u> Watercraft 2 \$ <u>0</u> Other Property \$ <u>0</u> Total \$ <u>0</u></p>	<p><b>DESCRIPTION OF DAMAGE</b> <u>0</u></p>	<p><b>OTHER PROPERTY OWNER</b></p> <p>NAME (Last, First Middle) ADDRESS: CITY: STATE: ZIP CODE:</p>
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WITNESSES

<p><b>WITNESS 1</b></p> <p>NAME (Last, First Middle) <u>Raymond Bradley Day</u></p> <p>ADDRESS: <u>718 NW 82 St</u></p> <p>CITY: <u>Willmar</u> STATE: <u>MN</u> ZIP CODE: <u>56207</u></p> <p>TELEPHONE: HOME _____ WORK _____</p>	<p><b>WITNESS 2</b></p> <p>NAME (Last, First Middle) ADDRESS: CITY: STATE: ZIP CODE:</p> <p>TELEPHONE: HOME _____ WORK _____</p>
<p><b>LOCATION AT TIME OF ACCIDENT</b> <u>On the boat that was pulling the kite tube</u></p>	

COUNTY

<p><b>REPORTED BY</b></p> <p>NAME (Last, First Middle) <u>Neyman, Todd Gary</u></p> <p>ADDRESS: <u>2201 23rd St NE</u></p> <p>CITY: <u>Willmar</u> STATE: <u>MN</u> ZIP CODE: <u>56207</u></p> <p>TELEPHONE: HOME _____ WORK <u>326-276-6708</u></p>	<p><b>DEPARTMENT RECEIVED BY</b> <u>Kenneth G. Goyens Sheriff</u></p>	<p><b>DATE AND TIME RECEIVED</b> <u>7/7/2006 2:25</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM</p>	<p><b>DATE SUBMITTED</b> <u>7/7/2006</u></p>
<p><b>ACTIONS TAKEN BY INVESTIGATOR</b> <u>Safety information provided for the boat operator. Advised operators about information received about other accidents and safety concerns.</u></p>			
<p><b>ARRESTS OR WARNINGS (Last, First Middle)</b></p> <p>NAME: _____ Statute Number _____ NAME: _____ # _____</p>		<p><b>TICKET NUMBER</b> # _____</p>	
<p><b>INVESTIGATOR'S SIGNATURE</b> # _____</p>			

STATE

<p><b>NAME OF REVIEWING OFFICE</b> <u>Minnesota Department of Natural Resources</u></p>	<p><b>DATE RECEIVED</b> <u>7/7/2006</u></p>	<p><b>REVIEWED BY</b> <u>Reports should be forwarded to: BOAT AND WATER SAFETY, MINNESOTA DEPARTMENT OF NATURAL RESOURCES, 500 LAYFAYETTE RD, ST PAUL, MN 55155-4046</u></p>
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The preceding form did not scan well and the narrative on page two in response to "Describe What Happened" is difficult to read because of the dark background. Here is a transcription of that narrative:

This boat was pulling a Kite Tube. While pulling the kite the operator of the boat noticed that it was getting too high, so he slowed the boat. Witnesses estimated the kite tube was approximately 15 feet above the water. When the boat slowed the kite tube dove into the water. The victim was seen floating face down in the water. The witness jumped in, turned him over, and lifted him into the boat. The victim was unconscious for an estimated 30 seconds. The victim refused transport by the ambulance, however was later taken to the emergency room by his wife. He learned that he had a perforated ear drum. The victim was wearing a PFD.

DuluthNewsTribune.com

Posted on Thu, Jul. 20, 2006

## Kite tube is recalled; Minnesotans among the injured

Associated Press

**MINNEAPOLIS** - A Nebraska company voluntarily recalled 19,000 inflatable kite tubes that go airborne when towed by a boat after two people were killed and several riders were injured, including at least five Minnesotans.

The U.S. Consumer Product Safety Commission asked consumers to stop using kite tubes, which are sold for \$500 to \$600 by Sportsstuff Inc. The recall covers all the kite tubes sold by the company, the commission said.

A Milwaukee man died while using the kite in northern Wisconsin on Little St. Germain Lake in Vilas County and two other deaths occurred in Texas and southwestern Ontario.

The recall was announced last week after 39 national accident reports detailed riders suffered injuries such as a broken neck, punctured lung, cracked ribs, a concussion and other chest, back and facial injuries.

"We don't know what caused the accidents," said Michael Beckelman, a company attorney, adding that the company is cooperating with the investigation to find out what action is necessary.

Although it's not clear how many were sold in Minnesota, 19-year-old Travis Kladivo of Tower was one of the Minnesotans injured, suffering a ruptured aorta and two collapsed lungs.

Kladivo had ridden the kite tube many times before and knew the danger of trusting his body to the 10-foot-wide device being pulled by a boat traveling up to 30 miles per hour.

"The feeling you get on a tube kite is like flying in a saucer," Kladivo said. "It's insane and that's when it's under control."

When he was hurt, Kladivo was 10 to 15 feet in the air when a gust of wind swept beneath his kite tube, shaking the inflated saucer, lifting it another 10 feet into the air.

"You're flying blind," Kladivo said. "There's no way to control it. And this time, I went one way and the tube went the other."

The sound of Kladivo crashing against the water on June 19 was louder than a rifle shot, said Randy Kladivo, Travis' father.

Kladivo, a junior at Bemidji State University, was told it took four units of blood to keep him alive while being transported from St. Cloud Hospital to Hennepin County Medical Center.

Surgeons told his family that his heart might've stopped momentarily when he hit the water, long enough for a clot to slow the flow of blood through the ruptured aorta.

Another rider, 40-year-old Kevin Eckhoff from New London was knocked out after being slammed from 15 feet in the air into the water.

"It happened so fast," he said. "There was no way I could get off."

Eckhoff suffered a perforated eardrum and a separated shoulder. He said soreness in his neck still keeps him from turning his head.

"I've done extreme stuff before but I knew right away that this is dangerous," he said.

Information from: Star Tribune, <http://www.startribune.com>

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<http://www.duluthsuperior.com>



IDI 060711HBB2676

On June 30, 2006, a 20-year-old St. Paul, MN male was riding on a tube kite that was being pulled behind a power boat on a lake near Battle Lake, MN. The tube kite had been used approximately five to six times prior by other individuals. At an earlier time, a 16-year-old male had been using the tube kite when he was tossed up into the air approximately 30 feet. The rider landed back onto the tube without injury.

At around 8:20 p.m., the 20-year-old male, who was approximately 71 inches tall and weighed 170 pounds, was riding the tube kite. The individual was wearing a life jacket and had not been consuming alcohol. The air temperature was 90 degrees with no wind. It was cloudy with good visibility.

The 20-year-old male proceeded to ride the tube kite up into the air, approximately twenty to twenty-five feet off of the water. The boat was traveling approximately 35 miles per hour on a calm lake.

While in the air, the tube kite turned unexpectedly to the side in a perpendicular fashion. It tipped quickly and the tube shot down to the water. The rider lost control of the tube and fell, landing on top of the tube. The boat slowed down and stopped.

As the boat went back to the rider, he was found in the water by the tube. The victim was spitting up blood and in pain. Authorities were contacted. A call came into the Otter Tail County dispatch at 8:37 p.m. on June 30, 2006. The victim was pulled into the boat and transported to shore where he was taken to a local hospital. The victim was reported to have bruised his chest and lungs. The victim's current condition is unknown.

This investigator initially spoke with the 39-year-old male driver of the boat by telephone on July 13, 2006. The individual e-mailed this investigator a photograph of the incident tube kite, which is contained in Exhibit A. The photograph shows a 16-year-old male being thrown up into the air. The rider, who landed back on top of the tube, was not injured. The driver of the boat stated that his brother owned the incident tube kite.

The driver of the boat stated that this was the first day that he was towing the tube kite. The incident occurred on the third or fourth run. The driver stated that he had extensive experience with other water sports that included pulling skiers and other inflatable equipment.

According to the driver, the speed of the boat depended on the weight of the rider. The driver estimated that he was traveling between 30 and 35 miles per hour during the incident run. The driver thought that the rider was approximately 25 feet in the air when the tube kite started to go out of control. The individual thought this was probably the maximum height that the rider had gone on the tube.

The driver stated that there is no way to communicate with the rider. According to the driver, you can't see through the plastic viewing area on the tube kite. The driver believed that the tow rope was in good condition and was approximately 75 feet long.

According to the driver, the rider can't control the tube kite. The tube tends to go from side to side, as well as up and down. Once the tube turned to the side in a perpendicular fashion and went out of control, there was nothing that he could do. The driver stated that he slowed down but the tube was still going up. The tube flipped and then the boat pulled it back down. According to the driver, there wasn't anything mechanically wrong with the tube kite prior to or after the incident.

The driver of the boat stated that everyone involved with the tube kite watched the instructional video that was provided with the product prior to its use.

On July 24, 2006, this investigator spoke with the owner of the boat and tube kite by telephone. The owner of the boat stated that he purchased the tube kite from a marine dealer in Battle Lake, MN. According to the consumer, he picked up the product after store hours as the tube kite had been set outside the retail store. The owner of the tube kite stated that he did not ask the sales staff from the retail store how to use the product. According to the consumer, an instructional DVD came with the product. The consumer

stated that he watched the DVD prior to the tube kite being used.

According to the tube kite owner, the product was used approximately five to six times prior to the incident on June 30, 2006. The consumer stated that he was familiar with other towed inflatables. The owner of the tube kite stated that the product came with a 70 foot rope. According to the owner, he did not make any modifications or repairs to the tube kite prior to the incident.

The boat owner stated that the incident occurred very fast. The tube kite shot straight up and then went straight down. The tube hit the water and then the rider landed hard on top of the tube kite. The boat owner called for medical assistance. According to the tube kite owner, he was not related to the victim. The consumer did not provide any contact information for the victim.

The owner of the tube kite did not provide a purchase invoice for the product. In a telephone conversation with the product owner on July 24, 2006, he stated that the incident tube kite was being stored at a location near Battle Lake, MN. The owner was aware of the recall involving his tube kite and intended on returning it to the dealer.

An incident report was filed with the Minnesota Department of Natural Resources and is the source document for this investigation.

PRODUCT INFORMATION:

Tube Kite

Brand: Wego 10-foot Kite Tube

Manufacturer: Sportsstuff, Inc.  
11213 E Circle, Suite A  
Omaha, NE, 68137  
Tel: 402-592-9085  
Fax: 402-592-1354  
Customer Service: 888-814-8833  
[www.sportsstuff.com](http://www.sportsstuff.com)  
Made in China

PRODUCT INFORMATION (CON'T):

Retailer: Battle Lake Marine, Inc.  
23394 State Highway 78  
Battle Lake, MN 56575  
(218) 864-8183

Purchase Date: June 10, 2006

Retail Price: \$500

The product consists of a ten-foot, circular, inflatable, tube kite that is red, black, and yellow in color. The cover of the tube kite bore a picture of a skull and crossbones.

The cover of the tube kite contained,

"KITE TUBE  
WEGO  
SPORTSSTUFF"

*Power Boat*

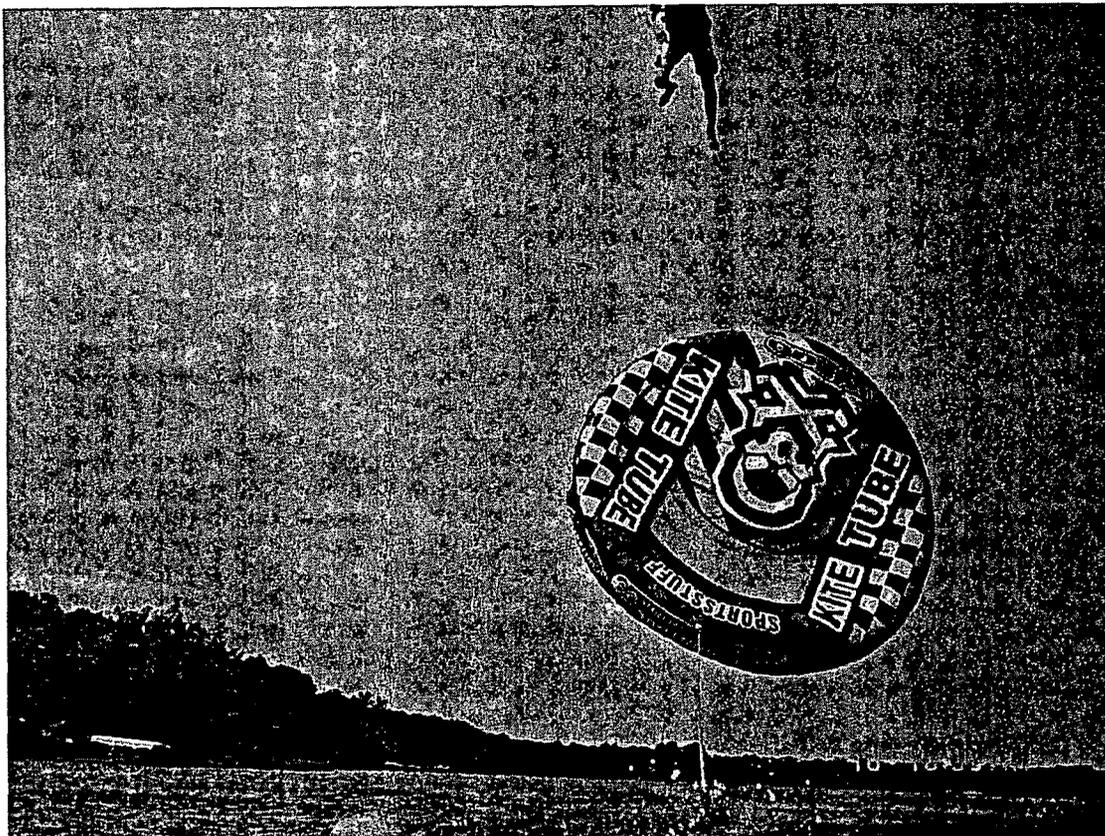
The boat that was pulling the tube kite was a 2005 "Glastron" brand, fiberglass Runabout, 17-feet long, with a Volvo 225 HP engine. The hull identification number was #GLA463523405.

ATTACHMENTS:

Exhibit A - Photograph

Exhibit B - Contact information

Exhibit A-1 below shows the tube kite involved in the incident.



IDI 060711HBB2676

Exhibit B

Contact Information

[REDACTED]  
Boat Operator

[REDACTED]  
[REDACTED]  
[REDACTED]  
Contact: 7/13/06

[REDACTED]  
Boat and Tube Kite Owner

[REDACTED]  
[REDACTED]  
[REDACTED]  
Contact: 7/24/06

[REDACTED]  
Victim  
No contact



IDI 060711HCC2677

On the evening of May 27, 2006, an 18-year-old Excelsior, MN male was riding on a tube kite that was being pulled behind a power boat on a lake near Balsam Lake, WI. The tube kite had been used approximately eight times prior by other individuals over an approximate two hour period without incident.

The 18-year-old male was riding the tube kite for the first time. The individual was wearing a full wet suit with a life jacket, but did not have gloves on. The 18-year-old male proceeded to ride the tube kite up into the air, averaging between fifteen and twenty feet off of the water. The boat was traveling approximately 25-26 miles per hour with light winds on the lake.

The rider was in the air for around 45 seconds when the tube kite suddenly turned to the side. The rider was unable to hang on and was thrown from the tube kite. The individual hit the water with a great deal of force. When spotters in the boat saw the tube kite turn and throw the rider into the water, the boat operator immediately cut power and returned to the area where the rider went into the lake.

As the boat pulled up to the victim, blood was visible coming from the 18-year-old's mouth and they realized that he was injured. The victim was pulled into the boat and transported to shore. The victim was removed from the boat and transported by ambulance to a hospital in St. Croix Falls, WI where he was seen in the emergency room. The victim was treated and released from the hospital at 12:22 a.m. on May 28, 2006. The victim was diagnosed with pulmonary contusion as a result of chest trauma, a sprained right knee ligament, and hematuria.

This investigator initially spoke with the complainant, who is the father of the victim, by telephone on July 12, 2006. An on-site visit was conducted at the consumer's residence on July 17, 2006. Photographs were taken of the incident product and are contained in Exhibit A. The information contained in this report was obtained from the complainant and his son, who were both interviewed by this investigator on July 17, 2006. The victim's mother assisted in the interview with her son as he is deaf.

The victim stated that he had never used a tube kite before and that this was the first time that he had been on the incident tube. In high school, the individual had participated in athletics and was in good physical health. The victim had extensive experience with water sports that included water skiing and the use of other equipment that was pulled behind a power boat.

According to the rider, the direction and height of the tube kite was controlled by the boat speed, allowing for little or no control of the tube by the rider once airborne. The rider believed that he went up a maximum of approximately twenty to twenty-five feet, which was his approximate height when he lost control of the tube kite. The rider stated that he could not see the boat unless the tube moved from side to side.

The rider stated that the incident happened so fast that he was unable to notify the driver or those in the boat. The rider stated that when the incident occurred it felt as if the tube bent in on the side. When it popped open, he could not hang on and was shot immediately into the water. According to the rider, there wasn't anything mechanically wrong with the tube kite at the time of the incident.

The victim's father stated that he was the owner of the tube kite, having ordered it at a boat show. The consumer stated the tube kite was shipped to him. The complainant did not ask the sales staff from the retail store where the product was actually received from or how to use the product. According to the complainant, an instructional DVD came with the tube kite. The consumer stated that he and the driver of the boat watched the instructional DVD. The consumer also stated that he read the safety warnings that were on the product.

According to the father, he was in the boat and saw the incident occur. The father stated that he was filming his son's ride on the tube kite with his cell phone. The complainant provided a copy of the video, which is contained in Exhibit B. The father stated that he too had used the tube kite but without incident.

The complainant stated that the tube kite had been used about eight times prior to the incident. According to the

consumer, he was familiar with other towed inflatables. The father stated that he had attached the rope from the tube kite to the boat. The rope was stated to have been at its maximum 65 feet at the time of the incident. The complainant stated that his brother was driving the boat and was going approximately 25 miles per hour. The father stated that his son was up in the air a maximum of about 20 feet and was around fifteen feet up when the incident occurred.

According to the consumer, there is no way to communicate with the rider while in the boat or operator while on the tube kite. The father stated that the tube kite suddenly went out of control without warning and there was nothing that could be done. The complainant stated that the driver could not let off the throttle fast enough. According to the consumer, it was not windy at the time of the incident.

The complainant stated that he did not make any modifications or repairs to the tube kite prior to the incident. The consumer did not provide any contact information for the owner/driver of the boat.

At the time of the on-site visit, the complainant also provided a copy of his son's discharge instructions from the emergency room that can be found in Exhibit C. The consumer provided this investigator with information on the tube kite that he had obtained on-line along with tube kite height estimations that he had derived from product advertising. See Exhibit D for this information.

The consumer also provided the e-mail notification that the retailer had sent to him detailing the recall of his tube kite. This information is contained in Exhibit E. The complainant had discussed the incident with the dealer from whom the product was purchased. The complainant did not provide this investigator with a copy of the purchase receipt for the tube kite.

According to the consumer, he contacted the manufacturer about the incident on or about July 11, 2006 via their 1-800 telephone number and requested a full refund. The consumer replied that he contacted the manufacturer again on July 14, 2006. According to the complainant, the

company would not give him his money back, stating that the product is fine and there is no issue with it.

PRODUCT INFORMATION:

*Tube Kite*

Brand: Wego 10-foot Kite Tube  
Model: 53-5000  
UPC: 0 29808 00518 0  
Manufacturer: Sportsstuff, Inc.  
11213 E Circle, Suite A  
Omaha, NE, 68137  
Tel: 402-592-9085  
Fax: 402-592-1354  
Customer Service: 888-814-8833  
www.sportsstuff.com  
Made in China  
Retailer: Premier Pool and Spa Inc.  
204 North Chestnut Street  
Highway 41  
Chaska, MN 55318  
Purchase Date: January 2006  
Retail Price: \$599 with \$100 credit  
on additional product

The product consists of a ten-foot, circular, inflatable, tube kite that is red, black, and yellow in color. The product contained "53-5000" imprinted near its valve. The cover of the tube kite bore a picture of a skull and crossbones.

The cover of the tube kite contained,

"KITE TUBE  
WEGO  
SOLO  
SPORTSSTUFF  
NEVER KITE HIGHER THAN YOU'RE WILLING TO FALL!"

*Power Boat*

The boat that was pulling the tube kite was described as a "Master Craft" brand, twenty and one-half foot long, "Pro Star 205" model with a 285 HP engine.

**ATTACHMENTS:**

Exhibit A - Photographs

Exhibit B - CD containing video of incident  
(SSPX0006 Fall From WEGO) and  
additional video of tube kite in use

Exhibit C - Victim's medical records

Exhibit D - Product information provided by complainant  
along with complainant's notes estimating  
height of tube in advertisement

Exhibit E - E-mail from retailer to consumer  
regarding recall

Exhibit F - Authorization for Release of Name Form  
(Do Not Release)

Exhibit G - Contact information

Exhibit A-1 below shows the top of the tube kite involved in the incident.



Exhibit A-2 below shows the bottom of the tube kite with its rope connected to it.



Exhibit A-3 below shows the product's model number located near the valve on the tube.



Exhibit A-4 below shows the "SPORTSSTUFF" logo and "NEVER KITE HIGHER THAN YOU'RE WILLING TO FALL!" on the product.



Exhibit A-5 below shows the skull and crossbones depiction on the bottom of the tube kite.



Exhibit A-6 below shows the viewing area on the tube kite.

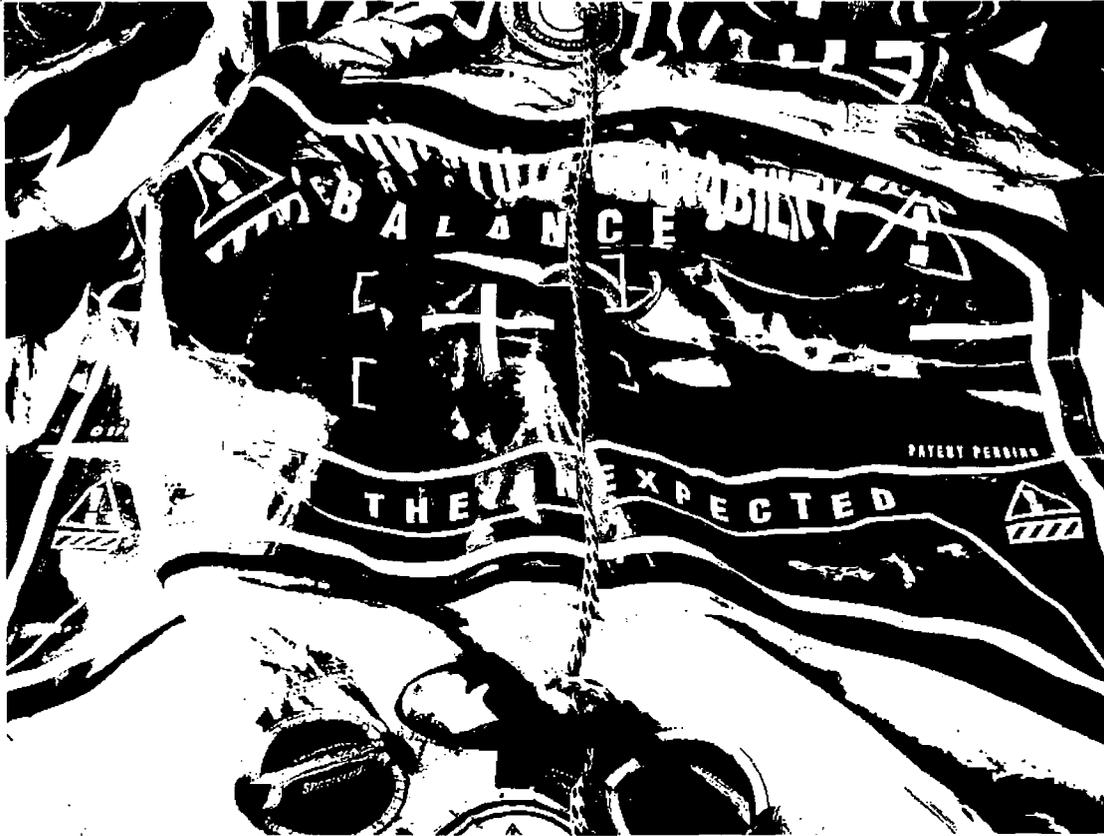


Exhibit A-7 below shows handles and the point of attachment for the leash on the tube kite.





Exhibit A-9 below shows waterskiing hand signals on the product.



Exhibit A-10 below shows a warning label on the product.

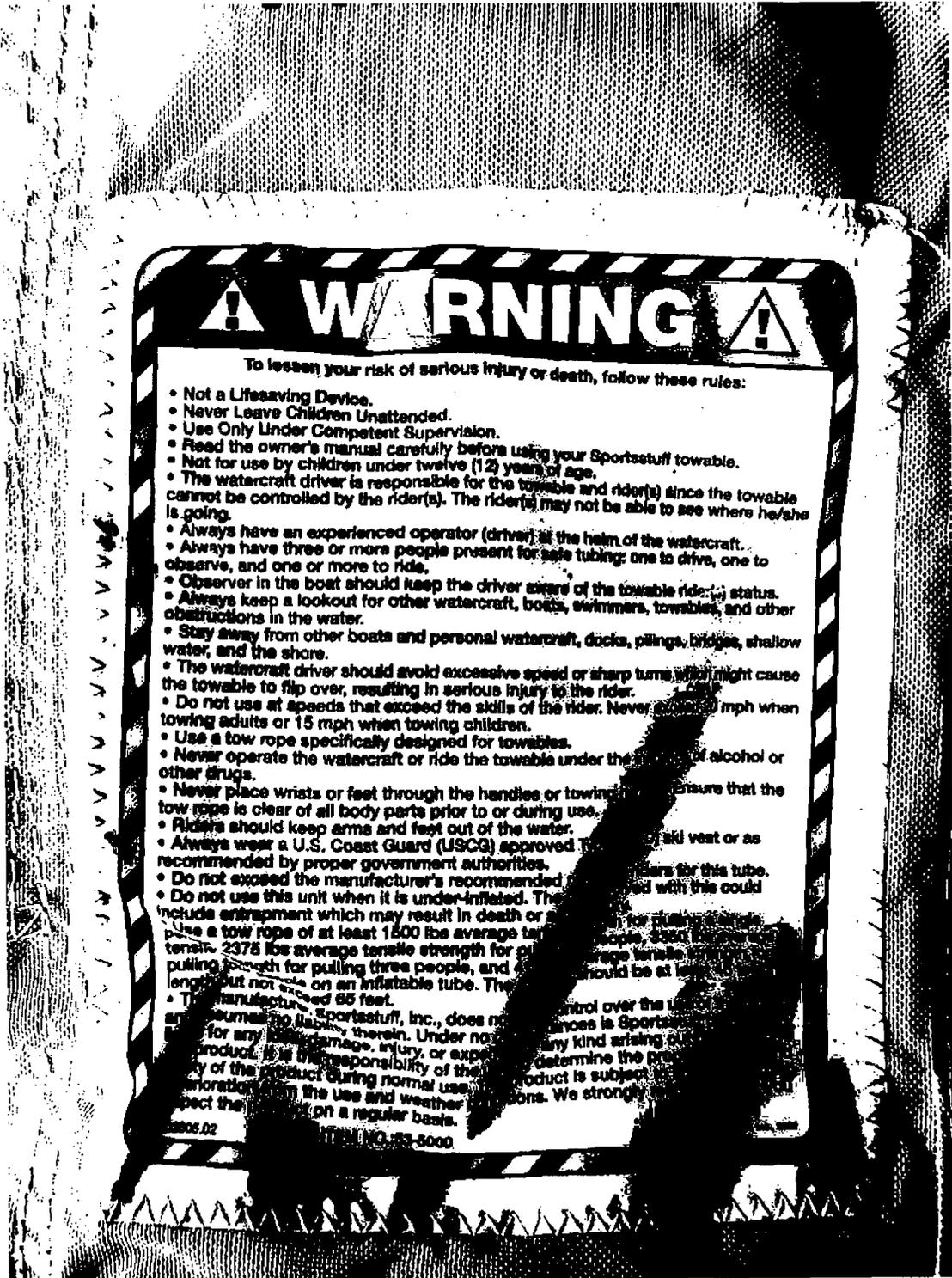


Exhibit A-11 below shows a "KITE TUBE RIDER" warning label on the product.







Exhibit A-14 below shows the retail box for the incident tube kite.



Exhibit A-15 below shows another side of the retail box for the incident tube kite.



Exhibit A-16 below shows manufacturer information listed on the retail packaging.



**SPORTSSTUFF, INC.**  
**11213 E Circle, Suite A**  
**Omaha, NE 68137 USA**  
**Tel: 402.592.9085**  
**Fax: 402.592.1354**

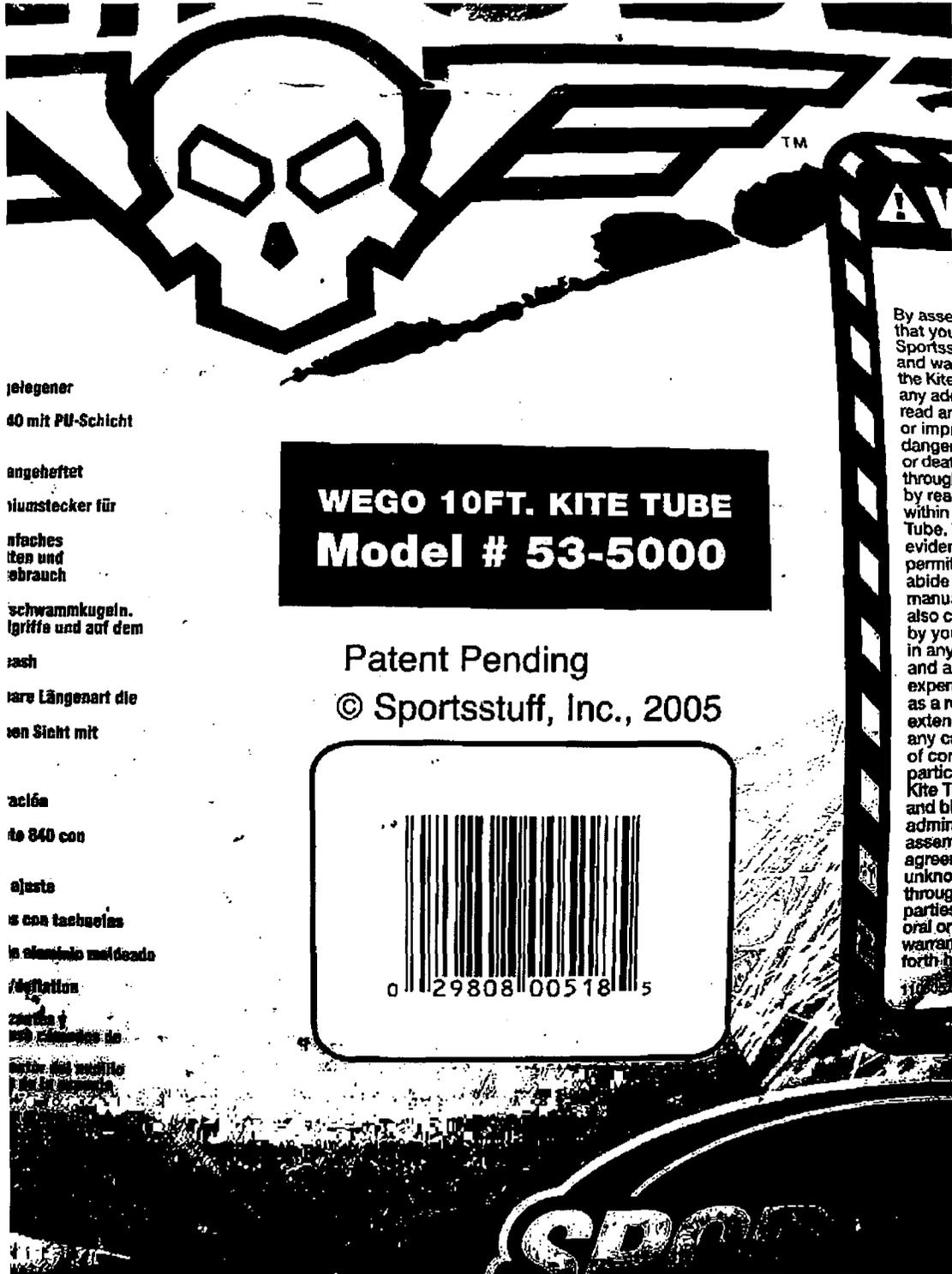
**MADE IN CHINA**

**Customer Service:**  
**888.814.8833**  
**Internet Address:**  
**<http://www.sportsstuff.com>**  
**E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)**

**GUARANTEE:** Sportsstuff, Inc. warrants, to the original purchaser only, that their high performance products when used for recreational purposes are free from defects in material and workmanship for a period of ninety (90) days from date of purchase. **FOR PROMPT PARTS REPLACEMENT, CONTACT SPORTSSTUFF DIRECTLY AT 888.814.8833. REPLACEMENT PARTS WILL BE PROVIDED WITHIN 48 HOURS OF NOTIFICATION MONDAY THROUGH FRIDAY. DO NOT RETURN IT TO YOUR DEALER.**

**ATTENTION:**  
Read all warnings and instructions on the product prior to use.

Exhibit A-17 below shows product information listed on the retail packaging.



gelegener  
40 mit PU-Schicht

angeheftet  
Klebstecker für

einaches  
Verbrauchen und  
Verbrauch

Schwammkugeln,  
Griffe und auf dem

Verbrauch

verschiedene Längenarten die

aus Sicht mit

Verbrauch

für 840 con

Verbrauch

mit Taschenöffner

in einem Handgepackt

Verbrauch

Verbrauch

Verbrauch

**WEGO 10FT. KITE TUBE  
Model # 53-5000**

Patent Pending

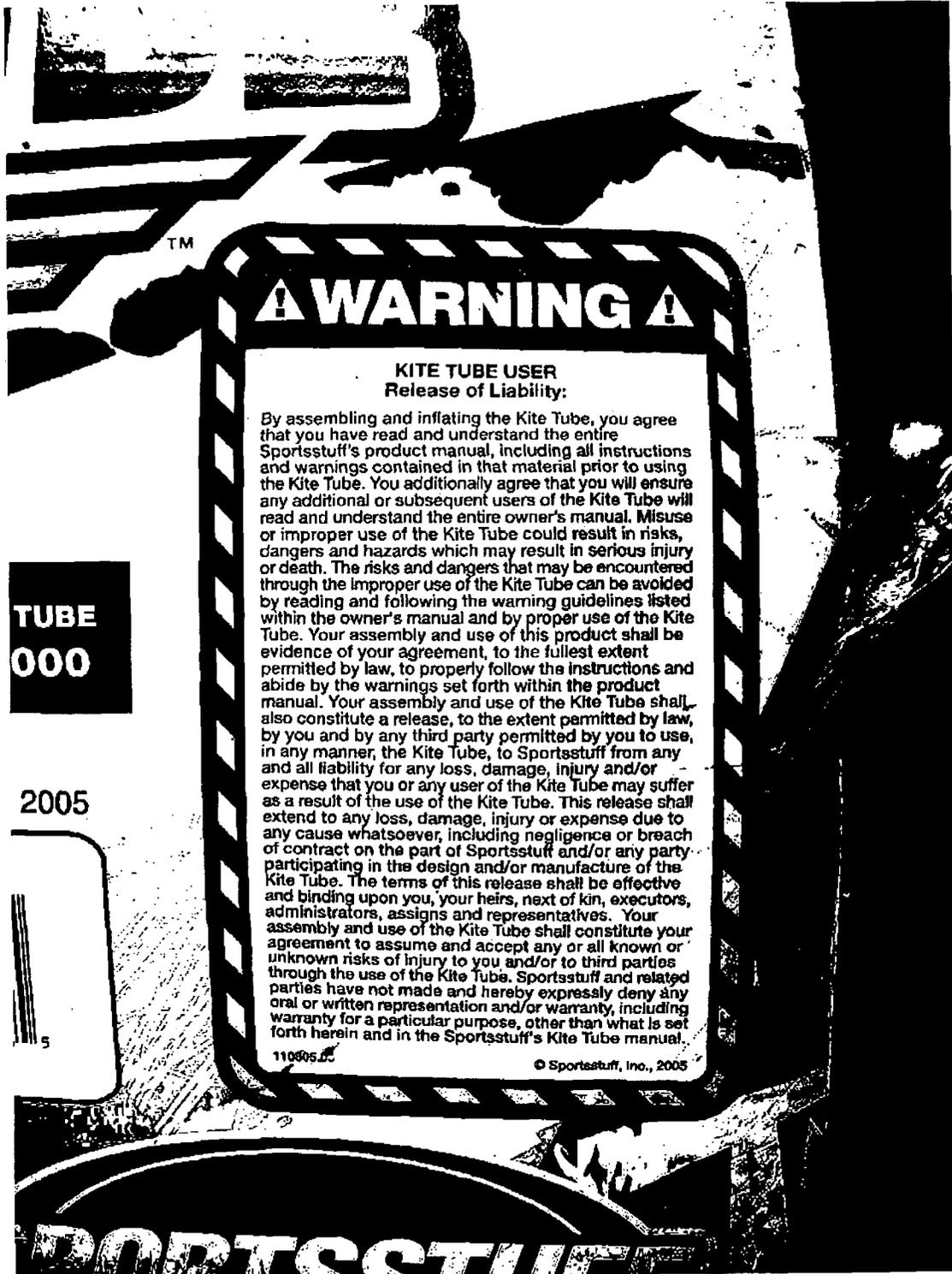
© Sportsstuff, Inc., 2005

0 29808 00518 5

By asse  
that you  
Sportss  
and wa  
the Kite  
any ad  
read ar  
or impr  
danger  
or dead  
through  
by rea  
within  
Tube,  
evider  
permi  
abide  
manu:  
also c  
by you  
in any  
and a  
exper  
as a n  
exten-  
any ca  
of cor  
partic  
Kite Ti  
and bi  
admin  
assem  
agreer  
unkno  
through  
parties  
oral or  
warren  
forth-b

SPORTSSTUFF

Exhibit A-18 below shows warning information listed on the retail packaging.



**WARNING**

**KITE TUBE USER  
Release of Liability:**

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks of injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty, including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.

110605

© Sportsstuff, Inc., 2005

**TUBE  
000**

2005

**SPORTSSTUFF**

Exhibit A-19 below shows additional product information listed on the retail packaging.

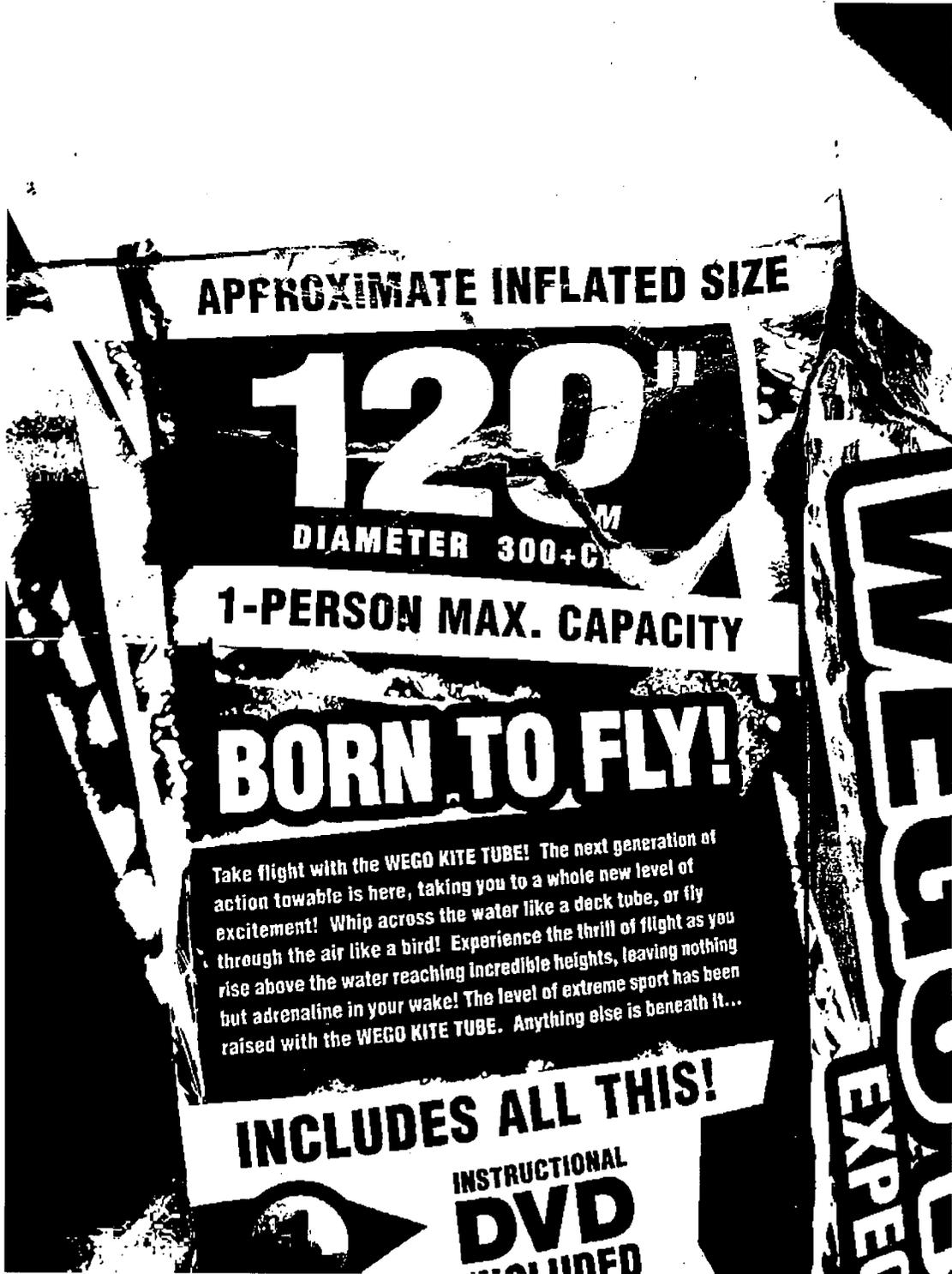


Exhibit A-20 below shows product information listed on the retail packaging.

**PERSON MAX. CAPACITY**

# BORN TO FLY!

Take flight with the WEGO KITE TUBE! The next generation of action towable is here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KITE TUBE. Anything else is beneath it...

## INCLUDES ALL THIS!

- 1** INSTRUCTIONAL DVD INCLUDED
- 2** STARTING LEASH
- 3** ADJUSTABLE SEGMENTED TOW ROPE!

**WEGO**  
**EXPECT THE UNEXPECTED**

**SPORTSSTUFF**



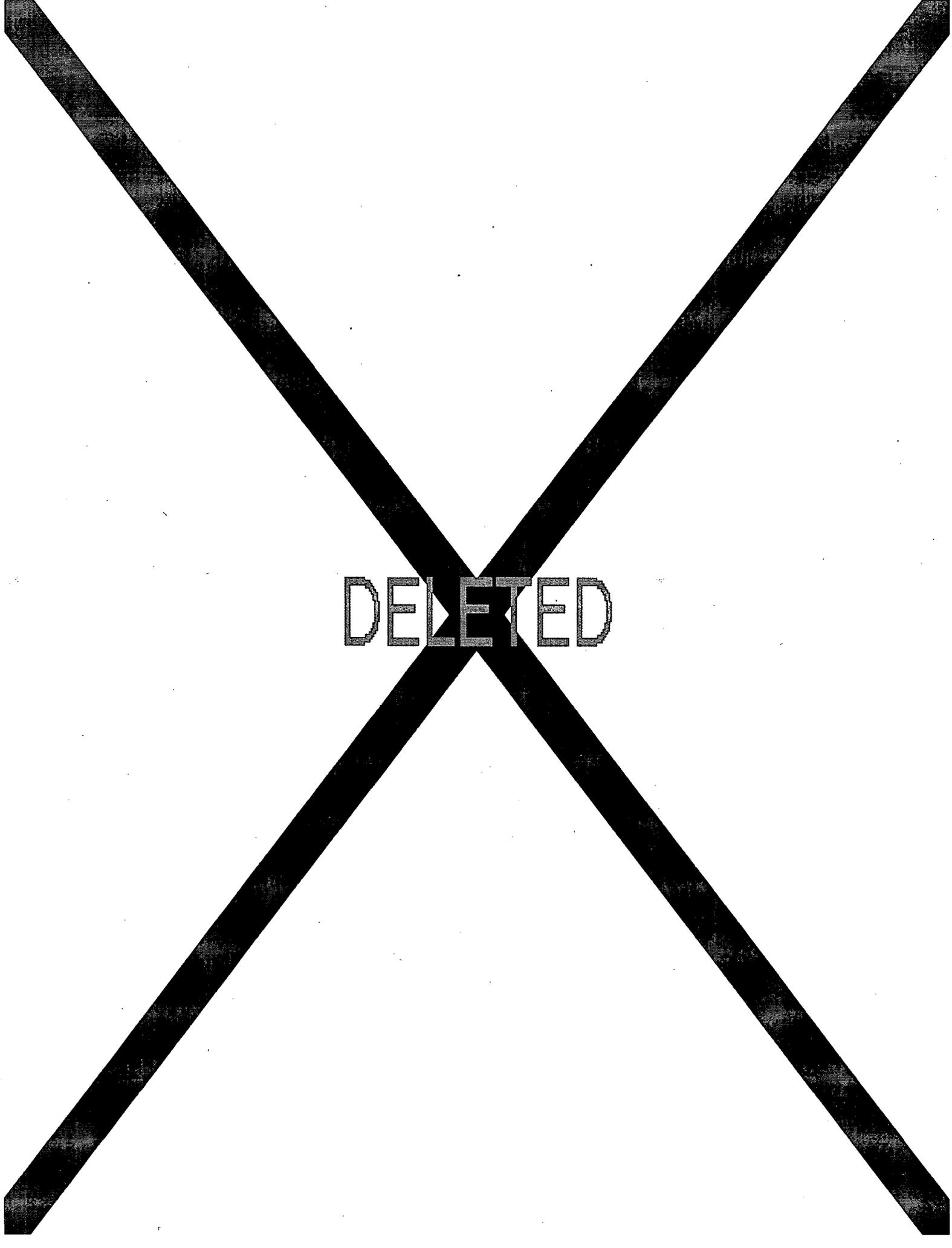
**IDI 060711HCC2677**

**Exhibit B**

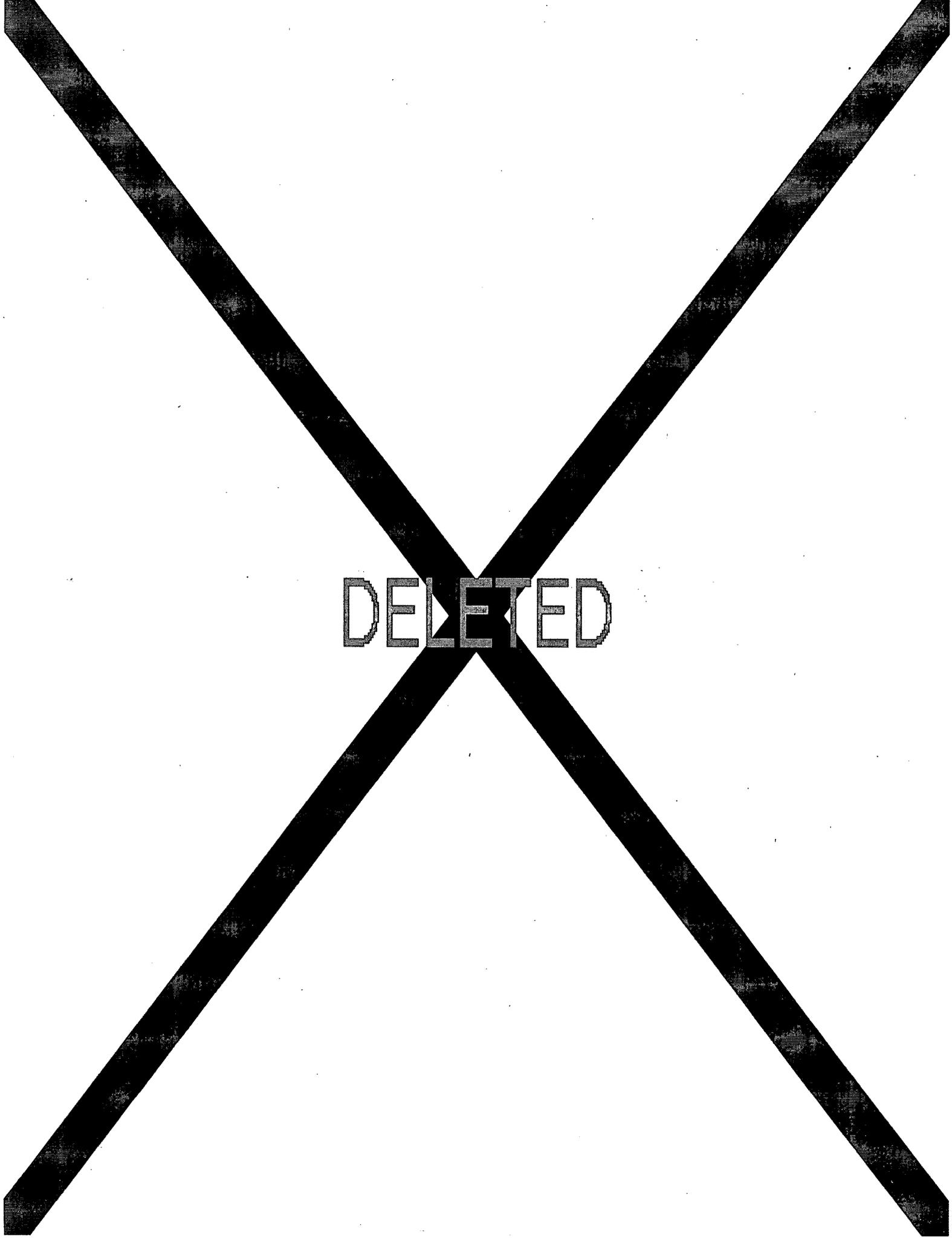
Due to the exhibit being a compact disk containing a video of the incident, the exhibit could not be scanned.

The DVD is on file in the Clearinghouse.

**EXHIBIT C: EMERGENCY DEPARTMENT DISCHARGE  
INSTRUCTIONS ARE RELEASED FOR CPSC USE ONLY**



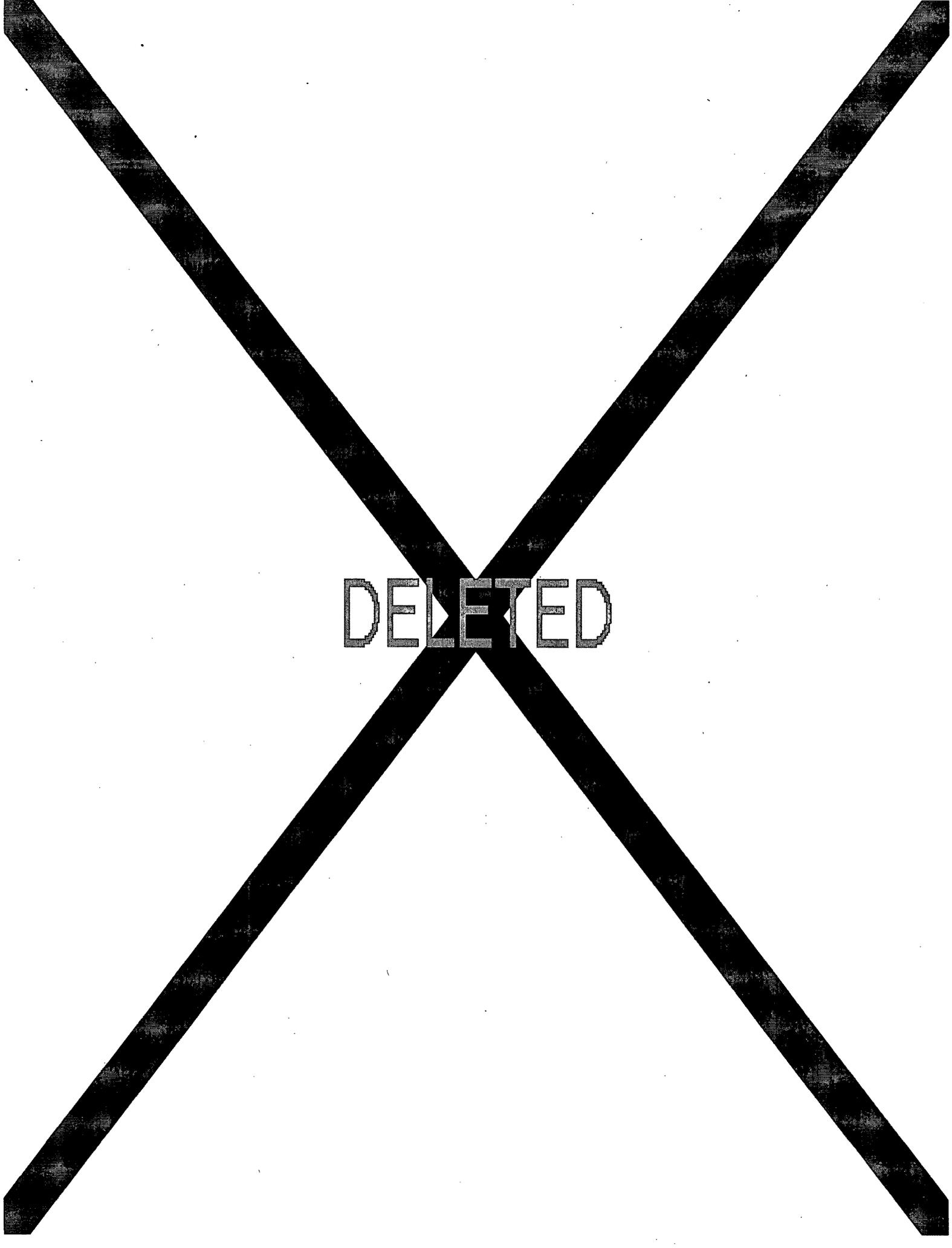
DELETED



DELETED



DELETED



DELETED

**This is the WEGO KITE TUBE, this  
is the future.**



*Watch The Video Here*

**Features and guidelines for use of the WEGO:**

- Sportsstuff's guidelines for riders: Every rider must be at least 100 lbs. to ride this tube, and no more than 200 lbs.
- When riding the WEGO, the boat driver must never exceed speeds of 25 m.p.h.
- Always start riding with the 45 foot rope included with this tube before trying a longer rope, do not use a longer rope until the boat driver and rider of the tube are absolutely confident in their abilities to control the tube's flight.
- Most importantly, always make sure your WEGO is fully inflated, a foot pump is almost always necessary to fully inflate this tube to optimal pressure. Remember: 80% of tubes are not fully inflated.
- If you have difficulties in flying the tube after you have followed all these guidelines, please contact us.
- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- Adjustable length style 45-55-65 foot segmented tow rope included
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guards
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows
- High visibility, billboard style, red and yellow watersports safety

- colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included!

.....

**This rope allows you to tow with a 45 foot, 55 foot, or 65 foot rope, depending on the weight of the rider and the conditions of the lake. Every rider will start with the 45 foot rope, after the boat driver and the rider are confident they can control the tube, they can eventually move to a 55 foot rope, simply by attaching the next section of rope. When the boat driver and the rider are absolutely confident in their abilities, they can upgrade your rope to 65 feet, simply by attaching the last 10 foot section.**

1.) CALCULATE HEIGHT FOR 45 FOOT ROPE AT 25 DEGREES

Side a = **19.02 ft**

Side b = 40.78 ft

Side c = 45 ft

Angle A = 25 deg (est)

2.) CALCULATE HEIGHT FOR 45 FOOT ROPE AT 25 DEGREES

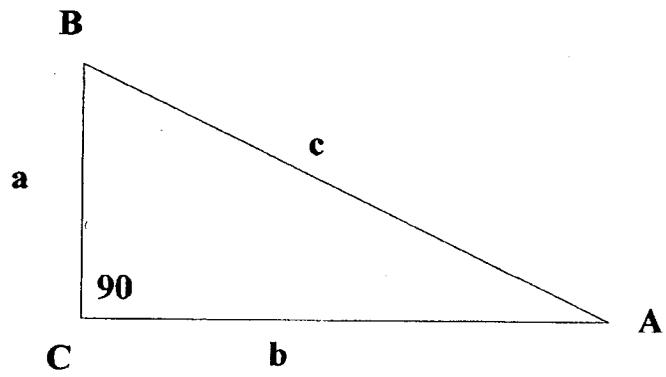
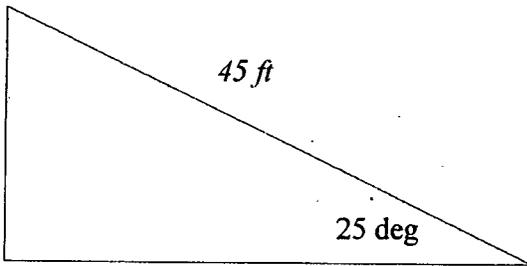
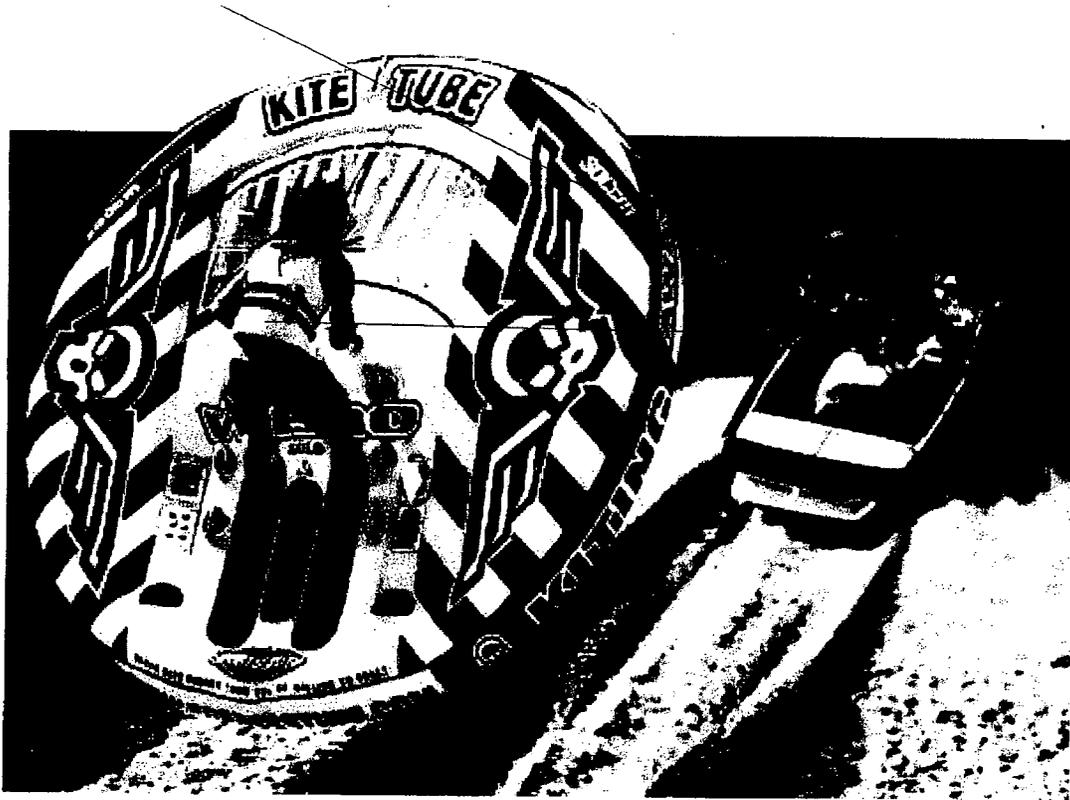
Side a = **27.47 ft**

Side b = 58.92 ft

Side c = 65 ft

Angle A = 25 deg (est)





060711HCC2677 Exhibit E

**From:** [REDACTED]  
**To:** [REDACTED]  
**Sent:** Thursday, July 13, 2006 12:24 PM  
**Subject:** Sportsstuff Wego Kite Tube Safety Recall



**From:**  
WaterRiders.com  
Premier Pool and Spa Inc.  
204 North Chestnut Street Hwy. 41  
Chaska, MN 55318

In response to a request by the CPSC (Consumer Product Safety Commission), the manufacturer of the Wego Kite Tube, Sportsstuff, has requested all its dealers, including WaterRiders.com, to notify their customers of an important safety recall. This recall has been attached below, and you can also see the recall on Sportsstuff's website [here](#). Please follow the instructions provided in the letter to get an exchange on your Wego Kite Tube from the manufacturer. If you have received this E-Mail on accident, and have never purchased this tube, please disregard this E-Mail.

To view the Safety Recall online:

<http://www.sportsstuff.com/news/07-12-06/images/Consumerletter07-10-06.pdf>

**Learn About the Wego Kite Tube Replacement Program:**

<http://www.sportsstuff.com/customercare/wegoexchange/index.shtml>

Regards,  
Alton Gerold  
[WaterRiders.com](http://WaterRiders.com)

**IMPORTANT SAFETY RECALL**  
**WEGO KITE TUBES (LETTER "B")**

**Our records indicate that, during 2005-2006, you purchased a Sportsstuff Wego Kite Tube. In recent weeks, Sportsstuff has received reports that persons have been seriously injured or died while using these kite tubes. To date, Sportsstuff has been unable to determine the causes of these incidents. While Sportsstuff does not believe that the products are defective or unreasonably dangerous, in an abundance of caution, Sportsstuff is cooperating with the U.S. Consumer Product Safety Commission to withdraw the kite tubes from the market and to undertake a voluntary recall to replace those in the possession of consumers with products of comparable value.**

7/17/2006

060711HCC2677 Exhibit E

**We therefore request that you stop using your kite tube and contact us at 1-866-831-5524 for instructions how to obtain the replacement product(s). Thank you for helping us in this important safety matter. We regret any inconvenience this may cause you.**

**Sincerely yours,  
Leroy Peterson  
Chief Executive Officer**

7/17/2006



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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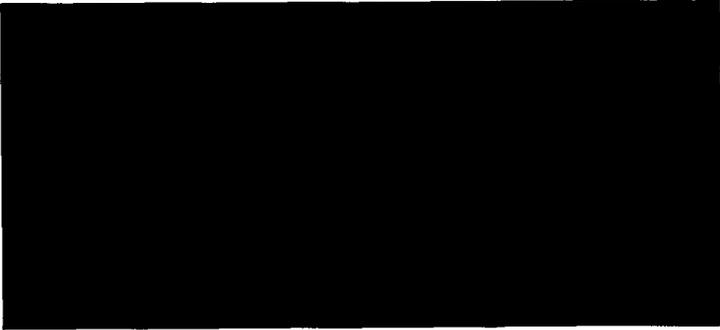
AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

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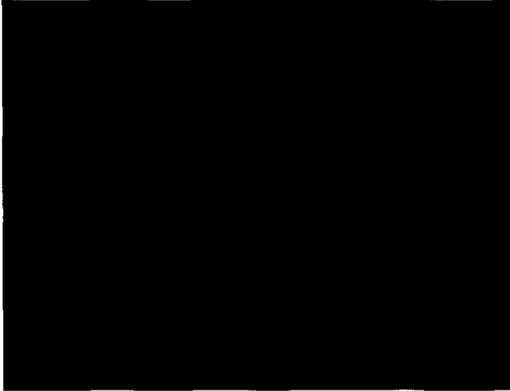


7-17-2006  
(Date)

IDI 060711HCC2677

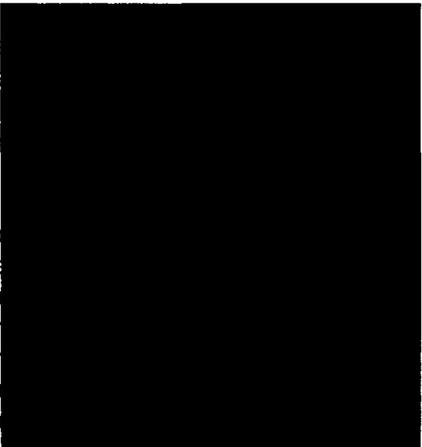
Exhibit G

Contact Information



07/09/2006 23:29:36

Name  
Address  
City  
State  
Zip =  
Email  
Telephone  
Name  
Victim  
Victim  
Victim  
Victim  
Victim



Incident Description: Sportstuff WEGO Flying tube becomes unstable dropping victim from the air in an unpredictable manner causing injury.

Victim's age at time of incident = 18  
Victim's sex = Male  
Date of incident = 6/7/2006  
Product involved = Sportstuff Wego Flying Tube  
Product brand name/manufacturer = Sportstuff Wego Flying Tube  
Manufacturer street address = 11213 E. Cir Suite A  
Place where manufactured (City and State or Country) = Omaha, NE 68137  
Product involved still available = Yes  
Product model and serial number, manufacture date = Wego Flying Tube  
Date product purchased = Jan 2006  
Name Release = Release name to manufacturer only



SUMMARY OF FINDINGS:

On July 4, 2006 at approximately 3:40 p.m the victim, a 42-year-old female, along with her husband and two children were on their friend's boat on Union Lake in Commerce Township, MI. The victim decided to go tubing on a kite tube and was wearing a personal floatation device. Her husband was the designated spotter while their friend was the driver of the boat. The victim's children and friend were riding near the front of the boat. The victim was being pulled with a 65 foot rope at 30-35 miles per hour and was approximately 10 to 12 feet in the air when the victim and tube flipped over and the victim landed in the water. The tube blocked the view of the victim therefore the witnesses could not tell how the victim landed in the water but they observed the victim floating face down in the water. The driver stopped the boat and he along with the victim's husband jumped into the water and turned the victim over so her face was out of the water. She appeared to be unconscious at the time. The two men got the victim on the stern of the boat and immediately called 911. They drove back to the Department of Natural Resources (DNR) boat launch where the victim was turned over to the fire department. The victim vomited three to four times and gained consciousness. She could not recall what had happened either before or after the incident. The victim was complaining of cervical pain and was transported to a local hospital. The victim's husband informed officials that the victim was not taking any medications and there were no known health problems.

The victim was hospitalized for partial paralysis and sustained injuries which included loss of one or more vital bodily functions including total loss of hearing in one ear and loss of equilibrium.

The weather conditions on the day of the incident were 87 degrees Fahrenheit, clear skies, winds were moderate at seven to fourteen miles per hour. The water conditions were choppy.

The boat that was used to tow the victim and kite tube is described as a 2002 22 foot Four Winns fiberglass open motorboat with an inboard outdrive. The boat measured eight feet in width. Officials inspected the boat and determined

that all necessary equipment was onboard the boat. Officials did not detect any odor of intoxicants on the driver of the boat nor did he appear to be under the influence of the any substances. The driver of the boat had over 500 hours of experience operating the type of boat used in the incident.

**PRODUCT:** Kite Tube

The product involved in this incident was a Wego Sportsstuff Kite Tube. The kite tube is a large one-passenger, inflatable, round water sport product which is red, white, black, and yellow in color with a picture of a large skull on the top of it.

The kite tube was not purchased by the victim and it is unknown who purchased the kite tube however it is known that the tube was purchased sometime after June 15, 2006.

**Dealer:** Unknown

**Manufacturer:** Sportsstuff Inc.  
11213 E. Circle, Suite A  
Omaha, NE 68137  
Telephone Number: 1-888-814-8833

**ATTACHMENTS:**

Exhibit "A" - Contact List

Exhibit "B" - Incident report obtained from the Oakland County Sheriff's Department

Exhibit "C" - Photograph of the product

Exhibit "D" - EMS report obtained from the West Bloomfield, MI, Fire Department

Exhibit "E" - Compliant filed by the victim's attorney

060711HCC2680

**Exhibit "A" - Contact List**

This in-depth investigation was assigned and initiated on 7/12/06. The information contained in this report was obtained from reports from the Oakland County Sheriff's Department and the West Bloomfield, MI, Fire Department.

Attempts to contact the victim and driver of the boat via letter and telephone were unsuccessful. This investigator was contacted by the victim's attorney, Thomas H. Howlett, Bloomfield Hills, MI who stated that he would answer questions on behalf of the victim. As of this date Mr. Howlett has not responded to this investigators questions.

Oakland County Sheriff's Department  
1201 North Telegraph Road  
Pontiac, MI 48341

West Bloomfield Fire Department  
6925 W. Maple Road  
West Bloomfield, MI 48325



MICHIGAN DEPARTMENT OF NATURAL RESOURCES - LAW ENFORCEMENT DIVISION  
**OFFICIAL BOATING ACCIDENT REPORT**

060711HCC2680  
 Exhibit B  
 No. \_\_\_\_\_

This information is required by authority of Part 801, of Marine Safety Act 451, P.A. 1994, as amended.  
 Any person violating the provisions of this Act is guilty of a misdemeanor and may be subject to a fine and/or imprisonment.

Department Oakland County Sheriff's Office	Date of Complaint 07-04-06	Complaint No. 66183	File Class 3455	No. Sheets Attached
---	-------------------------------	------------------------	--------------------	---------------------

Date of Accident 07-04-06	Time 1542 <input checked="" type="checkbox"/> AM <input checked="" type="checkbox"/> PM	County Oakland	Township, City or Village Commerce Twp
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Exact Location (name waters and fix location precisely) Union Lake along northwest shoreline. Approx 60ft. from shore.	TYPE OF WATER	Public Access: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Great Lakes, incl. Detroit, St. Clair and St. Mary's Rivers <input type="checkbox"/> Lakes Rivers & Streams directly connected with the Great Lakes <input type="checkbox"/> Inland Lakes	<input type="checkbox"/> Other Rivers Streams & Creeks <input type="checkbox"/> Gravel Pits, Excavations, Ditches, Canals, etc. <input type="checkbox"/> Other (Specify): <input type="checkbox"/> Unknown

Name and Address of Operator [Redacted]	DOB of Operator 04-26-65	Name and Address of Owner SAME	Boat Rented? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Telephone Number [Redacted]	Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Telephone Number ( )	No. of persons on board 5
	<input type="checkbox"/> No Operator / Unknown		No. towed 1

<b>OPERATOR'S EXPERIENCE</b>	<b>OTHER TYPE BOATS</b>	<b>FORMAL INSTRUCTION BOAT SAFETY</b>
<b>THIS TYPE OF BOAT</b> <input type="checkbox"/> Under 20 Hours <input checked="" type="checkbox"/> Over 500 Hours <input type="checkbox"/> 20 to 100 Hours <input type="checkbox"/> Unknown <input type="checkbox"/> 101 to 500 Hours	<input type="checkbox"/> Under 20 Hours <input checked="" type="checkbox"/> Over 500 Hours <input type="checkbox"/> 20 to 100 Hours <input type="checkbox"/> Unknown <input type="checkbox"/> 101 to 500 Hours	<input type="checkbox"/> None <input type="checkbox"/> Sheriff Department <input type="checkbox"/> USCG Auxiliary <input type="checkbox"/> State <input type="checkbox"/> U.S. Power Squadron <input type="checkbox"/> Other (Indicate) _____ <input type="checkbox"/> American Red Cross <input checked="" type="checkbox"/> Unknown

Registration Number M [Redacted]	Boat Make Four Winns	Boat Model	MFR Hull ID Number [Redacted]
-------------------------------------	-------------------------	------------	----------------------------------

<b>TYPE OF BOAT</b>	<b>HULL</b>	<b>ENGINE</b>	<b>PROPULSION</b>	<b>CONSTRUCTION</b>
<input checked="" type="checkbox"/> Open Motorboat <input type="checkbox"/> Canoe <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Raft/Homemade <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> PWC (Jet Ski) <input type="checkbox"/> Sail (Only) <input type="checkbox"/> Other/Unknown <input type="checkbox"/> Rowboat	<input type="checkbox"/> Wood <input type="checkbox"/> Steel <input type="checkbox"/> Aluminum <input checked="" type="checkbox"/> Fiberglass (Plastic) <input type="checkbox"/> Canvas <input type="checkbox"/> Unknown	<input type="checkbox"/> Outboard <input type="checkbox"/> Inboard Gasoline <input type="checkbox"/> Inboard Diesel <input checked="" type="checkbox"/> Inboard Outdrive <input type="checkbox"/> None <input type="checkbox"/> Unknown	No. of Engines: 1 Make of Engine: Mercruiser Horsepower (Total): 350 Year Built (Engine): 02	Length: 22' 11" Width (Beam): 8 Depth (Inner Transom to Keel): Year Built (Boat): 02

<b>OPERATION AT TIME OF ACCIDENT UNDERWAY</b>	Damage to Craft
<input type="checkbox"/> Cruising <input checked="" type="checkbox"/> Towing Other <input type="checkbox"/> Paddling <input type="checkbox"/> Race Non-Sanctioned <input type="checkbox"/> Sailing <input type="checkbox"/> Maneuvering to Dock, Anchor, Etc. <input type="checkbox"/> Being Towed <input type="checkbox"/> At Anchor <input type="checkbox"/> Other (Specify): <input type="checkbox"/> Trolling <input type="checkbox"/> Towing Skier <input type="checkbox"/> Drifting <input type="checkbox"/> At Dock <input type="checkbox"/> Fueling <input type="checkbox"/> Unknown	Estimated Damage (Enter Dollar Amount Only) \$ 0

<b>WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES?</b>	<b>WERE FIRE EXTINGUISHERS USED?</b>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Were They Accessible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Were They Used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Type: _____ No on Board: _____

Name and Address of Operator	DOB of Operator	Name and Address of Owner	Boat Rented? <input type="checkbox"/> Yes <input type="checkbox"/> No
Telephone Number ( )	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Telephone Number ( )	No. of persons on board
	<input type="checkbox"/> No Operator / Unknown		No. towed

<b>OPERATOR'S EXPERIENCE</b>	<b>OTHER TYPE BOATS</b>	<b>FORMAL INSTRUCTION BOAT SAFETY</b>
<b>THIS TYPE OF BOAT</b> <input type="checkbox"/> Under 20 Hours <input type="checkbox"/> Over 500 Hours <input type="checkbox"/> 20 to 100 Hours <input type="checkbox"/> Unknown <input type="checkbox"/> 101 to 500 Hours	<input type="checkbox"/> Under 20 Hours <input type="checkbox"/> Over 500 Hours <input type="checkbox"/> 20 to 100 Hours <input type="checkbox"/> Unknown <input type="checkbox"/> 101 to 500 Hours	<input type="checkbox"/> None <input type="checkbox"/> Sheriff Department <input type="checkbox"/> USCG Auxiliary <input type="checkbox"/> State <input type="checkbox"/> U.S. Power Squadron <input type="checkbox"/> Other (Indicate) _____ <input type="checkbox"/> American Red Cross <input type="checkbox"/> Unknown

Registration Number	Boat Make	Boat Model	MFR Hull ID Number

<b>TYPE OF BOAT</b>	<b>HULL</b>	<b>ENGINE</b>	<b>PROPULSION</b>	<b>CONSTRUCTION</b>
<input type="checkbox"/> Open Motorboat <input type="checkbox"/> Canoe <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Raft/Homemade <input type="checkbox"/> Auxiliary Sail <input type="checkbox"/> PWC (Jet Ski) <input type="checkbox"/> Sail (Only) <input type="checkbox"/> Other/Unknown <input type="checkbox"/> Rowboat	<input type="checkbox"/> Wood <input type="checkbox"/> Steel <input type="checkbox"/> Aluminum <input type="checkbox"/> Fiberglass (Plastic) <input type="checkbox"/> Canvas <input type="checkbox"/> Unknown	<input type="checkbox"/> Outboard <input type="checkbox"/> Inboard Gasoline <input type="checkbox"/> Inboard Diesel <input type="checkbox"/> Inboard Outdrive <input type="checkbox"/> None <input type="checkbox"/> Unknown	No. of Engines: _____ Make of Engine: _____ Horsepower (Total): _____ Year Built (Engine): _____	Length: _____ Width (Beam): _____ Depth (Inner Transom to Keel): _____ Year Built (Boat): _____

<b>OPERATION AT TIME OF ACCIDENT UNDERWAY</b>	Damage to Craft
<input type="checkbox"/> Cruising <input type="checkbox"/> Towing Other <input type="checkbox"/> Paddling <input type="checkbox"/> Race Non-Sanctioned <input type="checkbox"/> Sailing <input type="checkbox"/> Maneuvering to Dock, Anchor, Etc. <input type="checkbox"/> Being Towed <input type="checkbox"/> At Anchor <input type="checkbox"/> Other (Specify): <input type="checkbox"/> Trolling <input type="checkbox"/> Towing Skier <input type="checkbox"/> Drifting <input type="checkbox"/> At Dock <input type="checkbox"/> Fueling <input type="checkbox"/> Unknown	Estimated Damage (Enter Dollar Amount Only) \$

<b>WAS THE BOAT ADEQUATELY EQUIPPED WITH CG APPROVED LIFESAVING DEVICES?</b>	<b>WERE FIRE EXTINGUISHERS USED?</b>
<input type="checkbox"/> Yes <input type="checkbox"/> No Were They Accessible? <input type="checkbox"/> Yes <input type="checkbox"/> No Were They Used? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No Type: _____ No on Board: _____

2607114CC-2680. Exhibit B

OTHER P.D. Damage to other property (Describe) \_\_\_\_\_

Estimated Damage \$ \_\_\_\_\_

WEATHER CONDITIONS	WEATHER	WATER	WIND	VISIBILITY	TEMPERATURE	WEATHER ENCOUNTERED
	<input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Fog <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Hazy <input type="checkbox"/> Unknown	<input type="checkbox"/> Calm <input checked="" type="checkbox"/> Choppy <input type="checkbox"/> Rough <input type="checkbox"/> Very Rough <input type="checkbox"/> Strong Current <input type="checkbox"/> Unknown	<input type="checkbox"/> None <input type="checkbox"/> Light (0-6 MPH) <input checked="" type="checkbox"/> Moderate (7-14 MPH) <input type="checkbox"/> Unknown	<input type="checkbox"/> Strong (15-25 MPH) <input type="checkbox"/> Storm (over 25 MPH)	<input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Unknown	<input type="checkbox"/> Air 87 °F <input type="checkbox"/> Water _____ °F

TYPE OF ACCIDENT	VICTIM'S ACTIVITY	CAUSE	PHYSICAL CONDITION
<input type="checkbox"/> Grounding <input type="checkbox"/> Capsizing <input type="checkbox"/> Flooding <input type="checkbox"/> Sinking <input type="checkbox"/> Fire or Explosion (Fuel) <input type="checkbox"/> Fire or Explosion (Other than Fuel) <input type="checkbox"/> Burns <input type="checkbox"/> Collision with Vessel <input type="checkbox"/> Collision with Floating Object	Victims' 1 2 <input type="checkbox"/> Boating <input type="checkbox"/> Canoeing <input type="checkbox"/> Racing <input type="checkbox"/> Fishing <input type="checkbox"/> Hunting <input checked="" type="checkbox"/> Water Sports (Skiing, Surfboard, etc.) <input type="checkbox"/> Swimming <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Unknown	<input type="checkbox"/> Weather Conditions <input type="checkbox"/> Hazardous Waters <input type="checkbox"/> Excessive Speed/ <input type="checkbox"/> Racing Nonsanctioned <input type="checkbox"/> Reckless Operation <input type="checkbox"/> No Proper Lookout <input type="checkbox"/> Overloading <input type="checkbox"/> Improper Loading	<input type="checkbox"/> Passenger Negligence <input type="checkbox"/> Faulty Hull <input type="checkbox"/> Faulty Equipment <input type="checkbox"/> Racing Sanctioned <input type="checkbox"/> Operator Negligence <input type="checkbox"/> Skier Inexperience <input type="checkbox"/> Operator Inexperience <input type="checkbox"/> Other Inexperience <input type="checkbox"/> Inexperience <input checked="" type="checkbox"/> Other/Unknown

No. of Victims: 1  
 Victim # 1 Location of Victim:  Vessel No. 1 (or attached to)  Vessel No. 2 (or attached to)  Other

1. Name of Victim: \_\_\_\_\_ Telephone No. \_\_\_\_\_ Age 42 Sex  M  F

Address of Victim: \_\_\_\_\_ Was Victim  Deceased  Injured Was Victim  Swimmer  Non-Swimmer  Unknown

City: \_\_\_\_\_ State: MI ZIP code: 48327 Was Victim Incapacitated for 24 Hours or More?  Yes  No

Injuries:  Amputation  Back Injury  Broken Bone(s)  
 Burns  Contusion  Dislocation  
 Head Injury  Hypothermia  Internal Injuries  
 Laceration  Neck Injury  Shock  
 Spinal Injury  Sprain/Strain  Teeth

Where Treated (Name of hospital): Huron Valley Hospital Artificial Respiration Used?  Yes  No

Physician in Attendance?  Yes  No Physician's name: Dr. \_\_\_\_\_

2. Name of Victim: \_\_\_\_\_ Telephone No. ( ) Age Sex  M  F

Address of Victim: \_\_\_\_\_ Was Victim  Deceased  Injured Was Victim  Swimmer  Non-Swimmer  Unknown

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP code: \_\_\_\_\_ Was Victim Incapacitated for 24 Hours or More?  Yes  No

Injuries:  Amputation  Back Injury  Broken Bone(s)  
 Burns  Contusion  Dislocation  
 Head Injury  Hypothermia  Internal Injuries  
 Laceration  Neck Injury  Shock  
 Spinal Injury  Sprain/Strain  Teeth

Where Treated (Name of hospital): \_\_\_\_\_ Artificial Respiration Used?  Yes  No

Physician in Attendance?  Yes  No Physician's name: \_\_\_\_\_

REMARKS: Describe Briefly What Happened (If diagram is needed attach separately or attach police report) Vessel MC 2443 SS was driven by \_\_\_\_\_ along the northwest shoreline of Union Lake at approx. 15:42pm. Subject was towing the victim \_\_\_\_\_ age 42 on a sportsstuff kite 2 with a 65 feet rope at approx. 30-35 mph. Victim was flipped over and went into the water. Driver and witness stated they then observed the victim laying face down in the water. Driver drove quickly to victim and entered the water. Driver and victims husband (\_\_\_\_\_) retrieved victim from the water. Victim was pulled into vessel. Vessel was driven to DNR access site located on Union Lake Rd. om Commerce Twp. victim was then turned over to Fire Dept.

Arrests:  Yes  No

Name	Charge
_____	_____
_____	_____

1. Name of Witness	Telephone No.	2. Name of Witness	Telephone No.
_____	_____	_____	_____
Address of Witness: _____		Address of Witness: _____	
City: _____ State: MI ZIP code: 48327		City: _____ State: MI ZIP code: 48324	
Location of Witness: Aboard Vessel		Location of Witness: Aboard Vessel	

Reported by (Name): \_\_\_\_\_ Telephone No. \_\_\_\_\_ Report Received By (Name): 911 operator Date and Time: 3:42  AM  PM

Address: \_\_\_\_\_ Investigator Rank: Marine Deputy Badge No. 1327

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP code: \_\_\_\_\_ Investigator Signature: D. Neubeck

Complaint closed by:  Arrest  Service Rendered  Other  Exceptional Clearance

OAKLAND COUNTY SHERIFF DEPT.  
1201 N. Telegraph Rd., Pontiac, MI 48341  
Phone: (248) 858-5011  
FAX: (248) 452-2102 ORI # MI 6316300

# INCIDENT / PROSECUTION REPORT

0607114002680 Exhibit B

PO #

PRIMARY SUPP PAGE OF

01	DATE 7-4-06	DAY TUE	SHIFT 02	PLAT 01	BADGE 1 1327	BADGE 2	UCR CLO	ADMIN CLO	YEAR 06	INCIDENT # 66183
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02	RECEIVED 1542	DISPATCHED 1542	ARRIVED 1551	COMPLETED 1636	DATE(S) OCCURRED 07/04/06	TIME(S) OCCURRED 1542	HOUR 15	DAY TUE
----	------------------	--------------------	-----------------	-------------------	------------------------------	--------------------------	------------	------------

03	LOCATION / ADDRESS Union Lake	LOCATION 2 (INTERSECTING STREET) Northwest Shoreline
----	----------------------------------	---

04	CITY Commerce Twp.	STATE MI	ZIP 48382	CODE	BUSINESS NAME	BUSINESS PHONE
----	-----------------------	-------------	--------------	------	---------------	----------------

05	ESTAB CODE	ORIGIN <input type="checkbox"/> PHONE <input type="checkbox"/> PERSON <input checked="" type="checkbox"/> 911 <input type="checkbox"/> OTHER	HOW ACTIVATED <input type="checkbox"/> FOP <input type="checkbox"/> PERSON <input type="checkbox"/> MDT <input type="checkbox"/> DISP <input type="checkbox"/> OTHER	REPORT TAKEN <input type="checkbox"/> SCENE <input type="checkbox"/> STATION	PHONE <input type="checkbox"/> OTHER	REC BADGE 1327	DISP BADGE	UNIT 1 8831	UNIT 2
----	------------	---	---	---	---	-------------------	------------	----------------	--------

06	NATURE OF INCIDENT #1 Boating Accident	ATT <input type="checkbox"/>	CRIME CLASS 3455	ALC DRUGS COMP <input type="checkbox"/>	BIAS	WEAPON	# PREM	ACTIVITY	POINT OF ENTRY / ATTACK
07	NATURE OF INCIDENT #2	ATT <input type="checkbox"/>	SEC CLASS	ALC DRUGS COMP <input type="checkbox"/>	BIAS	WEAPON	# PREM	ACTIVITY	METHOD OF ENTRY / ATTACK
08	NATURE OF INCIDENT #3	ATT <input type="checkbox"/>	SEC CLASS	ALC DRUGS COMP <input type="checkbox"/>	BIAS	WEAPON	# PREM	ACTIVITY	TOOL / OBJECT / WEAPON
09	NATURE OF INCIDENT #4	ATT <input type="checkbox"/>	SEC CLASS	ALC DRUGS COMP <input type="checkbox"/>	BIAS	WEAPON	# PREM	ACTIVITY	OTHER CHARACTERISTICS

CODES (1) REPT'D BY (2) OWNER (3) VICT (4) PERS INTERV (5) ARREST (6) SUSP (7) MISS'G (8) WITN (9) SECUR'D BY (O) JUV ARESST (D) DRIVER (P) PASSNGR (R) RESPONSIBLE (S) SUMMONED (X) MISC

10	CODE 3	VICT # 01	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) [REDACTED]	RAC W	SEX F	DOB [REDACTED]	AGE 42	VICTIM TO RECEIVE CVRA NOTICE
----	-----------	--------------	---	----------	----------	-------------------	-----------	-------------------------------

11	CODE 3	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM'S REP) [REDACTED]	RAC W	SEX F	DOB [REDACTED]	AGE 42	RELATION TO ACTUAL VICTIM Self
----	-----------	--	----------	----------	-------------------	-----------	-----------------------------------

12	ADDRESS 7063	(DIRECTION, STREET, SUFFIX, QUALIFIER) Villa Drive	CITY Waterford	STATE MI	ZIP 48327
----	-----------------	---	-------------------	-------------	--------------

13	HOME PHONE	BUSINESS PHONE	STATE MI	DRIVER'S LICENSE #	CONN <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	TYP 1	REL TO OFF #	INJ 0	V CIRC 0	JHC
----	------------	----------------	-------------	--------------------	---	----------	--------------	----------	-------------	-----

14	PE D4	CODE 01	OFN # 01	NAME (LAST, FIRST, MIDDLE, SUFFIX) [REDACTED]	RAC W	SEX M	DOB 01/26/65	AGE 41
----	----------	------------	-------------	--	----------	----------	-----------------	-----------

15	ADDRESS [REDACTED]	(DIRECTION, STREET, SUFFIX, QUALIFIER) [REDACTED]	CITY [REDACTED]	STATE MI	ZIP 48324
----	-----------------------	--	--------------------	-------------	--------------

16	HOME PHONE	BUSINESS PHONE	HEIGHT 508	WEIGHT 175	EYES HAZ	HAIR	LENGTH SHT	STYLE	BUILD MED	SKIN TONE
----	------------	----------------	---------------	---------------	-------------	------	---------------	-------	--------------	-----------

17	STATE MI	DRIVER'S LICENSE #	SOC SEC #	SID #	FBI #	MISC #
----	-------------	--------------------	-----------	-------	-------	--------

18	ALIAS (MAIDEN NAME, LAST, FIRST, MIDDLE, SUFFIX)	COMMENTS / CLOTHING / ETC.	VIOLATION
----	--	----------------------------	-----------

19	ARREST CHR G 1	ARREST DATE	PLAT	BADGE 1	BADGE 2	FM	DIS	ARREST CHR G 2	ARREST DATE	PLAT	BADGE 1	BADGE 2	FM	DIS
----	----------------	-------------	------	---------	---------	----	-----	----------------	-------------	------	---------	---------	----	-----

20	OST	MCN	CLR	Armed at Arrest	ORIGIN <input type="checkbox"/> FOP <input type="checkbox"/> PER <input type="checkbox"/> MDT	DISP <input type="checkbox"/> TEL	STATUS 1 <input type="checkbox"/> JAILED 2 <input type="checkbox"/> RELEASED 3 <input type="checkbox"/> APPEARANCE TCKT 4 <input type="checkbox"/> NOT ARRESTED	FINGERPRINTS <input type="checkbox"/> YES <input type="checkbox"/> NO	CHR <input type="checkbox"/> YES <input type="checkbox"/> NO	ACTION REQUESTED 1 <input type="checkbox"/> ARREST WARRANT 2 <input type="checkbox"/> SEARCH WARRANT 3 <input type="checkbox"/> PADLOCK 4 <input type="checkbox"/> INJUNCTION 5 <input type="checkbox"/> FORFEITURE 6 <input type="checkbox"/> OTHER
----	-----	-----	-----	-----------------	--	--------------------------------------	--	--	---	---

21	CODE V	DESCRIPTION Watercraft	PROP TYPE 3910	QUANTITY 1	YEAR	MAKE FourWinns	MODEL
----	-----------	---------------------------	-------------------	---------------	------	-------------------	-------

22	STYLE WC	COLORS WHI	MONTH BLU	YEAR 03 07	STATE MI	LICENSE PLATE [REDACTED]	SERIAL / VIN # [REDACTED]
----	-------------	---------------	--------------	---------------	-------------	-----------------------------	------------------------------

23	STOLEN	DAMAGED	RECOVERED	PROPERTY TAG #	LOCATION PROPERTY	LEIN REF #	NCIC #
----	--------	---------	-----------	----------------	-------------------	------------	--------

24	COMMENTS / INSURANCE COMPANY / LEIN HOLDER / BANK	REC BADGE 1	REC BADGE 2	LEO	RECOVERY DATE	DG TYPE	DRUG AMOUNT	MEAS
----	---	-------------	-------------	-----	---------------	---------	-------------	------

25	BRIEF SUMMARY OF OFFENSE (TITLE / SUMMARY) See Narrative Page.
----	---

26	
----	--

27	
----	--

28	
----	--

INVESTIGATING OFFICER(S) D. Neubeck #1327	REVIEWED BY 	ASSIGNED TO	I affirm the above information is true and correct. O.I.C. Signature  #1327
--	-----------------	-------------	--

06-66183

OAKLAND COUNTY SHERIFF OFFICE  
 1201 N. Telegraph Rd., Pontiac, MI 48341  
 Phone: 248-858-5001 ORI# MI6316300

**PERSON / WITNESS LIST**

PO# \_\_\_\_\_  
PRIMARY/SUPP \_\_\_\_\_

DATE: 07-04-06 DAY: TUE SHIFT: 02 PLAT: BADGE 1: 1327 BADGE 2: JCR: CLO ADMIN: CLO YEAR: 06 INCIDENT #: 66183

CODES (1)REP'D BY (2)OWNR (3)VICT (4)PERS INTRV (5)ARRST (6)SUSP (7)MISS'G (8)WITN (9)SECUR'D BY (0)JUV ARRST (D)DRIVR (P)PASSNGR (R)RESPNSBL (S)SUMM'D (X)MISC  
 WITNESS TYPES (H)HANDWRITNG (EX)EXPERT (EY)EYEWITNSS (OF)POLICE OFFCR (CO)COMPLAINNT (CM)CHEMIST (MD)MEDICL (VC)VICTM (OC)OIC (RG)RES GESTAE (MS)MISC

ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) RAC SEX DOB AGE VICTIM TO RECEIVE CVRA NOTICE  
 OF Deputy Karchnick M M / / / /

PE CODE W-TYP NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM'S REP) RAC SEX DOB AGE RELATION TO ACTUAL VICTIM  
 OF Deputy Karchnick M M / / / /

ADDRESS (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY STATE ZIP  
 1700 Brown Road Auburn Hills MI 48326

HOME PHONE BUSINESS PHONE STATE DRIVER'S LICENSE # CONN TYP REL TO OFN # INJ V CIRC JHC  
 / / / / / / / / / /

COMMENTS / TESTIMONY  
 Assisting officer/administered PBT with the results of .01.

SERVICE BY  
 MAIL  PD

ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) RAC SEX DOB AGE VICTIM TO RECEIVE CVRA NOTICE  
 OF Deputy Fitzpatrick M M / / / /

PE CODE W-TYP NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM'S REP) RAC SEX DOB AGE RELATION TO ACTUAL VICTIM  
 OF Deputy Fitzpatrick M M / / / /

ADDRESS (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY STATE ZIP  
 1700 Brown Road Auburn Hills MI 48326

HOME PHONE BUSINESS PHONE STATE DRIVER'S LICENSE # CONN TYP REL TO OFN # INJ V CIRC JHC  
 / / / / / / / / / /

COMMENTS / TESTIMONY  
 Assisting officer.

SERVICE BY  
 MAIL  PD

ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) RAC SEX DOB AGE VICTIM TO RECEIVE CVRA NOTICE  
 OF Deputy Fitzpatrick M M / / / /

PE CODE W-TYP NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM'S REP) RAC SEX DOB AGE RELATION TO ACTUAL VICTIM  
 OF Deputy Fitzpatrick M M / / / /

ADDRESS (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY STATE ZIP  
 1700 Brown Road Auburn Hills MI 48326

HOME PHONE BUSINESS PHONE STATE DRIVER'S LICENSE # CONN TYP REL TO OFN # INJ V CIRC JHC  
 / / / / / / / / / /

COMMENTS / TESTIMONY

SERVICE BY  
 MAIL  PD

INVESTIGATING OFFICER(S) REVIEWED BY ATTENTION TO I Affirm the above information is true and correct.  
 D. NEUBECK #1327 O.I.C. Signature

OAKLAND COUNTY SHERIFF OFFICE 1201 N. Telegraph Rd., Pontiac, MI 48341 Phone: 248-858-5001 ORI# MI6316300				<b>PERSON / WITNESS LIST</b>				PC#		PRIMARY SUPP	
DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	UCR	ADMIN	YEAR	INCIDENT #		
07/04/06	TUE	02		1327		CLO	CLO	06	66183		
CODES (1)REPT=D BY (2)OWNR (3)VICT (4)PERS INTRV (5)ARRST (6)SUSP (7)MISS=G (8)WITN (9)SECUR=D BY (0)JUV ARRST (D)DRIVR (P)PASSNGR (R)RESPNSBL (S)SUMM=D (X)MISC WITNESS TYPES (H)W)HANDWRITNG (E)X)EXPERT (EY)EYEWITNSS (OF)POLICE OFFCR (CO)COMPLAINNT (CM)CHEMIST (MD)MEDICL (VC)VICTM (OC)OIC (RG)RES GESTAE (MS)MISC											
CODE	VICT#	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX)				RAC	SEX	DOB	AGE	VICTIM TO RECEIVE CVRA NOTICE	
PE	CODE	W-TYP	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM=S REP)			RAC	SEX	DOB	AGE	RELATION TO ACTUAL VICTIM	
		OIC	Deputy Dan Neubeck				M				
ADDRESS		(DIRECTION, STREET, SUFFIX, QUALIFIER)				CITY		STATE	ZIP		
		c/o OCS - Marine Division						MI	48324		
HOME PHONE	BUSINESS PHONE	STATE	DRIVER=S LICENSE #		CONN	TYP	REL TO OFN #	INJ	V CIRC	JHC	
	248-391-0256				1	3	/	/			
					2	4	/	/			
COMMENTS / TESTIMONY											
reporting officer											
										SERVICE BY	
										<input type="checkbox"/> MAIL <input type="checkbox"/> PD	
CODE	VICT#	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX)				RAC	SEX	DOB	AGE	VICTIM TO RECEIVE CVRA NOTICE	
PE	CODE	W-TYP	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM=S REP)			RAC	SEX	DOB	AGE	RELATION TO ACTUAL VICTIM	
		Ey	[REDACTED]			W	F	03/29/65	41		
ADDRESS		(DIRECTION, STREET, SUFFIX, QUALIFIER)				CITY		STATE	ZIP		
		[REDACTED]				[REDACTED]		MI	48324		
HOME PHONE	BUSINESS PHONE	STATE	DRIVER=S LICENSE #		CONN	TYP	REL TO OFN #	INJ	V CIRC	JHC	
	[REDACTED]				1	3	/	/			
					2	4	/	/			
COMMENTS / TESTIMONY											
Passanger in vessel.											
										SERVICE BY	
										<input type="checkbox"/> MAIL <input type="checkbox"/> PD	
CODE	VICT#	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX)				RAC	SEX	DOB	AGE	VICTIM TO RECEIVE CVRA NOTICE	
PE	CODE	W-TYP	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM=S REP)			RAC	SEX	DOB	AGE	RELATION TO ACTUAL VICTIM	
		Ey	[REDACTED]			W	M	01/26/65	41		
ADDRESS		(DIRECTION, STREET, SUFFIX, QUALIFIER)				CITY		STATE	ZIP		
		[REDACTED]				[REDACTED]		MI	48324		
HOME PHONE	BUSINESS PHONE	STATE	DRIVER=S LICENSE #		CONN	TYP	REL TO OFN #	INJ	V CIRC	JHC	
	[REDACTED]	MI	[REDACTED]		1	3	/	/			
					2	4	/	/			
COMMENTS / TESTIMONY											
Driver of vessel.											
										SERVICE BY	
										<input type="checkbox"/> MAIL <input type="checkbox"/> PD	

OAKLAND COUNTY SHERIFF OFFICE  
 1201 N. Telegraph Rd., Pontiac, MI 48341  
 Phone: 248-858-5001 ORI# MI6316300

**PERSON / WITNESS LIST**

PO# \_\_\_\_\_  
PRIMARY SUPP \_\_\_\_\_

DATE: 07/04/06 DAY: TUE SHIFT: 02 PLAT: \_\_\_\_\_ BADGE 1: 1327 BADGE 2: \_\_\_\_\_ UCR: CLO ADMIN: CLO YEAR: 06 INCIDENT #: 66183

CODES (1) REPT-D BY (2) OWNR (3) VICT (4) PERS INTRV (5) ARRST (6) SUSP (7) MISS-G (8) WITN (9) SECUR-D BY (0) JUV ARRST (D) DRIVR (P) PASSNGR (R) RESPONSBL (S) SUMM-D (X) MISC

WITNESS TYPES (HW) HANDWRITNG (EX) EXPERT (EY) EYEWITNESS (OF) POLICE OFFCR (CO) COMPLAINTNT (CM) CHEMIST (MD) MEDICL (VC) VICTM (OC) OIC (RG) RES GESTAE (MS) MISC

CODE	VICT#	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX)				RAC	SEX	DOB	AGE	VICTIM TO RECEIVE CVRA NOTICE		
PE	CODE 4	W-TYP Ey	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM=S REP) ████████████████████				W	M	09/22/66	39	RELATION TO ACTUAL VICTIM	

ADDRESS: ██████████ (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY: ██████████ STATE: MI ZIP: 48327

HOME PHONE	BUSINESS PHONE	STATE	DRIVER=S LICENSE #	CONN	TYP	REL TO OFN #	INJ	V CIRC	JHC
██████████	██████████			1 3 2 4		/ /	/ /		

COMMENTS / TESTIMONY  
 Observer in vessel.

SERVICE BY  
 MAIL  PD

CODE	VICT#	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX)				RAC	SEX	DOB	AGE	VICTIM TO RECEIVE CVRA NOTICE		
PE	CODE 4	W-TYP Ey	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM=S REP) ████████████████████				W	M	08/02/96	9	RELATION TO ACTUAL VICTIM	

ADDRESS: ██████████ (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY: Waterford STATE: MI ZIP: 48327

HOME PHONE	BUSINESS PHONE	STATE	DRIVER=S LICENSE #	CONN	TYP	REL TO OFN #	INJ	V CIRC	JHC
██████████	██████████			1 3 2 4		/ /	/ /		

COMMENTS / TESTIMONY  
 Passenger in vessel.

SERVICE BY  
 MAIL  PD

CODE	VICT#	ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX)				RAC	SEX	DOB	AGE	VICTIM TO RECEIVE CVRA NOTICE		
PE	CODE 4	W-TYP Ey	NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM=S REP) ████████████████████				W	M	04/18/64	8	RELATION TO ACTUAL VICTIM	

ADDRESS: ██████████ (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY: Waterford STATE: MI ZIP: 48327

HOME PHONE	BUSINESS PHONE	STATE	DRIVER=S LICENSE #	CONN	TYP	REL TO OFN #	INJ	V CIRC	JHC
██████████	██████████			1 3 2 4		/ /	/ /		

COMMENTS / TESTIMONY  
 Passenger of vessel.

SERVICE BY  
 MAIL  PD

OAKLAND COUNTY SHERIFF OFFICE  
1201 N. Telegraph Rd., Pontiac, MI 48341  
Phone: 248-858-5001 OR# MI6316300

PERSON / WITNESS LIST

PO# PRIMARY/SUPP

DATE 07/04/06 DAY TUE SHIFT 02 PLAT BADGE 1 1327 BADGE 2 UCR CLO ADMIN CLO YEAR 06 INCIDENT # 66183

CODES (1)REPT=D BY (2)OWNR (3)VICT (4)PERS INTRV (5)ARRST (6)SUSP (7)MISS-G (8)WITN (9)SECUR-D BY (0)JUV ARRST (D)DRIVR (P)PASSNGR (R)RESPNSBL (S)SUMM=D (X)MISC WITNESS TYPES (HW)HANDWRITNG (EX)EXPERT (EY)EYEWITNESS (OF)POLICE OFFCR (CO)COMPLAINNT (CM)CHEMIST (MD)MEDICL (VC)VICTM (OC)OIC (RG)RES GESTAE (MS)MISC

CODE VICT# ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) RAC SEX DOB AGE VICTIM TO RECEIVE CVRA NOTICE

PE CODE W-TYP NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM-S REP) RAC SEX DOB AGE RELATION TO ACTUAL VICTIM  
MD Tretinik, Shawn M

ADDRESS (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY STATE ZIP  
Commerce Fire Station #2

HOME PHONE BUSINESS PHONE STATE DRIVER-S LICENSE # CONN TYP REL TO OFN # INJ V CIRC JHC

COMMENTS / TESTIMONY  
First Fire/Rescue personal on scene.

SERVICE BY  
 MAIL  PD

CODE VICT# ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) RAC SEX DOB AGE VICTIM TO RECEIVE CVRA NOTICE

PE CODE W-TYP NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM-S REP) RAC SEX DOB AGE RELATION TO ACTUAL VICTIM  
M

ADDRESS (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY STATE ZIP

HOME PHONE BUSINESS PHONE STATE DRIVER-S LICENSE # CONN TYP REL TO OFN # INJ V CIRC JHC

COMMENTS / TESTIMONY

SERVICE BY  
 MAIL  PD

CODE VICT# ACTUAL VICTIM (LAST, FIRST, MIDDLE, SUFFIX) RAC SEX DOB AGE VICTIM TO RECEIVE CVRA NOTICE

PE CODE W-TYP NAME (LAST, FIRST, MIDDLE, SUFFIX) (ACTUAL VICTIM-S REP) RAC SEX DOB AGE RELATION TO ACTUAL VICTIM  
M

ADDRESS (DIRECTION, STREET, SUFFIX, QUALIFIER) CITY STATE ZIP

HOME PHONE BUSINESS PHONE STATE DRIVER-S LICENSE # CONN TYP REL TO OFN # INJ V CIRC JHC

COMMENTS / TESTIMONY

SERVICE BY  
 MAIL  PD

060711KCC2680. Exhibit B #

NARRATIVE REPORT

SUPPRESS  PRIMARY  SUPP PAGE OF

DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	CRIME CLASS	YEAR	INCIDENT #
07-04-2006	TUE S	02		1327		<input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	3455	06	66183

1

2 **SOURCE:** Dispatched

3

4 **INFORMATION:** While on patrol upon Union Lake in Commerce, Township MI. I was dispatched to a  
5 Boating Accident on the Northwest Shoreline of the lake. Upon arriving in the area, the victim (██████████  
6 DOB 0██████████ was being transported to the Department of Natural Resources Access Site in a blue and  
7 white Four Winns vessel with Michigan registration ██████████SS. West Bloomfield and Commerce Township  
8 Fire Departments were already on scene and standing by at the DNR access site. I assisted the vessel to the dock  
9 at which time Fire Department personal entered the vessel and administered treatment to the victim.

10

11 **ACTION TAKEN:** I began to interview the subjects on board the vessel (██████████S) in which the accident  
12 occurred. I also checked the immediate area for any other witnesses in the area; however, I was unable to locate  
13 any further witnesses.

14

15 **INTERVIEW WITH MELISSA TRAYNOR:** ██████████ stated her husband (██████████or) was  
16 pulling victim (██████████) behind his boat in a tube along the northwest shoreline of Union Lake. Subject  
17 stated she was sitting in the front of the vessel. Subject said that the victims husband (D██████████her  
18 ██████████) was facing the rear of the vessel and was designated as the spotter. The victim's two children  
19 ██████████ age 9 and ██████████ age 8) were both riding near the front of the vessel. Subject said the tube flipped  
20 over and the victim was observed floating face down in the water. Subject stated that her husband and the  
21 victim's husband jumped into the water and pulled the victim into the boat.

22

23 **INTERVIEW WITH THOMAS TRAYNOR:** ██████████ stated he was operating his vessel ██████████  
24 along the northwest part of Union Lake while pulling the victim (██████████or) on a tube. Subject stated he  
25 was traveling at approximately 30-35 mph when the tube suddenly flipped over. Subject stated victim was  
26 observed laying face down in the water. Subject stopped his vessel and jumped into the lake without a personal  
27 flotation device on. Subject turned the victim over so her face was out of the water. Subject stated the victim

INVESTIGATING OFFICER(S) D NEUBECK #1327	REVIEWED BY:	ASSIGNED TO:	I affirm the above information is true and correct. O.I.C. Signature _____
---	--------------	--------------	---

060711NCC2680. Exhibit B

NARRATIVE REPORT

SUPPRESS  PRIMARY  SUPP PAGE \_\_\_ OF \_\_\_

1 seemed like she was unconscious when he reached her. Subject held the victim in the water until the victims  
2 husband (██████████) entered the water and assisted him in getting the victim onto the stern of the vessel.  
3 Subject said they called 911 and started to drive back to the DNR boat launch. He also stated throughout the  
4 incident that CPR was not administered at any time.

5

6 INTERVIEW WITH DAVID ZIEGLER: Subject was interviewed by Deputy Karchnick #550 at Huron  
7 Valley Hospital. See written statement.

8

9 CONTINUED ACTION TAKEN: I conducted an inspection of the responsible vessel (██████████S) with the  
10 vessels registered owner (██████████) who was operating the vessel at the time of the accident. Through  
11 the inspection It was determined that all the necessary equipment was onboard the vessel. During my interaction  
12 with Mr. ██████████ I did not detect any odor of intoxicants nor did the subject appear to be under the influence of  
13 any substances. West Bloomfield Fire Department transported the victim to Huron Valley Hospital. I followed  
14 Mr. ██████████ back to his dock located at 2323 Union Lake Road for follow up. Deputy Karchnick #550 and  
15 Deputy Fitzpatrick in unit 8808 arrived at this location at which time a Preliminary Breathalyzer Test was  
16 administered by Deputy Karchnick which registered .01. Pictures of the responsible vessel and tube were  
17 obtained.

18

19

20 STATUS: Closed

21

INVESTIGATING OFFICER(S)  D. NEUBECK #1327	REVIEWED BY:	ASSIGNED TO:	I affirm the above information is true and correct.  O.I.C. Signature _____
--	--------------	--------------	---

COUNTY OF OAKLAND  
**OFFICE OF THE SHERIFF**  
MICHAEL J. BOUCHARD

0607114CC2680  
Exhibit B



WITNESS STATEMENT

COMPLAINT # 06-66183

NAME [REDACTED]

ADDRESS [REDACTED]

DATE OF BIRTH 3-29-65 TELEPHONE [REDACTED] HOME

DATE & TIME July 4 [REDACTED] WORK

STATEMENT

We were pulling Mikee on tubes  
& it flipped over she was knocked out  
& floating face down. My husband  
& her husband jumped in & pulled  
her into boat she came to

We were along Northshore heading  
West

I was sitting in front of boat, her  
husband was in chair turned around watching  
her, "spotting" her 2 children I believe were on  
either side of boat watching their mother. My  
husband was diving

SIGNATURE [REDACTED] OFFICER'S SIGNATURE D. All #1327

COUNTY OF OAKLAND  
**OFFICE OF THE SHERIFF**  
MICHAEL J. BOUCHARD

0607114cc2680  
Exhibit B



R.S. 1

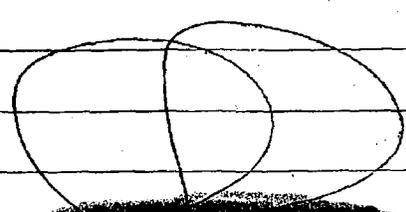
WITNESS STATEMENT

COMPLAINT #

06-66183

NAME ~~REDACTED~~  
ADDRESS ~~REDACTED~~  
DATE OF BIRTH 4/26/65 TELEPHONE ~~REDACTED~~ HOME  
DATE & TIME 7/7/06 3:15 PM WORK  
STATEMENT

Towing ~~REDACTED~~ on Tube  
on Union Lake - ~~REDACTED~~ on  
lake. Tube suddenly flipped over -  
subject appears unconscious  
I jumped in lake to rescue subject  
used all my energy to  
get her back on boat & remain conscious.  
called 911, made it back to boat  
launch. Subject stabilized by paramedics  
& taken to hospital.



SIGNATURE

OFFICER'S SIGNATURE

D.M. #1567

OFFICE OF THE SHERIFF

MICHAEL J. BOUCHARD

06  
Ex

060711HCC2680



pg.

WITNESS STATEMENT

COMPLAINT # 06-

[REDACTED]  
ADDRESS \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_  
TIME \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
IDENTIFICATION \_\_\_\_\_

I jumped into lake & reached Michelle  
at my arms around her & kept her head out  
of water until the boat reached us. Her husband  
entered water, although it took some  
time to get her onto swim platform  
on her boat. When I initially reached  
her I was sure she was breathing - she was  
in the water - I immediately checked  
to see if she was breathing - she was.  
No CPR was attempted in any manner  
at this or that.

[Signature]

OFFICER'S SIGNATURE

D. N. #1327

060711NCC2680  
Exhibit B

COUNTY OF OAKLAND  
**OFFICE OF THE SHERIFF**

MICHAEL J. BOUCHARD



WITNESS STATEMENT

COMPLAINT # 06-66183

NAME [REDACTED]

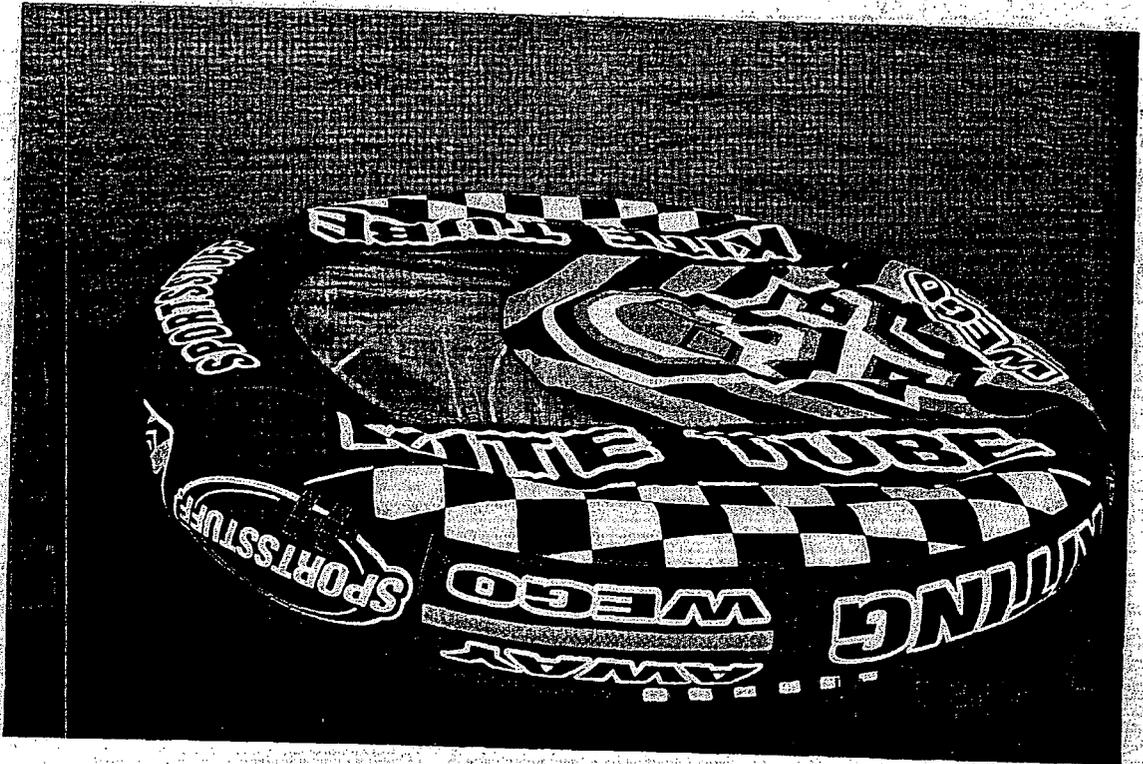
ADDRESS [REDACTED] MI 48327

DATE OF BIRTH 9-22-1966 TELEPHONE [REDACTED] HOME \_\_\_\_\_

DATE & TIME \_\_\_\_\_ WORK \_\_\_\_\_

STATEMENT Watched wife tube behind boat. Tube went air born. wife landed/tubed blocked view. Wife face down. Boat turned around. Driver. jumped in water. called out to turn boat around. I jumped in and helped wif. Michele out and. All was called. Puled wife out and was whispy breathe. Did not know where she was or what happens. Tube was air born about 10-12 feet flip. Don't know <sup>(Court see)</sup> wheather landed face down or face up.

SIGNATURE [REDACTED] OFFICER'S SIGNATURE [Signature]



060711HCC2680. Exhibit C. Photographs 1 and 2 obtained from the Oakland County Sheriff's Department. The Wego Sportsstuff Kite Tube involved in the incident.



060711ACC 2680. Exhibit D. EMS Report obtained from the West Bloomfield Fire Department

Notice of Privacy Practices  
Let Your Patient Know

**OAKLAND COUNTY EMS RUN FORM**

Screened for Domestic Violence  N

Date: **7-4-06**  
 Responding Unit#: **A434**  
 Incident #: **2922**  
 MCI PT# : **---** of **---**  
 Inc. Location: **7141 Lockland**

Agency Times:  
 Notified: **15:37**  
 Arrival: **15:42**  
 Left Scene: **16:04**  
 Arrival Dest: **16:09**  
 Transp Unit Arrival Time: **---**  
 Back in Service: **16:55**

PC Name: **---**  
 Pt. Address: **---** Apt#: **---**  
 City: **---** Zip: **48327**  
 Phone #: **---** DOB: **6-19-69** Age: **42**  
 SSN: **---** Wt: **---** H: **---**

Pre-Intervention:  
 Agency: **---** Type: **---**  
 Bystander: **---**  
 EMD: **---**  
 Ambiv: **---**  
 P/E/Defib: **---**  
 MD/DO/RN: **---**  
 MFR/EMT: **---**  
 Police: **---**

Dispatch Priority: **2**  
 Patient Priority: **2**  
 Communications: **---**  
 Cell Phone: **---**  
 HEAR Radio: **---**  
 Land Line: **---**  
 MDT (Mobile Data Terminal): **---**

Injury Description (Example: T/F): **---**  
 Type/Size 1st: **---**  
 Type/Size 2nd: **---**  
 Hospital Contacted: **HVH**  
 29

Lights & Sirens: To/From  
 Safety Equipment:  
 Airbag - child seat  
 Airbag - lap belt  
 Airbag - lap/shoulder  
 Airbag - no lap  
 Child safety seat  
 Eye protection  
 Helmet  
 Lap belt only  
 None Used  
 Personal float device  
 Protective clothing  
 Protective gear  
 Shoulder belt only  
 Shoulder/lap belt

Primary Complaint:  
**A434 called to above address for "boating accident". After arrival to address dispatch re-located A434 to Union Lake take access point. Pt was still on the lake in a boat turned out @ crew arrived. Crew made Pt contact @ 1547. Pt is 42 yo F "fishing" on lake when she fell off & went unconscious floating face down. Pt pulled on board by friend. Pt had unknown loss of consciousness, Pt vomit 3-4 times. Pt did not know events before or after Pt backboarded & spined. Pt complained of 2/10 cervical pain, but denied other pain. Pt transported prior by 1. Pt combative no lines established.**

Time: **15:50**  
 Level of Consciousness: **AOX 2**  
 Blood Pressure: **130/80**  
 Pulse Rate: **80**  
 Respiration Rate: **16**  
 Breath Sounds: **Clear**  
 Pupils: **Equal**  
 Skin Perfusion: **Good**  
 Blood Sugar: **---**  
 SpO2 / Cap Refill: **92% fast**  
 Temperature: **---**  
 Glasgow Total: **14**

UAE  
 GCS: **14**  
 ETC  
 History:  
 Asthma  
 Cancer  
 Cardiac  
 COPD  
 Diabetes  
 Hypertension  
 Psychological  
 Seizure  
 Stroke  
 Other

Current Medications:  
**None according to husband**  
 Allergies:  
**None according to husband**

OTHER HISTORY: **None according to husband**  
 TIME: **15:50**  
 ECG INTERPRETATION: **---**  
 MEDICATIONS/DEFIB: **---**  
 ROUTE: **---**  
 AIRWAY/OTHER TREATMENT: **EMISSER bag**  
 MEDIC: **124**

Procedures / Treatment:  
 Assisted Ventilation: **---**  
 IV Catheter: **MAST**  
 C-Spine Immobilization: **---**  
 Tx/Remarks: **IPS - Airway Mgmt, Backboard**  
 Alt. Mental Status: **X**  
 Factors Affecting: **---**

546291

14

060711KCC2680  
Exhibit E

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

[REDACTED]

Plaintiff,

vs.

SPORTSSTUFF, INC.,

Defendant.

Case: 2:06-cv-13485  
Assigned To: Cleland, Robert H  
Referral Judge: Capel, Wallace  
Filed: 08/03/2006 At 09:40 AM  
CMP [REDACTED] V. SPORTSSTUFF, INC (TA  
M)

**COMPLAINT AND JURY DEMAND**

Plaintiff [REDACTED], by and through her attorneys, The Googasian Firm, P.C., alleges as follows:

**Nature of Action**

1. This diversity action arises from Defendant Sportstuff, Inc.'s design, manufacture, testing and marketing of a dangerous water sport product – the Wego Kite Tube (the “kite tube”) – to consumers throughout the United States in 2006. Sportsstuff sold more than 19,000 kite tubes, which had a retail price of between \$500 to \$600, from late 2005 to July 2006.

2. On July 13, 2006, this dangerous product was pulled from the market in a massive recall coordinated by the United States Consumer Products Safety Commission, but only after the kite tube seriously harmed scores of people, including Plaintiff [REDACTED]. For months prior to the recall, Sportsstuff was aware that its product was defective and unreasonably dangerous due to an inability to control the kite tube from sudden, violent shifts while in flight, but the company continued to sell its product and failed to warn consumers, leading to the serious injuries sustained

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Exhibit E

by Ms. [REDACTED] and others. Sportsstuff unleashed on unsuspecting consumers a product that was destined to kill and seriously injure.

Parties

3. Plaintiff [REDACTED] is a citizen of Michigan.
4. Defendant Sportsstuff, Inc. ("Sportsstuff") is a foreign corporation incorporated under the laws of the State of Nebraska, and its principal place of business is in Omaha, Nebraska. Sportsstuff's registered agent for the state of Nebraska is Leroy Peterson, whose address is 11213 E. Circle, Suite A, Omaha, Nebraska, 68137.
5. Sportsstuff carries on a continuous and systematic part of its general business in Michigan, including, but not limited to, the marketing and sale of its inflatable water sport products to individuals and/or businesses within the state of Michigan.
6. Upon information and belief, the kite tube that injured Ms. [REDACTED] was bought in June 2006 by a third party from a retailer in Michigan that had purchased the product directly from Sportsstuff.
7. Sportsstuff also engages directly in commercial transactions with Michigan residents in numerous ways, including, but not limited to, through its web site, which allows Michigan purchasers of the recalled kite tube product to choose online and make arrangements for receipt of replacement products.

Jurisdiction and Venue

8. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1).
9. Venue exists pursuant to 28 U.S.C. § 1391(a)(1).
10. The amount in controversy exceeds \$75,000, exclusive of interest and costs.

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11. Sportsstuff is subject to the jurisdiction of Michigan courts pursuant to MCL 600.711

*et seq.*

### **Factual Background**

#### **Sportsstuff Designs, Manufactures and Markets The Wego Kite Tube**

12. Sportsstuff designed, manufactured and marketed the Wego Kite Tube (the "kite tube") as a one-passenger, inflatable, round water sport product that was to be towed behind a motor boat and to become airborne.

13. According to Sportsstuff, "The basic idea of kiting is simple: The kite rider positions himself on the tube while it is tethered to the watercraft. As the boat moves forward into the wind, the kite and rider rise out of the water to perform a water ballet in the air."

14. Even after the announced recall of the kite tube on July 13, 2006, Sportsstuff has continued to feature the kite tube on the opening page of its web site—[www.sportsstuff.com](http://www.sportsstuff.com)—with an illustration depicting a woman flying through the air on a kite tube pulled behind a motor boat. A copy of this illustration is attached to this Complaint as Attachment A.

15. Sportsstuff adorns the kite tube with winged skulls.

#### **Sportsstuff Deceptively Markets and Promotes The Kite Tube**

16. At all relevant times, Sportsstuff deceptively marketed and promoted the kite tube as a reasonably safe product.

17. According to Sportsstuff, "The mystery of flight becomes real" with the kite tube.

18. Sportsstuff promotes its kite tube with the phrase "Born to Fly!"

19. According to Sportsstuff, the kite tube is "the next generation of action towable. . . , taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly though

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the air like a bird! Experience the thrill of flight as you rise above the water reaching incredible heights, leaving nothing but adrenaline in your wake.”

20. According to Sportsstuff, “the kite tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.”

21. Sportsstuff supplies purchasers of the kite tube with an “instructional DVD,” but the video features professional boat drivers and professional athletes using the kite tube in a controlled environment.

22. Sportsstuff’s “instructional DVD” depicts the kite tube being towed at speeds faster than what it recommends to consumers.

23. At all relevant times, Sportsstuff deceptively marketed and promoted the kite tube as a product for which the flight of the kite tube and the safety of the rider could be controlled by the persons involved in using it.

24. In fact, a reasonably prudent user of the kite tube is not able to control the flight or direction of the kite tube, and the kite tube is subject to violent, spontaneous, downward shifts and crashes into the water that cannot be foreseen or controlled.

25. Sportsstuff told purchasers of the kite tube that “*misuse or improper use* of the kite tube could result in risks, dangers and hazards which may result in serious injury or death,” when, in fact, a reasonably prudent user of the product could be seriously injured or killed due to the kite tube’s hidden defects and dangers.

26. Sportsstuff also informed purchasers of the kite tube that the boat driver controlled the safety of the kite tube rider and that “rider safety is in the hands of the boat driver and spotter,”

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when, in fact, a kite tube rider in flight can suddenly and violently crash into the water and become seriously injured due to unforeseeable factors outside the control of any person.

27. Sportsstuff knew or should have known that a kite tube rider could not operate the product in a reasonably safe manner due to multiple factors affecting the flight of the kite tube that could not be controlled or foreseen.

28. Sportsstuff knew or should have known that sudden, violent flips and dives of the kite tube during flight were beyond the control and/or understanding of a reasonably prudent user of the kite tube due to unforeseeable factors, including, but not limited to, wind shifts.

29. Sportsstuff knew or should have known that the kite tube and its rider could slam into the water and sustain serious injuries due to sudden wind shifts and other factors beyond any reasonably prudent user's control.

30. Sportsstuff knew or should have known that operation of the kite tube involved material risks that were not obvious to a reasonable prudent user of the kite tube and that these risks were not a matter of common knowledge to users of the kite tube.

31. Upon information and belief, at the time of manufacture or distribution of the kite tube, Sportsstuff had actual knowledge that the product was defective and that there was a substantial likelihood that the defect would cause injuries to users of the kite tube, and Sportsstuff willfully disregarded that knowledge.

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**Prior to July 4, 2006,  
Sportsstuff Becomes Aware Of Serious Kite Tube Accidents,  
But Does Not Warn Consumers**

32. Prior to July 4, 2006, Sportsstuff knew that persons throughout the United States and Canada were becoming seriously injured and, in some cases, dying while using the kite tube during its first season of use as a consumer product.

33. Specifically, prior to July 4, 2006, Sportsstuff was aware of at least two deaths and more than a dozen serious injuries sustained by people using its kite tube, including injuries such as, a broken neck, broken vertebrae, punctured lungs, broken legs, jaw fractures, facial injuries, and losses of consciousness.

34. Prior to July 4, 2006, Sportsstuff knew that kite tube accidents causing serious injury were occurring due to factors that users could not control, including, but not limited to, sudden wind shifts.

35. Prior to July 4, 2006, Sportsstuff knew that kite tube users were reporting accident sequences in which suddenly and unexpectedly their kite tubes were flipping and/or crashing into the water from significant heights, resulting in injuries.

36. Prior to July 4, 2006, Sportsstuff failed to inform or warn consumers regarding the nature of the kite tube accidents that were repeatedly occurring.

37. Prior to July 4, 2006, Sportsstuff failed to inform or warn consumers regarding the serious injuries that were arising in kite tube accidents.

38. Prior to July 4, 2006, Sportsstuff failed to inform consumers that kite tube accidents were occurring and causing serious injury due to uncontrollable factors involving use of the product, the facts about which could not reasonably be known by consumers.

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39. Prior to July 4, 2006, Sportsstuff failed to inform consumers that misuses of kite tubes were occurring and causing serious injury, the facts about which could not reasonably be known by consumers.

40. Prior to July 4, 2006, based on scientific, technical and/or medical information reasonably available to it, Sportsstuff knew about risks of harm to users of the kite tube due to factors that users could not control.

41. Prior to July 4, 2006, despite its knowledge of serious injuries arising from use of the kite tube and of the kite tube's risk of harm, Sportsstuff continued to manufacture, distribute, sell and market the kite tube without any modifications, reaping considerable profits.

#### **A Kite Tube Accident Causes Michele Ziegler Serious Injury**

42. On July 4, 2006, on Union Lake in Oakland County, Michigan, ~~Ms. Michele Ziegler~~ rode a Sportsstuff kite tube for the first time.

43. The kite tube was owned by a third party, and it was purchased sometime after June 15, 2006.

44. During her ride, Ms. ~~Ziegler~~ flew into the air on the kite tube.

45. The kite tube then suddenly overturned and slammed into the water.

46. Ms. ~~Ziegler~~ was knocked unconscious during the crash into the water.

47. ~~Ms. Ziegler's~~ Ms. ~~Ziegler's~~ husband, helped save Ms. ~~Ziegler~~ from drowning.

48. As a result of the kite tube accident, Ms. ~~Ziegler~~ sustained serious injuries requiring both emergency and subsequent medical treatment, including, but not limited to, loss of one or more vital bodily functions, including total loss of hearing in one ear and a loss of equilibrium.

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**Count I – Statutory or Common Law Product Liability**

49. Plaintiff repeats and realleges the preceding paragraphs.

50. At all relevant times, under applicable law, Sportsstuff owed statutory or common law duties of reasonable care in the design, manufacture, testing, marketing and sale of the kite tube.

51. Sportsstuff breached its applicable statutory or common law duties with regard to design, manufacture, testing, marketing and sale in numerous ways, including, but not limited to, by:

- a. Failing to design, test and manufacture a product that was reasonably safe;
- b. Failing to warn users of the kite tube regarding the inability of any person to control the kite tube when in flight;
- c. Failing to warn of one or more material risks in using the kite tube that were not obvious to a reasonably prudent user of the kite tube and that were not a matter of common knowledge to persons in the same or similar position as Ms. ██████████
- d. Failing to warn of a risk of harm to users of the kite tube due to uncontrollable variables about which Sportsstuff knew or should have known based on scientific, technical or medical information reasonably available to it;
- e. Falsely representing to the boat driver pulling the kite tube that "U Control" the kite tube rider's height and safety;
- f. Deceptively marketing the kite tube with instructional and promotional videos featuring professional drivers and athletes in controlled circumstances and boats operating at higher speeds than recommended;
- g. Reasonably foreseeable misuse of the kite tube; and/or

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- h. Manufacturing and selling a product that was unreasonably dangerous, and for which it is strictly liable.

52. As a direct and proximate result of Sportsstuff's breach of its applicable common law or statutory duty regarding its kite tube, Ms. [REDACTED] suffered and will continue to suffer harm, including, but not limited to, loss of one or more vital bodily functions, including, total loss of hearing in one ear and a loss of equilibrium, as well as medical expenses, loss of income, and other damages.

**WHEREFORE**, Plaintiff requests that this Court enter a judgment in her favor and against Defendant in an amount that is just and fair, plus exemplary damages, attorney fees, costs of this legal action, and interest.

#### Count II - Breach of Warranty

53. Plaintiff repeats and realleges the preceding paragraphs.

54. The kite tube upon which Ms. [REDACTED] sustained her injuries was purchased less than two weeks before her July 4, 2006 accident.

55. At the time that Sportsstuff manufactured, marketed and sold the kite tube, it knew of the use for which the kite tube was intended and explicitly and/or implicitly warranted that it was of merchantable quality and fit for its intended purpose.

56. Ms. [REDACTED] used the kite tube for its intended purpose.

57. Sportsstuff breached its express and/or implied warranties in that the kite tube was not of merchantable quality, was not fit for its use, and failed its essential purpose.

58. As a direct and proximate result of Sportsstuff's breach of its express and/or implied warranties, Ms. [REDACTED] has suffered and will continue to suffer harm, including, but not limited to,

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loss of one or more vital bodily functions, including, total loss of hearing in one ear and a loss of equilibrium, as well as medical expenses, loss of income, and other damages.

**WHEREFORE**, Plaintiff requests that this Court enter a judgment in her favor and against Defendant in an amount that is just and fair, plus exemplary damages, attorney fees, costs of this legal action, and interest.

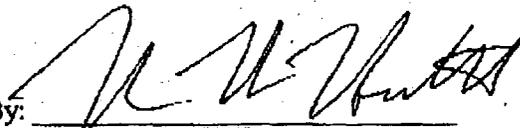
**Count III - Violation of the Michigan Consumer Protection Act**

59. Plaintiff repeats and realleges the preceding paragraphs.
60. Sportsstuff violated the Michigan Consumer Protection Act, MCLA 45.901 *et seq.*
61. Sportsstuff engaged in unfair, unconscionable, and deceptive methods, acts or practices with regard to the sale and marketing of the kite tube to Michigan consumers, including, but not limited to, representing that the kite tube was of a particular standard, quality or grade, when it was not of that particular standard, quality or grade, and failing to reveal material facts, the omission of which tended to mislead or deceive consumers, and which facts could not reasonably be known by consumers.
62. The facts that were not revealed include, but are not limited to, Sportsstuff's knowledge of numerous accidents and serious injuries arising from use of the kite tube prior to July 4, 2006, and Sportsstuff's knowledge that a reasonably prudent person cannot control the kite tube from sudden, violent shifts while in flight.
63. As a direct and proximate result of Sportsstuff's violations of the Michigan Consumer Protection Act, Ms. [REDACTED] has suffered and will continue to suffer harm, including, but not limited to, loss of one or more vital bodily functions, including, total loss of hearing in one ear and a loss of equilibrium, as well as medical expenses, loss of income, and other damages.

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WHEREFORE, Plaintiff requests that this Court enter a judgment in her favor and against Defendant in an amount that is just and fair, plus exemplary damages, statutory attorney fees, costs of this legal action, and interest.

THE [REDACTED] FIRM, P.C.

By: 

[REDACTED]  
[REDACTED]  
Attorneys for Plaintiff  
[REDACTED] and  
[REDACTED] s, Michigan 48301-3138  
[REDACTED]  
[REDACTED]

Dated: August 2, 2006

**JURY DEMAND**

Plaintiff [REDACTED], by and through her attorneys, The Googasian Firm, P.C., hereby demands a trial by jury in the above-entitled cause.

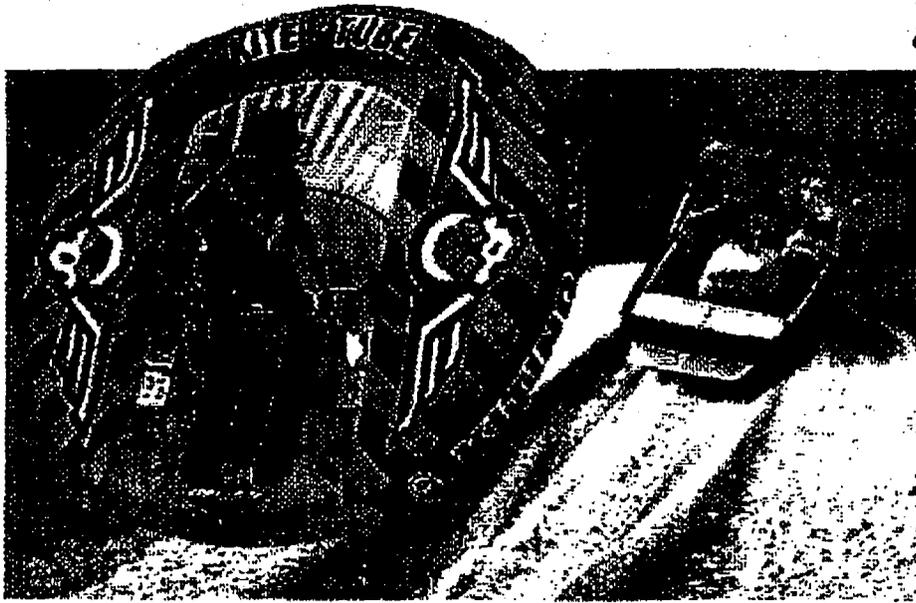
THE [REDACTED] AN FIRM, P.C.

By: 

[REDACTED]  
[REDACTED]  
Attorneys for Plaintiff  
[REDACTED] and  
[REDACTED] Michigan 48301-3138  
[REDACTED]  
[REDACTED]

Dated: August 2, 2006

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Exhibit E



ATTACHMENT A

000711 ACC 2680 Exhibit E

JS 44 (Rev. 11/04)

**CIVIL COVER SHEET** County in which this action arose Oakland

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

(b) County of Residence of First Listed Plaintiff Oakland  
(EXCEPT IN U.S. PLAINTIFF CASES)

26/25

(c) Attorney's (Firm's) Name and Mailing Address (Street, City, State, ZIP Code)  
The [redacted] [redacted] Row,  
Bliss [redacted]

**DEFENDANTS**

Sportsstuff, Inc.

County of Residence of First Listed Defendant Douglas County, Nebraska  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Select One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Select One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                            |   |                            |                                       |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Select One Box Only)

CONTRACT	TORTS	FINANCIAL/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instruments <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Delinquent Student Loans (Encl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 <input type="checkbox"/> 630 <input type="checkbox"/> 640 <input type="checkbox"/> 650 <input type="checkbox"/> 660 <input type="checkbox"/> 690 <input type="checkbox"/> 710 <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Impl. Ret. Inv. Security Act	<input type="checkbox"/> 422 Appral 28 USC 156 <input type="checkbox"/> 473 Warehouse	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions	<input type="checkbox"/> 422 Appral 28 USC 156 <input type="checkbox"/> 473 Warehouse <input type="checkbox"/> 622 Black Lung (921) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (402(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	Case: 2:06-cv-13485 Assigned To: Cleland, Robert H Referral Judge: Capel, Wallace Filed: 08-03-2006 At 09:40 AM CMP: [redacted] SPORTSSTUFF, INC (TA M)

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**V. ORIGIN** (Select One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 USC Section 1332(a)(1)

Brief description of cause:  
Diversity action arising from product liability

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ \_\_\_\_\_  
CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions): JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE August 3, 2006

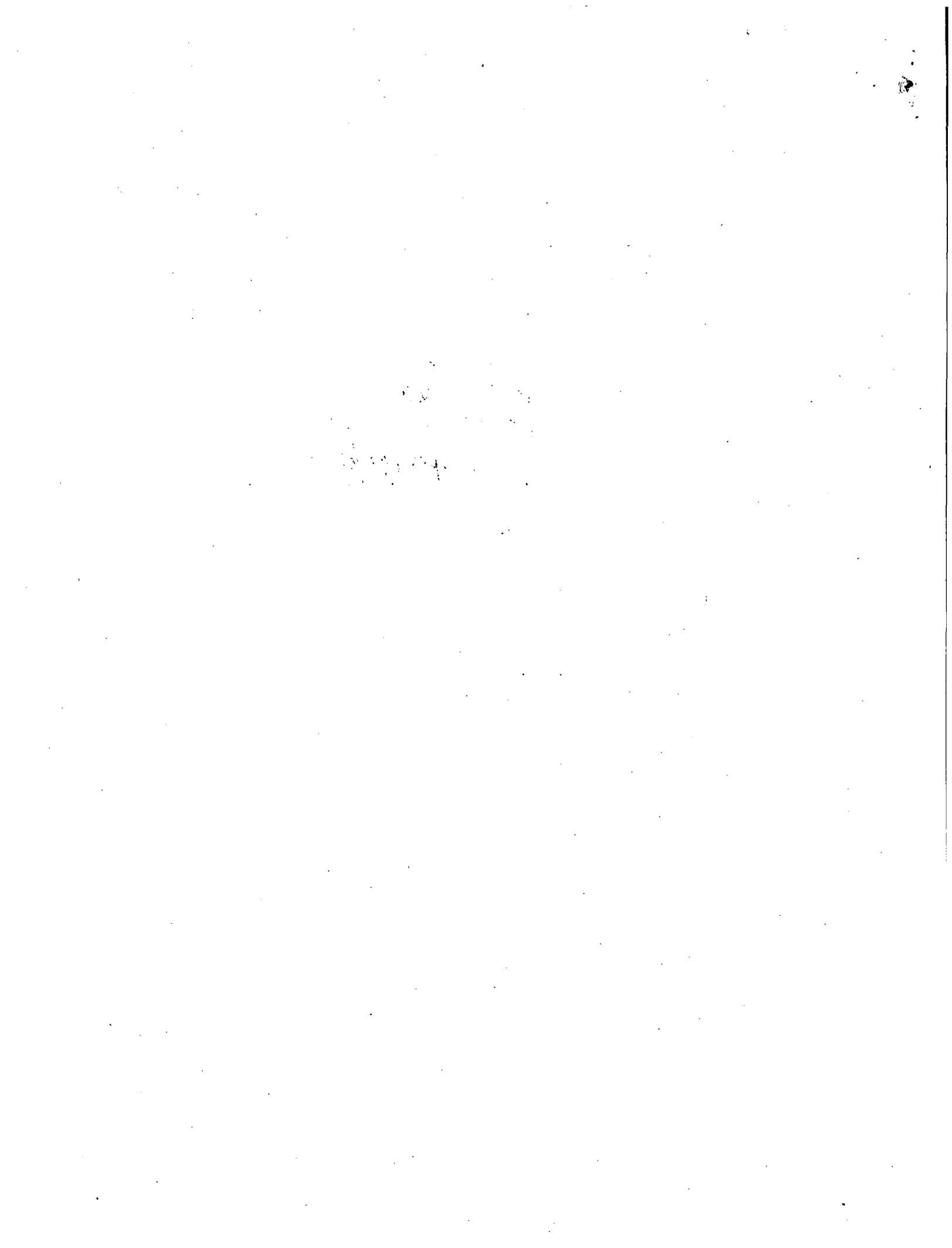
SIGNATURE OF ATTORNEY OR RECORDS [Signature]

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING FFF \_\_\_\_\_ JUDGE \_\_\_\_\_ MAIL JUDGE \_\_\_\_\_



1. Task Number 060718HCC2690		2. Investigator's ID 8133		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 07 09	5. Date Initiated YR MO DAY 2006 07 26		
6. Synopsis of Accident or Complaint UPC A 39 year old male injured his left knee during his first use of a kite tube. The boat was traveling at 38 mph on a lake when the tube flipped over causing the rider to fall six feet to the water's surface. The same thing happened again when another adult male was approx. 8 feet above the water's surface. This rider did not suffer any injuries.				
<p><del>REF/PRV/BR NOTIFIED</del></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  <input type="checkbox"/> OVERRULED; <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <u>25c</u>  <small>Revisions</small></p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> <p style="text-align: right;"><i>pm 1/18/07</i></p>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City NORRIS LAKE		9. State TN
10A. First Product 3200 - Water Tubing (activity, Appa	10B. Trade/Brand Name WEGO		10C. Model Number 53-5000	
10D. Manufacturer Name and Address SPORTSTUFF 11213 E. Circle #A Omaha, NE				
11A. Second Product 0	11B. Trade/Brand Name NONE		11C. Model Number NONE	
11D. Manufacturer Name and Address NONE				
12. Age of Victim 39	13. Sex 1 - Male	14. Disposition 1 - Injured, not Hosp.	15. Injury Diagnosis 64 - Strain/Sprain	
16. Body Part(s) Involved 35 - KNEE	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational / Travel) 7 / 0	
20. Attachment(s) 2 - Documents	21. Case Source 07 - Consumer Complaint		22. Sample Collection Number	
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 08/29/2006	25. Reviewed By 9071		26. Regional Office Director Eric B. Ault	
27. Distribution Inkster, Sandy E.; Spittler, Virginia R.			28. Source Document Number 10670252A	



## **SYNOPSIS**

A 39 year old male injured his left knee during his first use of a kite tube. The tube turned upside down causing the rider to fall six feet to the water's surface. The same thing happened again when another adult male was approx. 8 feet above the water's surface. He did not suffer any injuries.

## **PRE-INCIDENT**

This was the first use of the kite tube. The complainant's friend purchased the tube a few days earlier in anticipation of a boating outing. The complainant was the first person to use the kite tube. He stated that the owner of the boat did view the instructional video which came with the kite tube and did provide the complainant with instructions on how to work the tube to get it into the air.

The tube was inflated and attached to the boat at a ski tow attachment tower approximately 3 feet above the rear deck of the ski boat. The complainant climbed on the tube. He was the only rider. The rope which came with the unit was being used and the shortest length (beginner's length) was chosen. The boat accelerated to approximately 38 mph. The complainant began trying to make the tube become airborne.

The weather was sunny and warm. There was nearly no wind.

The complainant stated that he had ingested no alcohol and was not taking any medication. He is not handicapped. He stated that he is 69 inches tall and weighs 175 pounds. He stated that he was in good physical shape. He was wearing a life jacket and swimming trunks. The complainant has done waterskiing and has used water tubes that remain on the surface. He has never used a tube that can go airborne.

## **INCIDENT**

The complainant stated that he was able to make the tube fly approximately six feet above the water. He was just attempting to figure out how to control the tube. He stated that suddenly the tube flipped upside down and dumped him into the water.

The complainant stated that he had no warning of a problem and really had no control of the tube. He did not have any time to signal the boat to slow down. He was unaware of a problem until it was too late to do anything.

## **POST INCIDENT**

While the boat was turning around to recover the complainant he noticed that his left knee was extremely sore. He stated that he remembered striking the water with his left leg first. At that time he felt something break.

After getting back in the boat he decided not to try any other activities and declined to ride the tube again. His left knee was painful and walking was difficult. The operator of the boat then allowed another person to drive and tried to use the kite tube. He also was dumped into the water from approximately eight feet off the water. He was not injured.

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Upon returning home, the complainant visited his doctor and then an orthopedic surgeon. He was diagnosed as having a torn Medial Collateral Ligament in his left knee. Medical action is still being discussed. Walking is presently painful for the complainant.

The kite tube has been returned for a refund as part of a manufacturer recall. According to the complainant, it appeared to be undamaged from its use.

### **PRODUCT IDENTIFICATION**

The complainant stated that the kite tube was a Wego brand kite tube and it was purchased over the internet from Sportstuff, Incorporated, 11213 E. Circle #A, Omaha, NE 68137. Model 53-5000. The complainant described the kite tube as approximately 8 to 10 feet wide and inflatable. Since the incident, the unit has been returned no photos are available.

### **ATTACHMENTS**

Ex. A – Persons interviewed

Ex. B – Release of Name form.

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**EXHIBIT A**

**PERSONS INTERVIEWED**



 declined to provide the names of other people involved in this incident. Other interviews were not possible.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

PO Box 531226

CINCINNATI, OHIO 45253

513-741-4919

FAX -- 513-741-1025



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**AUTHORIZATION FOR RELEASE OF NAME**

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Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

You are hereby authorized to disclose my name and address with the information collected on this case. *TO MANUFACTURER ONLY*

My identity is to remain confidential.

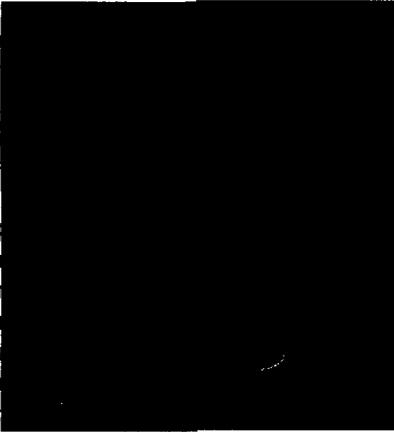


*8/28/06*

(Date)

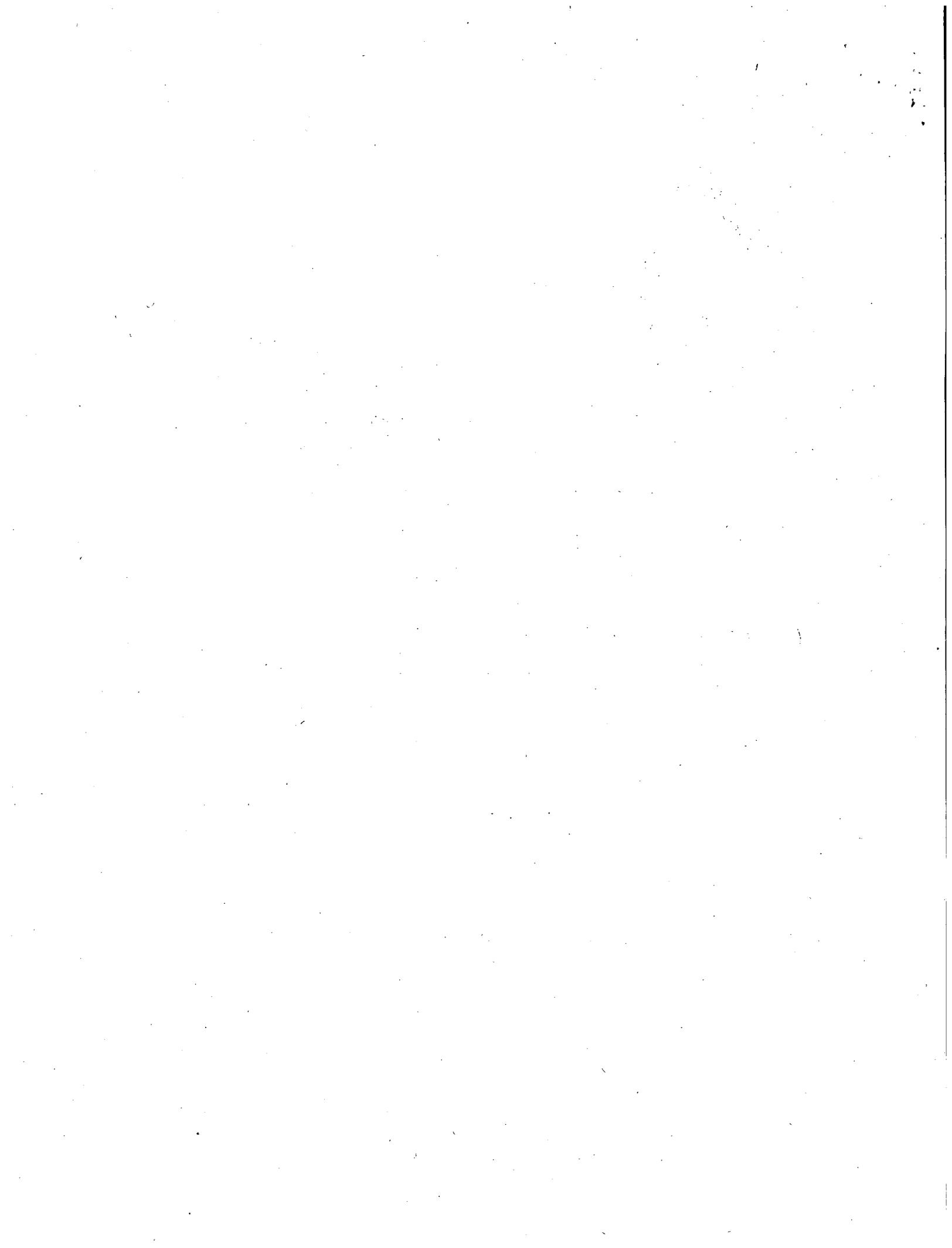
07/14/2006 09:59:52

Name  
Address  
City  
State  
Zip -  
Email  
Telephone  
Name  
Victim  
Victim  
Victim  
Victim  
Victim

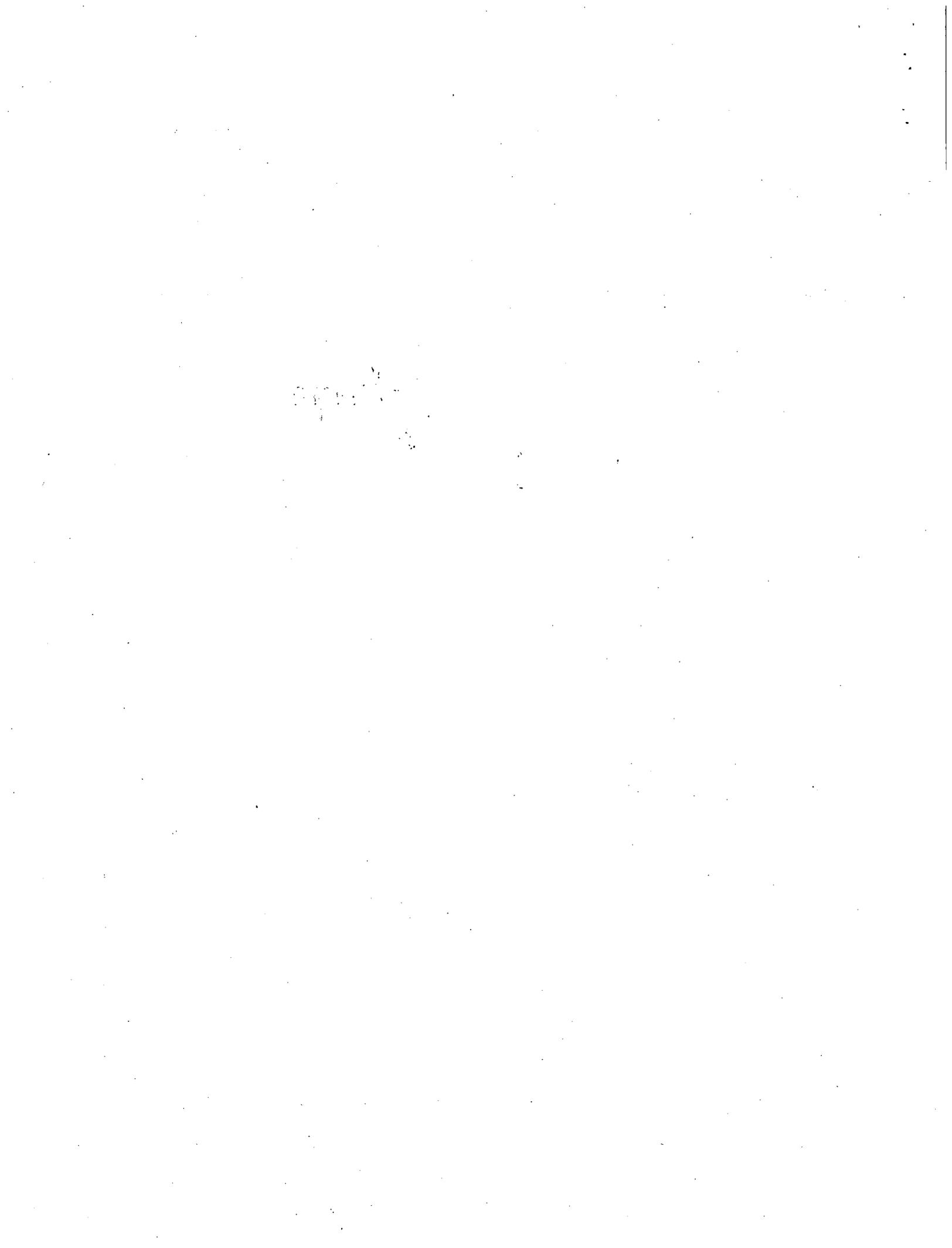


Incident Description: I was injured this past Sunday (7-9-06) while riding a Kite Tube at Norris Lake in Tennessee. During the course of riding the Kite Tube it lifted off the water, at which time I lost control of the tube itself. The Kite Tube began to swing back and forth then flipped over causing me to lose my grip on the handles. I was thrown into the water and the next thing I felt was a snap in my left knee. I have been seen by an orthopedic surgeon here locally in Cincinnati (Beacon Orthopedics), had X-rays and and MRI, and discovered I suffered a torn Medial Collateral Ligament in my left knee.

Victim's age at time of incident = 39  
Victim's sex = Male  
Date of incident = 7-9-06  
Product involved = Kite Tube  
Product brand name/manufacturer = Unkonwn  
Manufacturer street address =  
Place where manufactured (City and State or Country) =  
Product involved still available = No  
Product model and serial number, manufacture date =  
Date product purchased =  
Name Release = Release name to manufacturer only



<b>1. Task Number</b> 060721HWE5466		<b>2. Investigator's ID</b> 8232		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
<b>3. Office Code</b> 840	<b>4. Date of Accident</b> YR MO DAY 2006 07 08	<b>5. Date Initiated</b> YR MO DAY 2006 07 30		
<b>6. Synopsis of Accident or Complaint</b> <b>UPC: unknown</b>  A 37-year-old female sustained fractured her ribs and vertebra while riding a kite tube towed by a motor boat. The boat was traveling at approximately 30 MPH when the kite tube became airborne 5 to 10 feet above the water. The kite tube suddenly inverted and slammed the victim into the water. The victim was transported to a trauma hospital and was hospitalized for four days. The victim was wearing a life jacket. Drugs and alcohol were not involved.  <div style="text-align: center;"> <input checked="" type="checkbox"/> <del>PREVIOUSLY NOTIFIED</del>  COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  <input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED  <input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <u>25c</u>  <small>Revisions</small>  <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY </div>				
<b>7. Location (Home, School, etc)</b> 9 - SPORTS OR RECREATION PLACE		<b>8. City</b> LAKE OWYHEE		<b>9. State</b> OR
<b>10A. First Product</b> 3200 - Water Tubing (activity, Appa		<b>10B. Trade/Brand Name</b> WEGO		<b>10C. Model Number</b> UNKNOWN
<b>10D. Manufacturer Name and Address</b> SPORTSTUFF INC. Omaha, NE				
<b>11A. Second Product</b> 0		<b>11B. Trade/Brand Name</b> NONE		<b>11C. Model Number</b> NONE
<b>11D. Manufacturer Name and Address</b> NONE				
<b>12. Age of Victim</b> 37		<b>13. Sex</b> 2 - Female		<b>14. Disposition</b> 4 - Hospitalized
<b>15. Injury Diagnosis</b> 57 - Fracture		<b>16. Body Part(s) Involved</b> 31 - UPPER TRUNK		<b>17. Respondent</b> 1 - Victim/Complainant
<b>18. Type of Investigation</b> 3 - Other		<b>19. Time Spent (Operational / Travel)</b> 17 / 2		
<b>20. Attachment(s)</b> 2 - Documents		<b>21. Case Source</b> 05 - Newspaper		<b>22. Sample Collection Number</b>
<b>23. Permission to Disclose Name (Non NEISS Cases Only)</b> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
<b>24. Review Date</b> 09/11/2006		<b>25. Reviewed By</b> 9021		<b>26. Regional Office Director</b> Frank J. Nava
<b>27. Distribution</b> Topka, Tanya L.			<b>28. Source Document Number</b> N0670527A	



The victim and her husband were the respondents. Additional information was obtained from the Sheriff's report and the State Marine Board staff.

### **Narrative**

This investigation was initiated by the regional office in response to a news report regarding a 37 year old female who was hospitalized with injuries sustained when kite tube inverted and slammed her abruptly into the water.

The victim was a healthy active 37 year old female who is married with children. The victim is 62 inches tall and weighs approximately 115 pounds. The victim is experienced in the use of water skis and wake boards. The victim was not using drugs or alcohol at the time of the event. The victim was wearing a life jacket when the event occurred.

The kite tube was purchased new by the victim's sister's family. The kite tube was purchased at the beginning of summer 2006. Specific details about the exact date and location of the purchase were not available. The victim's sister's family also own and operate the tow boat that was used at the time of the event. The tow boat was a 2005 model 24 foot long recreational boat that is powered by a 385 horsepower inboard motor.

The event occurred on a lake located in a state adjacent to the state where the victim and her family reside. The lake is formed by a 413 foot high dam located in a high desert canyon. The lake is 53 miles long with a surface area of 13,900 acres. The approximate elevation of the area surrounding the lake is 4000 feet above sea level. The lake is patrolled by the County Sheriff's Department. Public and private campgrounds are located around the area surrounding the lake.

The victim's family and the sister's family were camping at the lake for the third time during the 2006 summer season. They used the kite tube on each of the camping trips at the lake. The victim rode in the tow boat and watched other family members use the kite tube on previous camping trips.

The victim said that her husband fell off of the kite tube while being towed behind the boat on one occasion before the event occurred. She said that the kite tube was not airborne at the time he fell. She said that he was not injured. She said that there were no other incidents involving the kite tube before the event occurred.

The event occurred on July 8, 2006 at approximately 7:18 PM. The event occurred during daylight under clear conditions. The air temperature was 98 degrees Fahrenheit; the water temperature was 79 degrees Fahrenheit. The water surface was choppy with a 10 to 15 mile per hour wind.

The victim said that she was using the kite tube for the first time when the event occurred. She said that she read the instructions and was familiar with operation of the kite tube from watching other members in the group use the kite tube. The victim said that she was riding the kite tube for approximately one minute when the event occurred.

The victim said that the boat was towing the kite tube using the tow rope that was furnished with the kite tube. She said that the tow rope was adjusted to the longest length. She and her husband could not estimate the length of the tow rope.

The tow boat was driving into the wind when the event occurred. The speed of the tow boat was approximately 30 miles per hour. The victim said the kite tube became airborne within one minute of the beginning of her ride on the kite tube. She said that the kite tube was between 5 and 10 feet above the surface of the water. She said that she shifted her weight forward on the kite tube as per the manufacturer's instructions in an attempt to lower the height of the kite tube.

The victim said that the kite tube did not respond to her effort to lower the height. She said she held her grip tight on the kite tube to avoid falling off. She said that the kite tube inverted without warning and abruptly slammed her down onto the surface of the water.

The victim complained about intense pain in her back when the tow boat retrieved her from the water. The family requested emergency assistance when the boat returned to the boat dock. A local ambulance was summoned. Paramedics evaluated the victim's injuries and summoned a helicopter ambulance to transport the victim to a trauma hospital. The victim was transported by air approximately 50 miles to the hospital.

The event was investigated by the County Sheriff's Marine patrol. The Sheriff's Deputy interviewed the victim's family and witnesses. The State Marine Board collected reports from the Sheriff's Department and the boat operator. The Marine Board did not conduct an independent investigation. A Marine Board staff member said that there was no evidence of any safety violations and no fault in the operation of the boat. Copies of the official reports are attached to this report as exhibits.

The victim was hospitalized for four days following the event. She said that she sustained three fractured ribs and two fractured vertebrae in her mid back. She said that one vertebra fracture was a compression fracture. The victim was still recovering from her injuries at the time of this investigation.

The victim's husband said that he contacted the kite tube manufacturer by telephone after the event. He said that he was instructed to submit the information in writing. He said that he submitted a detailed report to the manufacturer by email. He said that the manufacturer had not responded to his email at the time of this investigation.

### **Product Identification**

Brand: **Wego**

Manufacturer: **Sports Stuff Inc.**

The brand and manufacturer were obtained from the Sheriff's report. The investigating officials did not identify the model number or serial number of the kite tube.

The victim said that the kite tube was purchased new by her sister's family at the beginning of the 2006 summer season. Specific product identification and history information was not available. Photographs of the kite tube were not available. The owner of the kite tube did not respond to requests for an interview to provide additional information about the kite tube.

The kite tube was towed behind a 27 foot long recreational boat powered by an inboard motor. The kite tube was connected to the boat with the tow rope that was part of the original equipment furnished with the kite tube. The length of the tow rope was not available. The victim and her husband said that the tow rope was adjusted to its maximum length at the time of the event.

#### **Attachments**

Exhibit # 1: Sheriff's Report (2 pages)

Exhibit # 2: Marine Board Report (2 pages)

Exhibit # 3: Victim's Statement (1 page)

# REMOVED POLICE REPORT

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Police Dept did not  
consent to disclosure  
of report.

## Contact Sheet

Victim:

Husband:



Interviewed by telephone 8/31/06

State Official: Ashley Massey  
Oregon State Marine Board  
435 Commercial Street  
Salem, OR 97309  
(503) 378-2623

Contacted in person: 07/26/2006

The victim's husband contacted the manufacturer by telephone and email after the event occurred. A copy of the husband's email message to the manufacturer was requested but not received. The CPSC investigator did not contact the manufacturer as part of this investigation.

The State Marine Board did not conduct an independent investigation of this event. The Marine Board relied on information collected by the Sheriff's Department.

**Task Number: \_060721HWE5466**

**Date: \_09/08/06\_\_\_\_\_**

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

1. \_\_\_\_\_ husband's correspondence with the manufacturer \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_



Information contained in this report was obtained from a telephone conversation with the complainant and from an on-site visit with the complainant's wife.

The victim in this incident was a 28-year-old male, the complainants' son. According to the complainant, the victim is in good health and has no mental or physical disabilities. He weighs approximately 152 pounds and is five feet, eight inches tall. The victim grew up around the water and was familiar with boating and boating activities. He has always been very athletic and has participated in many water sports through the years.

The complainant was the operator of the boat at the time of the incident. He has operated boats and been involved in waters sports for many years. He was familiar with the boat and how to tow someone behind the boat. The complainant stated that there was no alcohol or drugs involved during this incident. This was a family outing with members of his family and some of the victim's friends.

The product involved was a kite tube. The victim had purchased the kite tube online from ebay.com. The complainant stated the kite tube was new and was still in the packaging box when the victim received it. The tow rope for the kite tube came with the kite tube. It was also brand new and in very good shape. According to the complainant, the victim read all the instructions and warnings that were on the package and the product before he used the kite tube.

The day before the incident, the victim and some of his friends tried out the kite tube. They used it a few times and realized it can suddenly get out of control and swing sideways very fast and then crash down into the water. The victim and his friends told the complainant that they found it safer to jump off of the kite tube into the water when it started to fly erratically. The victim told each of the riders to hold up both hands in the water after they jumped off to signal to the people in the boat that they were alright. This signal allowed the driver of the boat to know the rider was alright and did not need immediate assistance.

On the day of the incident, the victim had some friends and his girlfriend over to ride the kite tube. The complainant's wife stated that the weather was warm and clear and there was little wind, if any. The weather report for the day of the incident showed the temperature was approximately 87 degrees Fahrenheit. It was a clear day with no precipitation. The wind was in a westerly direction at approximately 12 miles per hour. They had started riding the kite tube around 10:00 am in the morning and then stopped for lunch. They took turns allowing each one to ride the kite tube.

After lunch, the complainant went out on the boat with the victim, the victim's girlfriend, the victim's two friends, his daughter and her husband and his granddaughter. The complainant was the operator of the boat while the victim and his friends took turns riding on the kite tube.

According to the instructions that accompanied the kite tube, the operator of the boat starts out slowly and then picks up speed to make the kite tube fly in the air. The complainant stated he was very cautious of the kite tube and would only go the speed that it took to lift the kite tube in the air. If he saw there was a problem with the kite tube, he would throttle down (slow down the boat speed) to try to get the kite tube back in control. The victim and his friends rode the kite tube a few times before the incident.

The victim was wearing a bathing suit and a life vest when he attempted to ride the kite tube with the complainant at the wheel of the boat. The complainant stated he started slowly and accelerated very slowly only to the point that was needed to lift the kite tube in the air. He estimated that he was going approximately 25 to 35 miles per hour. As the victim was riding the kite tube, the complainant saw that the kite tube was starting to get out of control. He explained that he saw the kite tube start to swerve from side to side like a kite without a tail. The complainant immediately slowed down the boat. At the same time, the victim felt that the kite tube was going out of control, so he attempted to jump into the water rather than stay on the kite tube and crash into the water with the kite tube.

When the victim jumped off the kite tube on the left side, the kite tube suddenly swung to the left and hit him, knocking him unconscious. When he hit the water, he was unconscious.

The victim's girlfriend saw that the victim was not lifting both his arms out of the water after he landed in the water, so she had the complainant immediately turn the boat around to help the victim. When the boat got to the victim, they saw him floating face down in the water.

His two friends, along with the complainant's son-in-law jumped out of the boat and turned the victim over. The complainant estimated that the victim was in the water for less than one minute before the victim's friends jumped in to help him. They were able to get the victim back on the boat, but he was still unconscious. One friend disconnected the kite tube from the boat and stayed in the water with the kite tube while the complainant called 911. The complainant asked the emergency personnel to meet him at their home which was the closest place to meet. The complainant drove the boat to the dock behind his home to meet with the emergency personnel. While driving back to the dock, the victim's friends tried to help the victim bring up the salt water he had swallowed while in the water. He gagged some and threw up a lot of water.

By the time the complainant got back to the dock behind his house, the victim was starting to come to. The emergency personnel arrived and gave the victim oxygen. The victim was taken to the hospital where he was kept over night to receive oxygen and to be monitored for any other problems from the incident.

The complainant's wife stated the victim was released from the hospital the next day and has since recovered from this incident.

The complainant related that the Florida Fish and Wildlife Conservation Commission investigated this incident. The complainant was told that since he was the operator of the boat at the time of the incident, he was responsible for the incident. He was issued a warning for careless operation.

The complainant stated the instructions for the kite tube indicated that the boat had to slowly speed up in order for the kite tube to become airborne. If he had operated the boat at a lower speed, the kite tube would not have gone into the air as it was designed to do. However, according to the Florida Fish and Wildlife officer, he was operating the boat carelessly by going at a speed that was unsafe for the rider.

The complainant added that there is absolutely no control for either the operator of the boat or for the rider when the kite tube is in the air. The kite tube is like flying a kite without a tail. The kite tube can fly fine for a while but there is no way of knowing when it will start to sway from side to side or crash into the water similar to a kite without a tail. The complainant stated he will never have a kite tube attached to his boat ever again. He believes the kite tube is a dangerous product because there is no way to control it. He added there were many warnings on the kite tube but there was no warning about not having any control when the kite tube is in the air.

The complainant related that the victim packed the kite tube back in the box and sold it online on ebay.com.

The officer with the Florida Fish and Wildlife Conservation Commission who issued the warning to the complainant was contacted. He stated this was a new water sport this year. He related the boat operator is still responsible for what happens when he is towing someone behind boat. Since someone was injured, the boat operator was issued a warning for careless operation of the boat. A copy of the accident investigation was requested but was not received.

#### **PRODUCT IDENTIFICATION:**

The product involved was a Wego kite tube. It is a circular tube that when blown up, becomes the kite tube. It is red, yellow and black in color. The manufacturer is Sportstuff Inc, 12213 E. Circle, #A, Omaha, NE. There is a clear plastic near the top of the kite tube that is a window for the rider. It was made for one rider.

#### **SAMPLE:**

None collected.

060609HCC1577

-4-

**ATTACHMENTS:**

Attachment 1 – Missing Document Form

Attachment 2 – Authorization for Release of Name

Attachment 3 – Identification of Contacts

Task Number: 060609HCC1577

Date: 7/11/06

### Status of Missing Document(s)

The official records below were requested for this investigation report, but could not be obtained.

1. Copy of Florida Fish & Wildlife Conservation Commission's accident report
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_



U. S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

YES

NO

  
\_\_\_\_\_  
(Signature)

7/3/06  
\_\_\_\_\_  
(Date)

**IDENTIFICATION OF CONTACTS:**

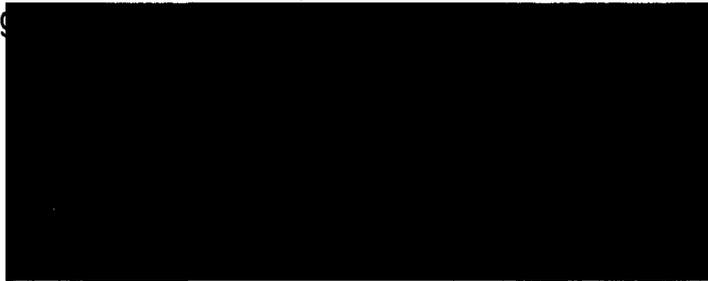
1. [REDACTED], complainant, 4 [REDACTED] ch,  
FL 33785 - (727) 333-8870 - contacted by telephone.
2. Linda Newton, complainant's wife, [REDACTED] Beach,  
Beach, FL 33785 - [REDACTED] - contacted on site.
3. Officer Richard Schesano, Florida Fish and Wildlife Conservation  
Commission, Division of Law Enforcement, Boating Safety Section, 620  
South Meridian Street, Tallahassee, FL 32399 (850) 488-4676 - contacted by  
telephone.



If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

The manufacture name is Sport Stuff, not Super Stuff.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge



9/27/04  
Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

<b>1. Task Number</b> 060922CBB1806		<b>2. Investigator's ID</b> 9052		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
<b>3. Office Code</b> 810	<b>4. Date of Accident</b> YR MO DAY 2006 09 17	<b>5. Date Initiated</b> YR MO DAY 2006 09 25		
<b>6. Synopsis of Accident or Complaint</b> <b>UPC</b> A four-year-old male, who was riding in a towing tube behind a boat that was going less than 10 mph, was suffocating when his whole body became wedged in between the blow up part of the tube and the lining that surrounds the tube. He was hospitalized overnight and has since fully recovered.  <div style="text-align: center;"> <p><del>PR/PR/PR NOTIFIED</del> <i>1/18/07</i></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Exs. <i>25c</i></p> <p><input type="checkbox"/> Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> </div>				
<b>7. Location (Home, School, etc)</b> 9 - SPORTS OR RECREATION PLACE		<b>8. City</b> JACKSONVILLE		<b>9. State</b> FL
<b>10A. First Product</b> 3200 - Water Tubing (activity, Appa)		<b>10B. Trade/Brand Name</b> SPORTSTUFF/OUTLAW		<b>10C. Model Number</b> OUTLAW
<b>10D. Manufacturer Name and Address</b> SPORTSTUFF 11213 East Circle #A Omaha, NE 68137				
<b>11A. Second Product</b> 0		<b>11B. Trade/Brand Name</b> NONE		<b>11C. Model Number</b> NONE
<b>11D. Manufacturer Name and Address</b> NONE				
<b>12. Age of Victim</b> 4	<b>13. Sex</b> 1 - Male	<b>14. Disposition</b> 4 - Hospitalized	<b>15. Injury Diagnosis</b> 65 - Anoxia	
<b>16. Body Part(s) Involved</b> 85 - ALL OF BODY	<b>17. Respondent</b> 1 - Victim/Complainant	<b>18. Type of Investigation</b> 2 - Telephone	<b>19. Time Spent (Operational / Travel)</b> 7 / 0	
<b>20. Attachment(s)</b> 1 - Photographs		<b>21. Case Source</b> 07 - Consumer Complaint		<b>22. Sample Collection Number</b>
<b>23. Permission to Disclose Name (Non NEISS Cases Only)</b> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
<b>24. Review Date</b> 10/16/2006	<b>25. Reviewed By</b> 9067		<b>26. Regional Office Director</b> Eric B. Ault	
<b>27. Distribution</b> Topka, Tanya L.; Putz, Scott W.; Gabriel, Susan S.			<b>28. Source Document Number</b> I0690363A	

Information contained within this report was obtained from a telephone conversation with the complainant (mother of victim). The towing tube involved in this incident was destroyed. Efforts to find an exemplar model at several Target stores were unsuccessful.

The victim in this incident was a four and one-half year old male. According to the complainant, the victim weighs about 40 pounds and is 42 inches tall. She related that he was larger than most four-year-old males. He is in good health and has no mental or physical disabilities.

The product involved was a towing tube attached to the back of a boat by a towing rope. The complainant stated she purchased the towing tube from a local Target store during the Labor Day weekend. The towing tube was on sale because it was a seasonal item.

The towing tube came in a box. The complainant stated that she read all the instructions and warnings on the box and on the towing tube itself. She added that she and her family have grown up near the waterways in Florida and was very familiar with boating activities and towing tubes.

She selected this towing tube because it had a lining all around the tube allowing the victim to sit in the middle of the tube. Her son would be able to sit in the middle of the towing tube while being towed behind the back of the boat.

On September 17, 2006 in the afternoon, the complainant prepared to take the victim out on the towing tube. This was the first time the towing tube was used. The victim had his bathing suit on and she put a life vest on him. The temperature was recorded as 87.1 degrees Fahrenheit with 49 percent humidity. It was mostly cloudy with winds from the east at 9.2 miles per hour.

The complainant put the victim in the towing tube and was in a small boat with five other adults. The towing rope was tied to a small tab attached to the outside lining of the towing tube. The boat was on a small creek near the complainant's home. The driver of the boat was going less than ten miles per hour when they were pulling the towing tube with the victim in the middle of the tube. The tube was approximately ten feet behind the boat.

They had been towing the victim in the towing tube for about five minutes when they could no longer see the victim in the towing tube. The driver of the boat immediately stopped the boat and several of them pulled the rope for the towing tube closer to the boat. They did not see the victim in the towing tube, so they started looking in the water for him. The water was dark and murky, so it was difficult to find anything in the water.

Approximately three to four minutes later, the complainant's brother decided to look in the towing tube again. This time, he discovered the victim had slid under the blow up

part of the tube between the lining and the tube. His whole body was wedged between the lining and the bottom of the blow up part of the tube.

He immediately pulled the victim out from the towing tube and into the boat. The victim was unresponsive and not breathing. The adults on the boat performed CPR and called 911. The victim started breathing again but was very weak. He was taken to the hospital where he stayed overnight for observation. He was discharged the next day and has since recovered from this incident. He suffered no permanent damage.

The complainant stated the victim was without air for approximately three to five minutes. She stated they lost precious time while looking for the victim in the water rather than rescue him from the towing tube. She emphasized that when they looked at the towing tube the first time, there was no sign of the victim in the tube. She never thought to look between the lining and the blow up part of the tube. There was no such warning on the packaging box or the towing tube.

The victim told the complainant that he had his hands down on the lining and was trying to move around to get better seated on the lining when his hands were sucked underneath the blow up part of the tube. He could not stop his whole body from being sucked under after his hands went between the lining and the blow up part of the tube.

The complainant related that there are handles on the top of the blow up part of the towing tube but the victim could not reach the handles.

After the victim recovered from this incident, the victim and his father drove over the towing tube with the father's truck and destroyed the towing tube. The remnants of the towing tube were thrown away in the trash.

Visits to several local Target stores were made to purchase an exemplar model of the towing tube but none were found. The complainant stated it was a seasonal item that was on sale when she purchased it during the Labor Day weekend.

#### **PRODUCT IDENTIFICATION:**

The complainant stated the towing tube was a **SportsStuff** Outlaw 52" towing tube. It was triangular in shape. The lining completely covered the blow up part of the tube making it completely covered on the bottom, so someone could sit in the middle of the tube. She stated there were two handles on each side of the tube. There was a tab about four inches long attached to the lining that was for the towing rope. The complainant related that there were several warnings on the packaging box and on the towing tube itself.

The towing tube was purchased from a local Target store on sale. It was a seasonal item and was on sale because it was the end of the season.

060922CBB1806

-3-

**ATTACHMENTS:**

Attachment 1 – Photograph of the outlaw towing tube from website

Attachment 2 – Identification of Contacts

060922CBB1806

ATTACHMENT 1

PHOTOGRAPHS OF TOWING TUBE FROM WEBSITE

Photo 1 – View of the towing tube

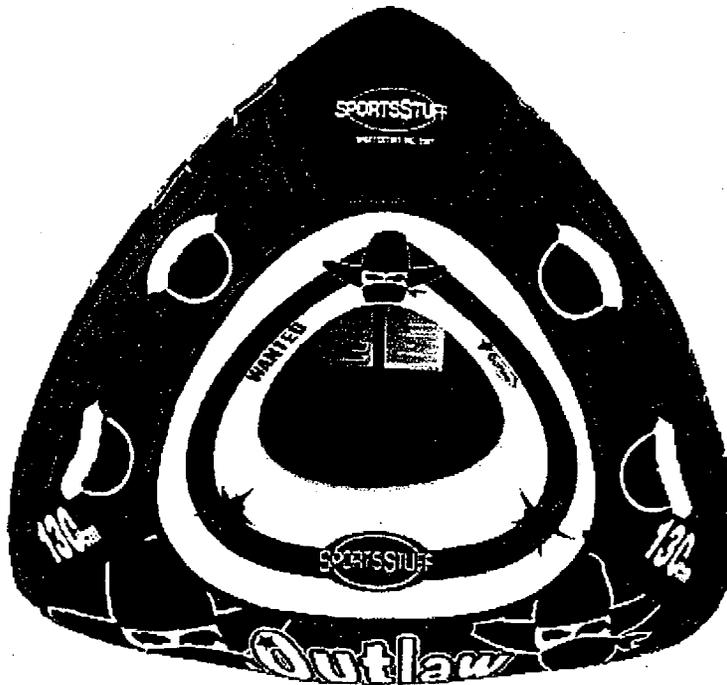


Photo 2 – View of the packaging box for the towing tube



060922CBB1806

ATTACHMENT 2

**IDENTIFICATION OF CONTACTS:**

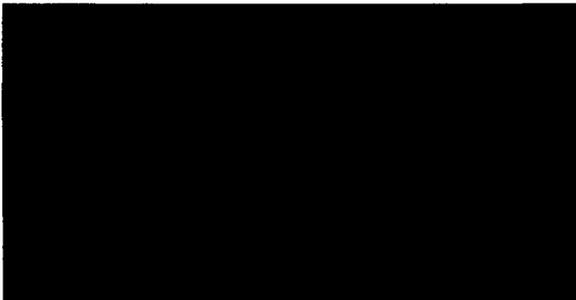


09/20/2006 16:02:59

Name  
Address  
City =  
State =  
Zip = 3  
Email  
Telephone  
Name  
Victim  
Victim  
Victim  
Victim's Zip =  
Victim's Telephone =

Incident Description: My 41/2 year old son was sucked inside the lining of the Outlaw towable tube made by Super Stuff. We purchased the 52" version. He became lodged inside and we were unable to see him. We spent valuable time looking for him in the water when all the while he was inside the tube lining. My son was blue and non responsive when we pulled him out. We had to perform mouth to mouth to bring him back.

Victim's age at time of incident = 41/2  
Victim's sex = Male  
Date of incident = 9/17/06.  
Product involved = boating tow tube  
Product brand name/manufacturer = Outlaw 52" Super Stuff  
Manufacturer street address = 11213 e circle suite a omaha ne 68137  
Place where manufactured (City and State or Country) = jacksonville florida  
Product involved still available = Yes  
Product model and serial number, manufacture date = model # 53-1126  
Date product purchased = 9/06  
Name Release = Release name to manufacturer only



Email  
Telephone  
Name  
Victim's  
Victim's  
Victim's  
Victim's  
Victim's Telephone



Incident Description: My 4112 year old son was sucked inside the lining of the Outlaw towable tube made by Super Stuff. We purchased the 52" version. He became lodged inside and we were unable to see him. We spent valuable time looking for him in the water when all the while he was inside the tube lining. My son was blue and non responsive when we pulled him out. We had to perform mouth to mouth to bring him back.

Victim's age at time of incident = 4112  
Victim's sex = Male  
Date of incident = 9/17/06  
Product involved = boating tow tube  
Product brand name/manufacturer = Outlaw 52" Super Stuff  
Manufacturer street address = 11213 e circle suite a omaha ne 68137  
Place where manufactured (City and State or Country) = jacksonville florida  
Product involved still available = Yes  
Product model and serial number, manufacture date = model # 53-1126  
Date product purchased = 9106  
Name Release = Release name to manufacturer only

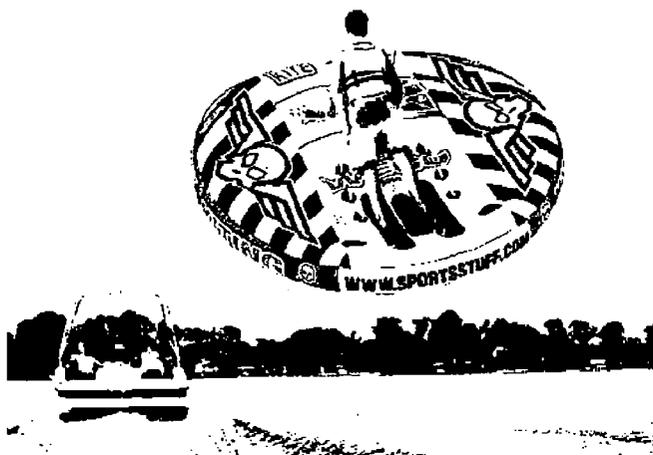
1. Task Number 060628CWE5430		2. Investigator's ID 9068		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 06 26	5. Date Initiated YR MO DAY 2006 06 28		
6. Synopsis of Accident or Complaint UPC 0 29808 00518 5  A 42-year-old male died when the kite tube he was riding on lifted up to 4 feet and then suddenly crashed into the water. The victim hit the water and was knocked unconscious. He regained consciousness but then went into cardiac arrest at the hospital. The victim was diagnosed with a broken collar bone, a lacerated spleen, a bruised liver and a hematoma. An autopsy was performed and the cause of death was listed as exsanguination, severed hepatic artery and blunt force trauma				
<div style="text-align: right;"> <p><del>REVISED BY NOTIFIED</del> <i>Am 9/6/06</i></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><del>OVERRULED</del> <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXCISIONS/FOIA Etc. <i>25c</i></p> <p>Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> </div>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City ST. GERMAIN		9. State WI
10A. First Product 3200 - Water Tubing (activity, Appa	106. Trade/Brand Name WEGO KITE TUBE		10C. Model Number 53-5000	
10D. Manufacturer Name and Address SPORTSSTUFF, INC. 11213 E Circle Street, #A Omaha, NE				
11A. Second Product 0	116. Trade/Brand Name NONE		11C. Model Number NONE	
11D. Manufacturer Name and Address NONE				
12. Age of Victim 42	13. Sex 1 - Male	14. Disposition 8 - Death	15. Injury Diagnosis 66 - Hemorrhage	
16. Body Part(s) Involved 31 - UPPER TRUNK	17. Respondent 2 - Eyewitness	18. Type of Investigation 1 - On-Site	19. Time Spent (Operational / Travel) 12 / 2	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 05 - Newspaper	22. Sample Collection Number	
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 07/10/2006	25. Reviewed By 8929		26. Regional Office Director Frank J. Nava	
27. Distribution Blasius, Dennis R.; Topka, Tanya L.; Ingle, Robin L.			28. Source Document Number X0660583A	

IDI 060628CWE5430

## INCIDENT REPORT

The 42-year-old victim had been water skiing, tubing and boating for over 10 years. He was a water enthusiast and interested in the latest water recreational products on the market but was not a high risk taker.

In January, 2006, the victim and his 44-year-old male friend went with their wives to an area boat show. At the show, they saw a product called the kite tube which was ten feet in diameter. The friend stated that until now they had been on tubes up to five feet in diameter. They viewed a video tape of the kite tube which showed it in the air about five to ten feet off the water while it was being towed by the boat. They talked with the sales representative who stated that you only have to go 26 mph to get the kite tube to lift off the water. The victim thought the kite tube looked like fun and easy to do. Based on the video, the victim decided to order one to use in the upcoming summer. He purchased it for about \$460 at the boat show discount and it was shipped to him by the end of May, 2006. Following and attached as Exhibit "A" is a picture of this kite tube.



On June 23, 2006, the victim went on vacation with the same friend who had been at the boat show with him as well as another friend who was 45-years-old along with all of their families. They stayed at a resort on a lake so that they could fish, ski and go tubing. The victim brought the kite tube along with him as well as the new 60 foot tow rope which came with it. The victim told his friends that he viewed the kite tube video and read the product literature prior to leaving home. His friends asked if the victim had brought the video along as they wanted to see it, but the victim had left all of the product literature at home.

On June 24<sup>th</sup>, the victim and his two friends decided to try the kite tube out for the first time. As the two friends were blowing up the kite tube with a compressor, they read the warnings printed on the tube. They attached the tow rope to the back of the boat and

towed the kite tube behind the victim's boat. The victim and his two friends rode the kite tube separately wearing life jackets. They stood or knelt in the foot pockets and grabbed the handles on the kite tube. None of them had any prior experience with this size of tube. The closest size they had ridden on was a five foot diameter tube. While one was tubing the other two were in the boat driving and spotting. As they took off, the rider would pull on a rope attached to the front middle of the tube to lift the front of the kite tube so that water would not get into the tube. After that, the rider would pull on the kite tube handles to lift the front of the tube up so that it could get air to lift off the water. The victim and his two male friends each tried once riding on the kite tube but could not get the tube to lift off of the water at a speed of 25 mph as recommended. The front of the kite tube would rise off of the water but the back end would drag on top of the water. There were no falls on this day.

Both of the victim's friends remarked that it was very difficult to hold onto the handles for very long as your arms and legs would tire easily. They also noted that they had no control of the kite tube. The front end of the tube would rise up as the boat accelerated and would come down when the boat slowed down. They stated that they were just holding on and were at the mercy of the wind and the driver.

On the following day, they were talking about the kite tube and thought perhaps they needed a bigger boat and motor to get the kite tube to lift off the water as they were larger guys. The 42-year-old victim was 6'1" and 225#, the 44-year-old friend was 6'1" and 205# and the 45-year-old friend was 5'8" and 150#.

On June 26<sup>th</sup> at about 8:00 PM, the victim and his two friends decided to try the kite tube out again using his 44-year-old friend's boat which was a 1991 VIP Model SK8 with an Evinrude 150hp motor. The friend who was the owner of the boat attached the tow rope at the 60 foot length and drove the boat. The 45-year-old friend was the spotter and the victim was the rider. As they started out in front of their cabin, the friends noted that the lake was like glass and there was no breeze.

Traveling from the cabin to the end of the lake took less than a minute. During this time, they were able to get the kite tube to lift off the water about two to three feet for about five seconds going at a speed of 30-35 mph. Any less speed and the tube would not lift off the water. The friend who was driving stated that he was constantly adjusting the speed of the boat to get the kite tube in the air. As the rider pulled on the handles which lifted the front of the tube in the air, the tube would catch some air and lift off the water. When the tube was three feet off the water, the driver would try to maintain the speed of the boat and as the tube started to descend to the water, the driver would increase the speed. Both the driver and spotter related that while the tube was in the air, they were unable to see the victim on the tube. They noted that the tube has a plastic window that in theory allows the driver to see the rider and vice versa. When the tube is deflated, you

can see through the window. But, when the tube is inflated the plastic window accumulates condensation, is cloudy and does not allow either party to see each other. Therefore, there was no way to communicate between the driver and rider.

When they reached the end of the lake, the driver slowed the boat down to turn around to come back. At this time, the driver asked the victim how the speed was on the first trip and the victim responded that the speed was perfect and to drive exactly the same on the way back. As they started out, the kite tube performed the same at about 30-35 mph. It lifted off of the water up to three feet and then would come back down. When they were about half way back, the kite tube lifted off of the water to four feet, swayed to the right, then to the left, then shook, then went back to the right and then came down and hit the water. From lift off to touch down took less than five seconds. When the kite tube hit the water, the victim was thrown into the water head first. At this point, the spotter told the driver, that the victim had fallen off. When the driver turned around to look, he saw the kite tube about 20 feet in the air. The driver turned the boat around and started back to the rider. When the boat was within 20 feet of the victim, the driver and spotter noticed that the victim was not moving. When they came within 10 feet of the victim, they observed the victim face down in the water.

The spotter grabbed the life vest of the victim and lifted his face out of the water. They found that the victim was breathing and his lip was bleeding but he was unconscious. The driver started to lightly slap the victim's face to get him to come around but the victim did not respond. At this point, they yelled to shore to send a boat out to help.

An emergency medical technician (EMT) happened to be staying at the same resort and on shore at the time of the incident. He got into his boat and brought additional people along to help with the victim. At this same time, someone on shore called "911" for assistance. When the EMT arrived at the scene, it took six men to pull the victim out of the water and into the boat. By this time, the victim was coming around and could move his legs and talked. The victim knew his name and his birthday but did not know what had happened. When they came back to shore with the victim, an ambulance arrived within two to three minutes. The ambulance took the victim to an area hospital and his wife rode along with him. The 44-year-old friend and his wife followed the ambulance to the hospital.

The Sheriff's Department was also called to the scene by the "911" call. They briefly interviewed the parties involved. Attached as Exhibit "B" is a copy of their call sheet and press release on the incident.

When the victim arrived at the hospital, he was diagnosed with a broken collar bone, a lacerated spleen, a bruised liver and a hematoma near his thorax. There were no visible signs of injury, as the injuries were all internal. As the hospital staff was working on draining the fluid from the hematoma, the victim's heart stopped several times. The hospital staff restarted the victim's heart on each occasion until it stopped at 1:00 AM on

June 27<sup>th</sup> and they were unable to restart it. The hospital noted the cause of death to be cardiac arrest.

The Vilas County Coroner was called to the hospital and an autopsy was scheduled for the following day. The coroner noted the death to be accidental and the cause to be exsanguination, severed hepatic artery and blunt force trauma. Attached as Exhibit "C" is a copy of the coroner's report.

Following the death of the victim, the county sheriff called the area Department of Natural Resources (DNR) warden to report the incident as the DNR investigates boating deaths. The warden went to the resort and briefly interviewed the 45-year-old friend of the victim regarding the incident. To date, the Department of Natural Resources does not have a releasable report and it is unknown if there will be a formal report by their office.

This injury incident was brought to the attention of the U.S. Consumer Product Safety Commission by a news reporter. This investigator received this assignment on June 28, 2006 and contacted the Department of Natural Resources warden to obtain additional information on the incident. The warden provided the name of the victim as well as the driver and spotter.

On June 30<sup>th</sup>, this investigator conducted an on-site interview with the victim's friends, the 44-year-old male driver and the 45-year-old male spotter. Their comments have been incorporated into this report. Both of the friends stated that upon returning home from the resort, they inspected the kite tube and did not notice any damages or apparent equipment failure.

### **PRODUCT IDENTIFICATION**

The product involved is a Wego Kite Tube, Model 53-5000 that is 10 feet in diameter x 18" H when inflated and yellow, orange and black in color. The kite tube is pulled behind a motor boat and the rider holds onto handles on the top side of the tube and puts his feet into foot pockets. As the rider pulls on the handles, the front of the tube is lifted in the air. The air goes underneath the tube causing it to lift off the water. The tube may raise straight up or act like a kite swiveling, swooping and turning in the air. The kite tube has been known to reach heights of up to 30 feet in the air before coming back down to the water. It has a UPC 0 29808 00518 5 and is manufactured in China for:

**SPORTSSTUFF, INC.**  
**11213 E CIRCLE STREET, #A**  
**OMAHA, NE 68137**  
**(402) 592-9085**  
**(888) 814-8833**  
**[www.sportsstuff.com](http://www.sportsstuff.com)**

The kite tube is advertised on the Internet and described as follows:

### **Wego Kite Tube**

**10ft diameter flying tube.**

**Take flight with the WEGO KITE TUBE! The next generation of action towable to here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KIT TUBE. Anything else is beneath it.....**

**Model 53-5000 Sug. Retail: \$599.95**

The kite tube has the following features:

- **120 inch inflated diameter (10 feet) with slanted saucer configuration.**
- **840D full body nylon double skin cover with PU coating.**
- **Computerized double stitched sewing.**
- **Nylon zippered openings for bladder insertion and adjustment**
- **Multiple mesh drain ports, bar-tacked.**
- **Two heavy-duty PVC bladders-outer ring and slotting cockpit.**
- **Reinforced towing system with molded aluminum connector for easy quick connection.**
- **Speed safety valves for fast easy inflation and deflation.**
- **Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use.**
- **8 padded, non-slip handles with knuckle guard.**
- **Heavy-duty starting leash with easy grip sponge balls.**
- **Reflective Safety Piping on all handles and on the outside top taping.**
- **Variable loops for detachable leash use.**
- **Panoramic see through double windows.**
- **Adjustable length style 45-55-65 foot segmented tow rope included.**
- **High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping**
- **Instructional DVD, tow rope and starting leash included.**
- **90 day warranty**

### **Warnings**

The kite tube has warnings noted in its instructional DVD, product literature and printed directly on the kite tube top surface. The warnings on the kite tube are reiterated as follows:

**WARNING**

To lessen your risk of serious injury or death, follow these rules:

- Not a Lifesaving Device.
- Never Leave Children Unattended.
- Use Only Under Competent Supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under twelve (12) years of age.
- The watercraft driver is responsible for the towable and rider(s) since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced operator (driver) at the helm of the watercraft.
- Always have three or more people present for safe tubing: one to drive, one to observe, and one or more to ride.
- Observer in the boat should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other watercraft, boats, swimmers, towables, and other obstructions in the water.
- Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water, and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Do not use at speeds that exceed the skills of the rider. Never exceed 20 mph when towing adults or 15 mph when towing children.
- Use a tow rope specifically designed for towables.
- Never operate the watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness. Ensure that the tow rope is clear of all body parts prior to or during use.
- Riders should keep arms and feet out of the water.
- Always wear a U.S. Coast Guard (USCG) approved type III (PFD) ski vest or as recommended by proper government authorities.
- Do not exceed the manufacturer's recommended number of riders for this tube.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.
- Use a tow rope of at least 1500 lbs. average tensile strength for pulling a single person, 2375 lbs. average tensile strength for pulling two people, 3350 lbs. average tensile strength for pulling three people, and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.
- The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller liable for any loss, damage, injury, or expenses of

any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear, and deterioration from the use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

102605.02

ITEM NO.: 53-5000

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### **KITE TUBE BOAT DRIVER**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite tube and its performance.
- Adjust boat speed to reduce the height of the Kite tube.
- The Kite Tube is unlike any other towable tube. It can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight, and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.
- Avoid excessive boat speed at all times.
- Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
- Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
- Give-way to all other watercraft, especially sailboats.
- The Kite tube can sustain flight with steady head wind and boat speed. Head into the wind.
- Be aware of cross winds and wind gusts.
- Use the large, panoramic window to monitor and communicate with the rider.
- Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
- Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out. As the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
- Most boating accidents happen in less than 2 seconds.
- Reaction time varies from 120 to 255 feet of boat length.

- Do not be in-attentive. Do not let your mind wander. Focus on what you are doing.
- Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
- Don't Kite in electrical storms.
- The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
- Instruct all riders of rules and warnings, plus how to ride.
- In riding position, the rider and tube are at a 45° angle to the water's surface.
- Avoid floating objects and all immoveable objects.
- All riders should be towed at speeds that allow for reasonable control.
- Avoid submarining the towable when first starting out or on spills.
- Slow boat down to 5 mph to turn around and pick up the rider.
- In many cases when the rider falls off, the Kite will continue to be airborne.
- Don't be a gunner, slamming the throttle forward and forgetting about the towable and your rider. Focus.
- In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite tube will Kite in, but remember the Kite tube is designed to Kite into the wind.
- Do not throw away your owner's manual. You must review periodically and especially when allowing others to use or borrow your Kite tube.
- Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
- Don't overload your boat with a lot of passengers.
- Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff until the boat reaches planing speed and lift occurs on the Kite tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately otherwise you will create too much drag on the boat and tube, causing something to break.
- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5 mph, otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".

- Experience safe Kiting.

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## **WARNING**

### **KITE TUBE RIDER**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Into a steady wind, flight occurs more easily.
- With the wind, flight is not so easy.
- Based on rider weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability. Kiting takes a practiced level of skill.
- Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planning speed.
- Rider safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines, and other immoveable objects.
- Be aware of natural wind breaks and barriers that change the wind flow.
- Use rear transom tow point. Using higher tow point means the Kite can Kite higher.
- Maximum 1 rider capacity.
- Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
- Balance to minimize movement while airborne. Too much movement can cause the Kite tube to become wobbly and over turn. Maintain a good center of gravity.
- 10 and 2 o'clock are the best control hand positions.
- Hang time, Kite time, can be 1 second to many minutes.
- Length of hang time depends on the wind, boat speed and rider weight.
- A straight boat heading into the wind creates the optimum Kiting performance.
- Ballet performance is what you are looking for (up and down).
- Use the large panoramic window to see the boat and to view rider height.

- Force the tube down by pushing your weight down with a swift motion.
- Use your position within the slotting system cockpit to adjust pitch or the angle by which the nose of the tube is inclined up or down from the horizontal.
- Use the handles to adjust left to right balance.
- Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
- Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
- Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.
- A rider that falls or is ejected should try to fall away from the Kite tube.
- Experience safe Kiting.

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## **WARNING**

### **KITE TUBE USE**

#### **Release of Liability:**

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks or injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty,

**including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.**

110806.03

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**ATTACHMENTS**

Exhibit "A" – Pictures and photographs of kite tube as well as the boat used to pull the kite tube the day of the incident.

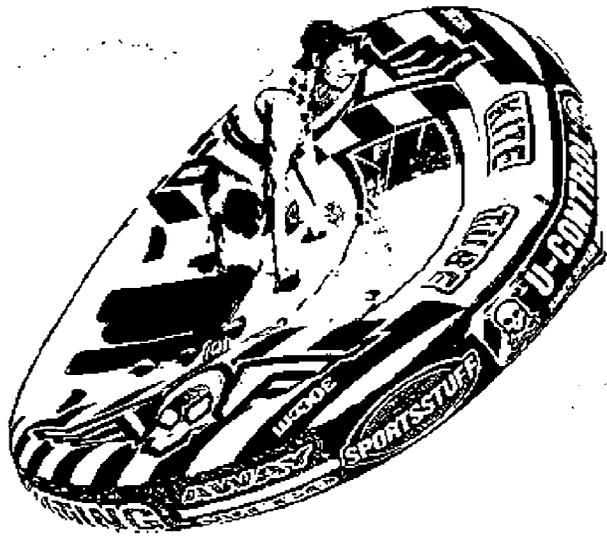
Exhibit "B" – Sheriff's department call sheet and press release.

Exhibit "C" – Coroner's report.

Exhibit "D" - Authorization to Not Release Name forms.

Exhibit "E" – Contact List

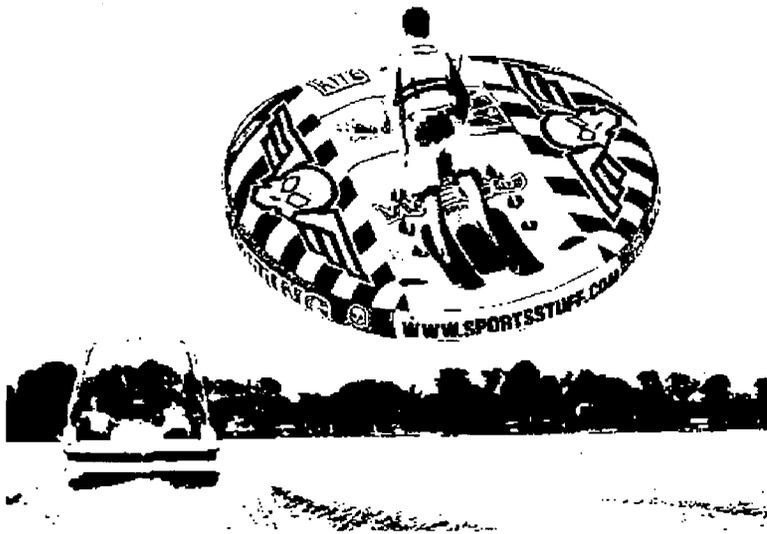
Tue Jun 27 01:05:06 CDT 2006 L Scarcelli  
Traci England, medical examiner from Oneida, calling to request our coroner.  
Tue Jun 27 01:05:19 CDT 2006 A Mattke  
Paged 249 P Tirpe. Also notified C161 M Sealander and 210 D Gardner. 202 J  
Fath notified.



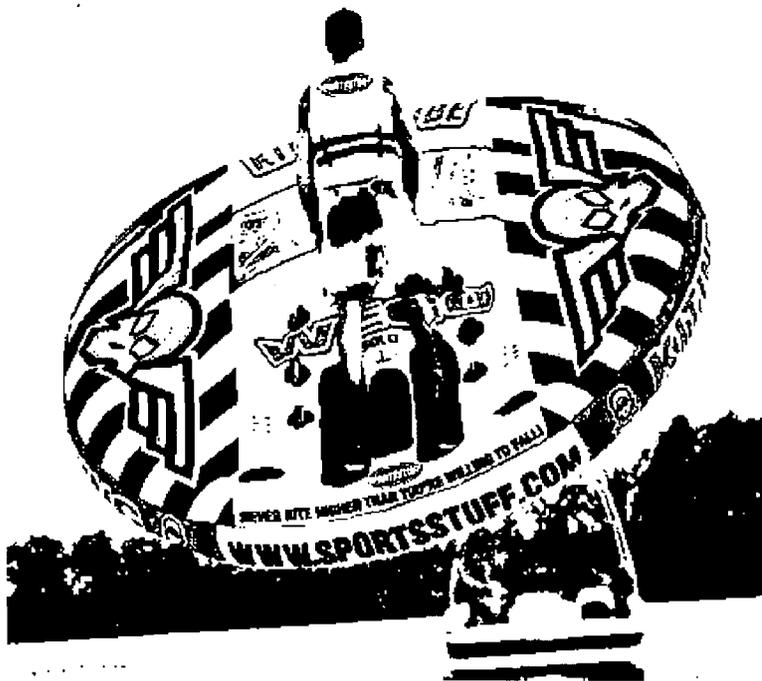
IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



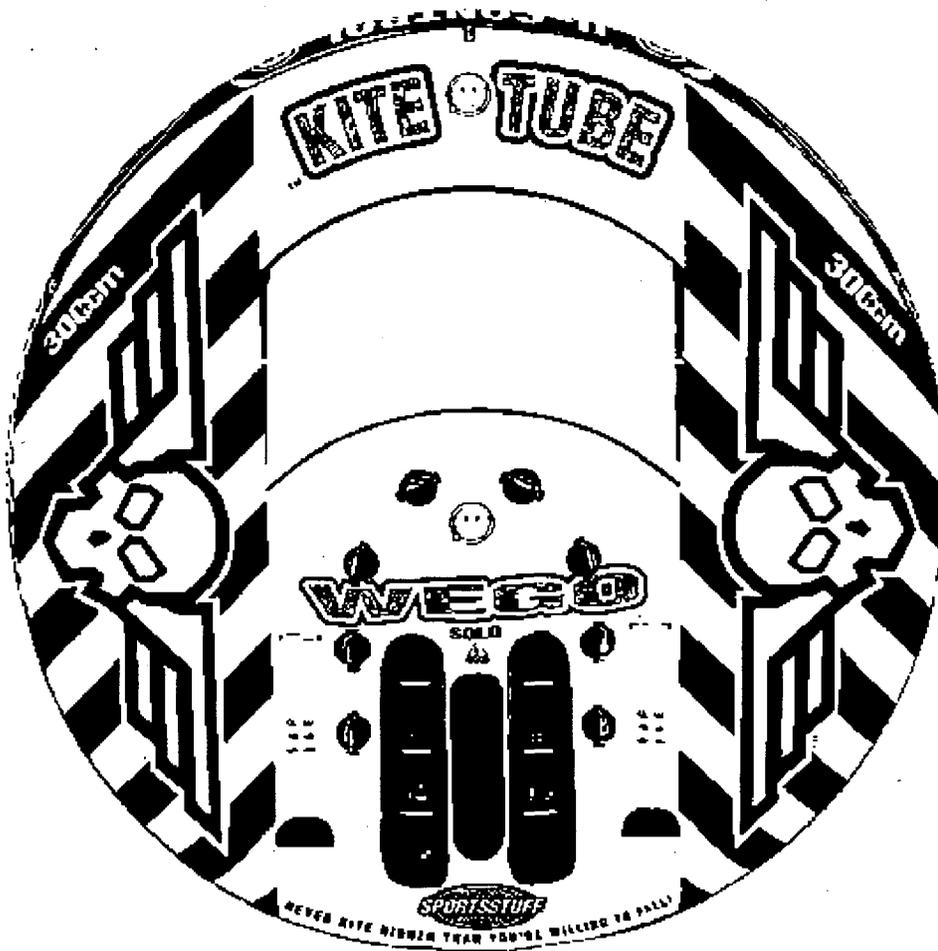
IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



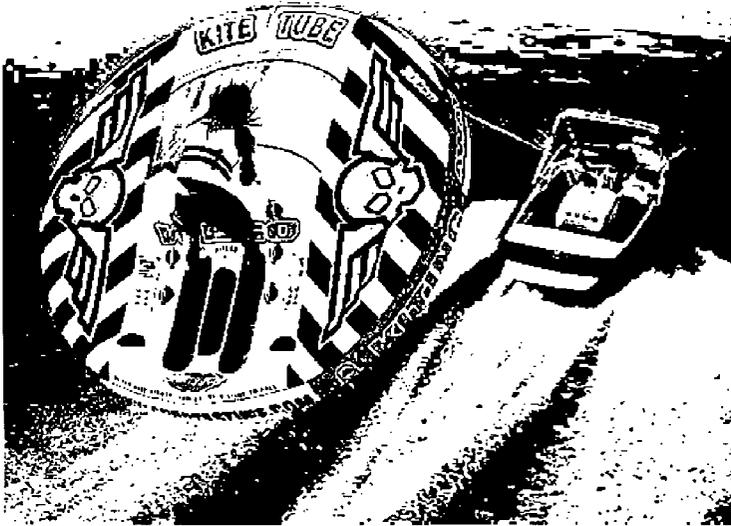
IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



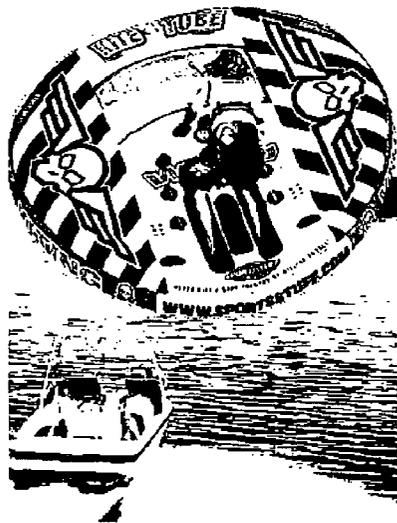
IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



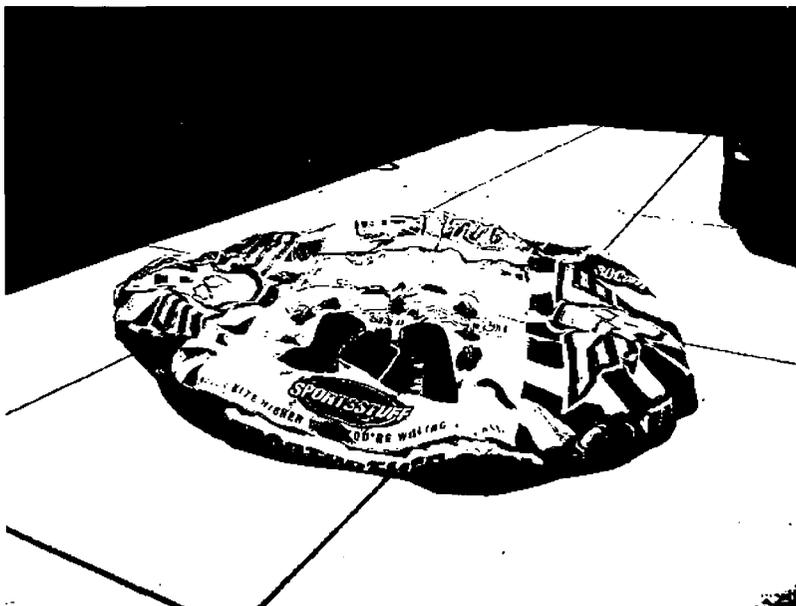
IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



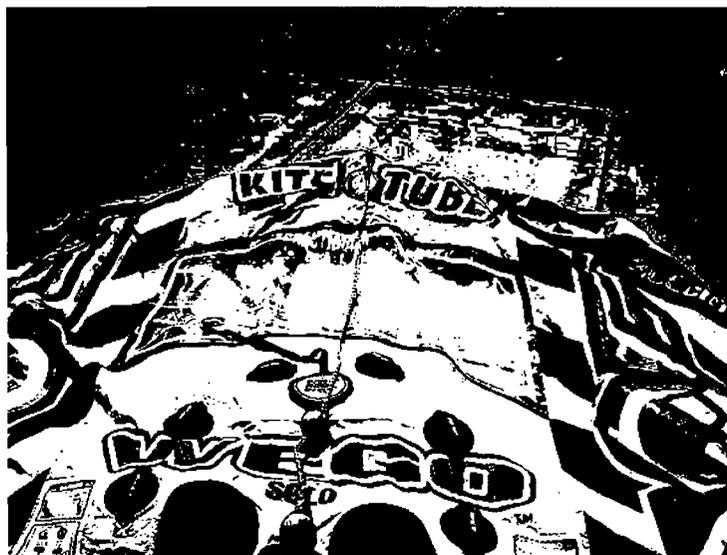
**IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.**



**IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.**



**IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Model 53-5000 –  
Purchased by victim.**



**IDI 060628CWE5430 – Exhibit “A” – Wego Kite Tube – Model 53-5000 –  
Purchased by victim. – Photograph shows plastic window for rider and driver to  
view each other.**



**IDI 060628CWE5430 – Exhibit “A” – 1991 VIP 17 foot SK8 boat with an 150 hp Evinrude motor that pulled the Wego Kite Tube the day of the incident.**



**IDI 060628CWE5430 – Exhibit “A” – 1991 VIP 17 foot SK8 boat with an 150 hp Evinrude motor that pulled the Wego Kite Tube the day of the incident – Arrow points to where tow rope was attached.**

**PRESS RELEASE**

For Immediate Release

For more information contact:  
John Niebuhr, Sheriff  
715-479-4441

David Gardner, Lieutenant

Boating Accident - Fatality

[REDACTED] June 27, 2006

VCSD Case No. 06-006594

St. Germain, WI, June 26, 2006 -- On Monday, June 26, 2006, at approximately 8:07 PM, the Vilas County Sheriff's Department received a call requesting medical assistance at [REDACTED]. The caller stated a boating accident on Little St. Germain Lake had occurred and one person was injured. St. Germain Rescue, Plum Lake 91 and Med 5 were dispatched to the scene. The injured party was transported to Howard Young Medical Center for treatment and was later pronounced dead. The name of the deceased is being withheld pending notification of family.

The accident is under investigation by the Wisconsin Department of Natural Resources, Vilas County Sheriff's Department and Vilas County Coroner's Office.

Lt. David Gardner  
Tuesday, June 27 02:19:00 CST 2006

07/05/06  
10:25

Vilas County Sheriff's Department  
CAD Master Call Table:

Page: 279  
1

Long-Term Call ID: 150473  
Active Call: Nature: Boat/Water Acci Type: lfe Priority: 2

Address: [REDACTED] City: SG St Germain  
Zones: : : : Alarm Number:

+- Complainant: 74412 -----+  
Lst: [REDACTED] Fst: Sandra Mid: M  
Adr: [REDACTED] DOB: 08/17/61  
Cty: New Berlin ST: WI Zip: 53151 SSN: - -  
Tel: [REDACTED] Cell Race: W Sex: F Prev Calls: Wants: Adr:  
Alrt:

-----+  
Contact: Sandy Tel: (262)565-3893  
Address:  
Info: (See below)

How Rcvd: W Wireless 911 Occurred between: 20:07:11 06/26/06  
Rcvd by: A Mattke and: 20:07:11 06/26/06  
Hld Until: 06:00:00 06/27/06 When Rptd: 20:07:11 06/26/06

=====

INVOLVEMENTS:

Type	Record #	Date	Description	Relationship
LW	06-006594	06/26/06	Boat/Water Acci	*Initiating Call
EM	06-01209	06/26/06	Boat/Water Acci	*Initiating Call
FR	06-0294	06/26/06	Boat/Water Acci	*Initiating Call
NM	74417	/ /	Bykowski, Gregory L	Deceased
NM	74418	/ /	Bykowski, Stephane L	Wife
NM	74419	/ /	Kurudza, Robert A	Boat Driver
NM	74420	/ /	Roadt, James M	Spotter
NM	74412	/ /	Ethier-Roadt, Sandra M	*Complainant
VH	29071	/ /	1991 VIP SK 18 WI	Boat Involved

Call Taker Comments:

Boat accident, one injury. Complainant does not know what happened, a boat was sent out to see what happened. Everyone is out of the water.

Male subject around 40 YOA was on a Kite Tube and was somehow injured. Complaining of back and shoulder pain and possible head injury.

20:32:32 06/26/06 - P Popp - From: D Gardner  
This was a tubing accident.

Mon Jun 26 20:33:32 CDT 2006 A Mattke  
Transported to HYMC, MED5 paged for intercept.

## VILAS COUNTY CORONER'S DEATH REPORT

DECEASED NAME: [REDACTED]

I was contacted by the Vilas County Sheriff's Department to respond to a death at the Howard Young Medical Center Emergency Room. Upon my arrival I met with the ER physician, Dr. Mark Richards who advised me that the deceased had been brought to Howard Young following a tubing accident in St. Germain. He advised me that the deceased had been alert and oriented and that following his return from the CT scanner the deceased suddenly crashed and that a code ensued. Dr. Richards stated that they had coded Mr. [REDACTED] for almost 2 hours before declaring him dead. Dr. Richards stated that the CT appeared to show a small laceration to the spleen and bruising to the liver with a small amount of blood in the cavity. According to Dr. Richards the deceased also had a left pneumothorax that was reduced with a chest tube and a pulmonary contusion.

Following this I met with [REDACTED] (11/14/61) who was the driver of the boat that was towing Mr. [REDACTED]. Mr. [REDACTED] stated that he was towing Mr. [REDACTED] on a "kite tub" around Little St. Germain Lake and had a spotter, Mr. [REDACTED] in the rear of the boat watching Mr. [REDACTED] on the tube. According to Mr. [REDACTED] they were traveling between 40 and 45mph and that the tube was bouncing off the water approx. 2' into the air and then back down onto the water.

Mr. [REDACTED] stated that Mr. [REDACTED] informed him that Mr. [REDACTED] had fallen off of the tube and then they turned the boat back to where they thought Mr. [REDACTED] was to pick him up. According to Mr. [REDACTED] when they approached Mr. [REDACTED] told him that Mr. [REDACTED] was lying face down in the water and had not given him the "OK" sign. Mr. [REDACTED] then came to assist Mr. [REDACTED] in rolling Mr. [REDACTED] over onto his back. As they rolled Mr. [REDACTED] over he noted that Mr. [REDACTED] had "snoring" respirations. Mr. [REDACTED] stated that Mr. [REDACTED] was wearing a life vest but was too heavy for him and Mr. [REDACTED] to get into the boat by themselves. Mr. [REDACTED] and Mr. [REDACTED] stated calling for help and some bystanders on the shore came out in their boat and assisted them in getting Mr. [REDACTED] back into the boat and to shore. Mr. [REDACTED] stated that by the time they arrived at the shore and called 911 that Mr. [REDACTED] was beginning to regain consciousness. Mrs. [REDACTED] stated that the deceased had no significant medical history and was on no prescription medications.

At this point I advised Mrs. [REDACTED] that I would be requesting an autopsy be done and that I would speak with her following the autopsy. I then proceeded to take Mr. [REDACTED] into my care and setup an autopsy to be done that day at the Fond du Lac County Medical Examiner's Office. I also released the deceased for skin and bone donation at the wife's request. I also spoke with Warden Selander regarding the incident. Following this I transported the deceased to the Fond du Lac County Medical Examiner's Office in Fond du Lac for the autopsy.

See Page 3

## VILAS COUNTY CORONER'S REPORT

Name of Deceased: [REDACTED] DOB: 10-15-1963 CO#:06-006594

Address: [REDACTED] Delafield, WI 53018 Age: 42

Date of Death: 06/27/06 Time of Death: Pron. 0050

D.A. Notified: YES Date: 06/27/06 Time: 0830

Reported By: Vilas Sheriff's Office per request of HYMC ER Staff

Time reported: 0106 Doctor:

Cause of Death    A. Exsanguination  
                    B. Severed Hepatic Artery  
                    C. Blunt Force Trauma

Natural:            Suicide:            Homicide:            Accidental: **X**

Date of Incident: 06/26/06    Time of Incident: 2005hrs  
Location: [REDACTED]    Little St. Germain Lake, St. Germain,  
Township

Autopsy performed By: Dr. Kelley

Funeral Director: Church and Chapel Funeral Service

## DESCRIPTION OF BODY

Sex: Male    Race: White    Height: 6'1"    Weight: 226    Eyes: Hazel  
Hair: Blonde    Personal Effects: Silver Colored band on left ring finger.  
Left with body at Fond du Lac Medical Examiner.

Trauma: See autopsy report

Specimens Taken: Blood, Usual autopsy specimens

Photos: Autopsy

Investigated by: 249 Tirpe, Warden Selander

Next-of-Kin: [REDACTED] Wife    Notified: By HYMC ER Staff

Address: Same    Phone [REDACTED]

## VILAS COUNTY CORONER'S DEATH REPORT

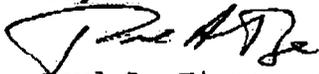
DECEASED NAME: [REDACTED]

Page 3

Dr. Kelley the Fond du Lac County Medical Examiner performed the autopsy and noted that a large quantity of blood was found in the abdominal cavity. He proceeded to explore the cavity and found that a hepatic artery had been severed. Dr. Kelley also noted that there were posterior rib fractures on the left side indicating a substantial amount of force had been transferred to the body when the deceased struck the water.

Following the autopsy I advised Mrs. [REDACTED] by phone of the results of the autopsy and answered what questions she had. I then released the deceased to the funeral home for final disposition at the request of the family.

Signed:



Paul A. Tirpe - Coroner



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

U. S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

YES

NO

[Redacted Signature]

(Signature)

7-7-06

(Date)

*P.S. Please do what you can to outlaw this kite tube "monster".*

[Redacted]



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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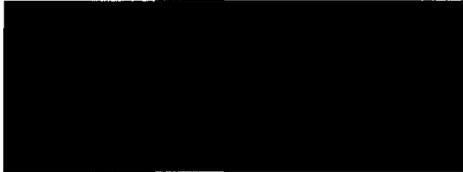
YES

NO

\_\_\_\_\_  
(Signature)

7-6-06  
\_\_\_\_\_  
(Date)

**VICTIM**



e

**CONTACT LIST**



ner of boat and driver

Jeff Dautermann – Warden  
Michael Sealander – Warden  
Chris Spaight – Warden  
Department of Natural Resources  
223 E. Steinfest Road  
Antigo, WI 54409  
(715) 623-4190

Vilas County Sheriff's Department  
330 Court Street  
Eagle River, WI 54521  
(715) 479-4441

Paul Tirpe, Coroner  
Vilas County Coroner  
29 forest Drive  
Manitowish Waters, WI 54545  
(715) 543-2232

JUN 28 2006

X066. 0583

**Kite tube death in St. Germain, WI**

Victim: 42-year-old male from Delafield, WI vacationing in St. Germain, WI

Incident Date & Time: 6/26/06 at 8:05 PM

Kite Tube model: Unknown (I have call into DNR warden that investigated.)

Where purchased: Unknown

Incident: Victim was riding a kite tube behind a 17 ft. 150 hp boat with an open motor on Little St. Germain Lake in Vilas County. The driver of the boat and spotter noted that the water was calm. The spotter reported seeing the kite tube veer sharply to the right while in the air and then sharply back down into the water. When the kite tube came down to the water, the victim fell off. The driver of the boat went over to the victim and found him face down in the water and unconscious. They put the victim in the boat and headed for shore. The victim remained unconscious for about 30 - 40 seconds and on their way back to shore, he regained consciousness. When they reached shore, they were met by rescue personnel who transported the victim, who seemed alert, to an area hospital to be checked out. The victim stayed at hospital and died five hours later.

(1:00 AM 6/27/02)

**ISSUE**

39

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## Delafield man dies after lake accident

Associated Press

ST. GERMAIN, Wis. - A man was fatally injured in an accident while being towed on an inflatable tube kite on Little St. Germain Lake, authorities said.

The man sailed several feet into the air and then hit the water, suffering fatal head and chest injuries, officials said.

He struck the water around 8 p.m. Monday and died five hours later at a hospital, officials said. It appeared that he hit only the water, conservation warden Mike Sealander said.

The Vilas County Sheriff's Department identified the victim Tuesday as [REDACTED] 42, of Delafield.

He was riding on a tube kite, which is an inflatable platform towed by a boat. It skims across the water and can become airborne.

An autopsy was planned.

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1. Task Number 060619HCC2607		2. Investigator's ID 8133		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 05 20	5. Date Initiated YR MO DAY 2006 06 21		
6. Synopsis of Accident or Complaint UPC  A 37 year old male was knocked unconscious when he fell from an airborne kite tube. He was rescued from the water by others in the tow boat and transported to the hospital. No permanent injury resulted.				
<i>MEMBER NOTIFIED</i> <i>COMMENTS: YES NO</i> <i>OVERRULED ATTACHED</i> <i>EXEMPTIONS FOR E.O. 13526</i> <i>DO NOT RE-NOTIFY RE-NOTIFY</i>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City BETHEL		9. State OH
10A. First Product 3200 - Water Tubing (activity, Appa)		10B. Trade/Brand Name WEGO		10C. Model Number NONE
10D. Manufacturer Name and Address SPORTSTUFF, INC. 11213 E. Circle Suite A Omaha, NE				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of victim 37	13. Sex <input checked="" type="checkbox"/> - Male	14. Disposition 1 - Injured, not Hosp	15. Injury Diagnosis 53 - Cont./Abrs.	
16. Body Part(s) Involved 87 - N.S./UNK	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational / Travel) 8 / 0	
20. Attachment(s) 2 - Documents		21. Case Source 13 - Other Case Source		22. Sample Collection Number
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 07/06/2006	25. Reviewed By 9071		26. Regional Office Director Eric B. Ault	
27. Distribution Ingle, Robin L.; Spittler, Virginia R.			28. Source Document Number X0660451A	

060619HCC2607

## **SYNOPSIS**

A 37 year old male was knocked unconscious when he fell from an airborne kite tube. He was rescued from the water by others in the tow boat and transported to the hospital. No permanent injury resulted.

## **PRE-INCIDENT**

The owner of the towboat and of the kite tube (also was person who was injured) has been towing skiers and tubes for over ten years from his 21 foot power boat. The boat is specifically designed for water skiing and has an upper bar for towing.

The owner stated that this was the first use of the kite tube and that he and the person who would be operating the boat had both viewed the video which came with the kite tube and they had read the owner's manual. He did not remember any warnings on the unit itself.

The group of eight people had just begun tubing with this new unit. The owner stated that he was acting foolish and ignored the instructions which stated that the tow rope should not be attached to an upper tow point (tow pylon) on a boat. The owner attached the rope to the boat.

The owner stated that he also elected to use the full 65 foot attachment point on the tube's tow rope. He stated that the tow rope has three attachment points. He stated that according to the owner's manual beginners usually use the approximately 45 foot attachment point.

The owner stated that the kite tube easily inflated and had no flaws or defects. The boat started out pulling the kite tube with a 33 year old male, who is a friend of the owner, operating the boat. He was an experienced boater and had operated power boats and pulled skiers and tubers for over ten years. He had never pulled a kite tube.

The kite tube was pulled at 30 mph and began to lift into the air. The speed of the boat was randomly picked by the operator. A gust of wind lifted the tube approximately 15 to 20 feet off the water. He estimated that he reached a maximum height of no more than 20 feet. The owner, who was riding on the tube, stated that he could see the boat thru a clear window in the body of the tube. He stated that he could control the tube only by shifting his position. He was wearing a life vest intended for water skiing and no other safety equipment. He did not signal the boat to slow down and thought that everything was fine for the first minute.

The owner who was using the kite tube is male, 68 inches tall, weighs 155 pounds and is 37 years old. He is in good health with no medical problems; he was taking no medications and had no alcohol. Only one person was on the kite tube. He was just beginning to try to control the tube when he lost control.

## **INCIDENT**

There was a sudden change in the wind and the kite tube flipped sideways. The owner stated that he fell from the tube. He stated that the impact with the water knocked him unconscious.

060619HCC2607

The operator of the boat later told him that it happened so fast that he could not slow down to prevent the fall.

### **POST INCIDENT**

The operator of the boat saw the fall and immediately returned to the downed owner. Friends in the boat jumped into the water and pulled the owner from the water. He began breathing and became conscious. The accident was reported to authorities and the owner was driven by his friends to the hospital. He was examined and released. No permanent injuries resulted from the incident. The owner stated that he had bruising from the impact with the water and had air knocked from his lungs by the fall.

A copy of the Department of Natural Resources accident report is attached as Exhibit B. The blocked out portions contain identification information such as social security numbers which are not released.

The owner / injured person agreed only to talk over the phone and would not allow examination of the unit or a visit. He also agreed to provide information only if I would not bother his friends (and boat operator).

The owner stated that he has used the unit since and has not had any problem. He has gone slower and into the wind. He has also used the shorter rope length. This reduction in speed and rope length has resulted in a more stable ride.

### **PRODUCT IDENTIFICATION**

The kite tube is a Wego Brand Kite tube. The owner stated that he purchased it from a site on Ebay and does not remember the exact source. It was purchased in June of 2006 shortly before its first use. He could not provide any manufacturer information. He stated that the unit has no model / serial number he had noticed. He could not find the owner's manual during the telephone contact.

An examination of the Internet led to a site [www.sportstuff.com](http://www.sportstuff.com). Which provided the attached downloadable owner's manual on 7/6/2006. The registration and warranty listed on these manuals for a Wego Brand Kite Tube is: Sportsstuff, Inc., 11213 E. Cir Suite A, Omaha, NE 68137. 402-592-9085. The website has a video available of the product being used.

### **ATTACHMENTS**

- Ex. A – Person Interviewed
- Ex. B – Department of Natural Resources accident report
- Ex. C – Owner's manual (retrieved from Internet site 7/6/2006)
- Ex. D – Tow manual (retrieved from Internet site 7/6/2006)
- Ex. E – Release of Name form Verbal (do not release name)

060619HCC2607

**EXHIBIT A**

**PERSON INTERVIEWED**

[REDACTED] er, Owner of boat, tube and injured person  
[REDACTED]  
[REDACTED]  
[REDACTED]

Release of name not authorized. Would not allow on-site or exam of product. Requested others in boat not be contacted.

# WATERCRAFT ACCIDENT REPORT

REPORTABLE?  YES  NO

WC CASE # 06-4A-016

REPORTING AGENCY Watercraft 4A		ASSISTING AGENCIES Parks		USCG #	OTHER CASE # NA	INCIDENT # NA	
DATE OF ACCIDENT 05-20-06	TIME 1440	DAY OF WEEK Saturday	BODY OF WATER <i>(east)</i> Harscha Lake <i>(rock)</i>		NEAREST TOWN Bethel	COUNTY Clermont	STATE OH
ZONE OF OPERATION <input checked="" type="checkbox"/> Open <input type="checkbox"/> Ski <input type="checkbox"/> No Wake <input type="checkbox"/> Speed <input type="checkbox"/> No Boats <input type="checkbox"/> Channel <input type="checkbox"/> 10mph <input type="checkbox"/> Other		TRAFFIC <input type="checkbox"/> None <input type="checkbox"/> Light <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Heavy	# OF BOATS INVOLVED 1	ALCOHOL INVOLVED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	LOCATION Description: LATITUDE (DD° MM' SS") 39° 00' 77" LONGITUDE (DDD° MM' SS") 0 84° 06' 89"		

ENVIRONMENTAL CONDITIONS (if not known, estimate)			TEMPERATURE	WATER CONDITIONS		WIND (MPH)
WEATHER <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Snow <input type="checkbox"/> Rain <input type="checkbox"/> Fog <input type="checkbox"/> Cloudy <input type="checkbox"/> Hazy	VISIBILITY <input checked="" type="checkbox"/> Day Good <input type="checkbox"/> Night Good <input type="checkbox"/> Day Fair <input type="checkbox"/> Night Fair <input type="checkbox"/> Day Poor <input type="checkbox"/> Night Poor	MOON PHASE <input checked="" type="checkbox"/> None <input type="checkbox"/> Partial <input type="checkbox"/> Full	AIR 73 °F WATER 62 °F	WAVES <input type="checkbox"/> Calm (<6") <input checked="" type="checkbox"/> Choppy (6"-2') <input type="checkbox"/> Rough (2'-6") <input type="checkbox"/> Very Rough (>6")	CURRENT <input checked="" type="checkbox"/> None <input type="checkbox"/> Mild <input type="checkbox"/> Moderate <input type="checkbox"/> Severe	<input type="checkbox"/> None <input type="checkbox"/> Light (1-12) <input checked="" type="checkbox"/> Moderate (13-24) <input type="checkbox"/> Strong (25-54) <input type="checkbox"/> Storm (55+)

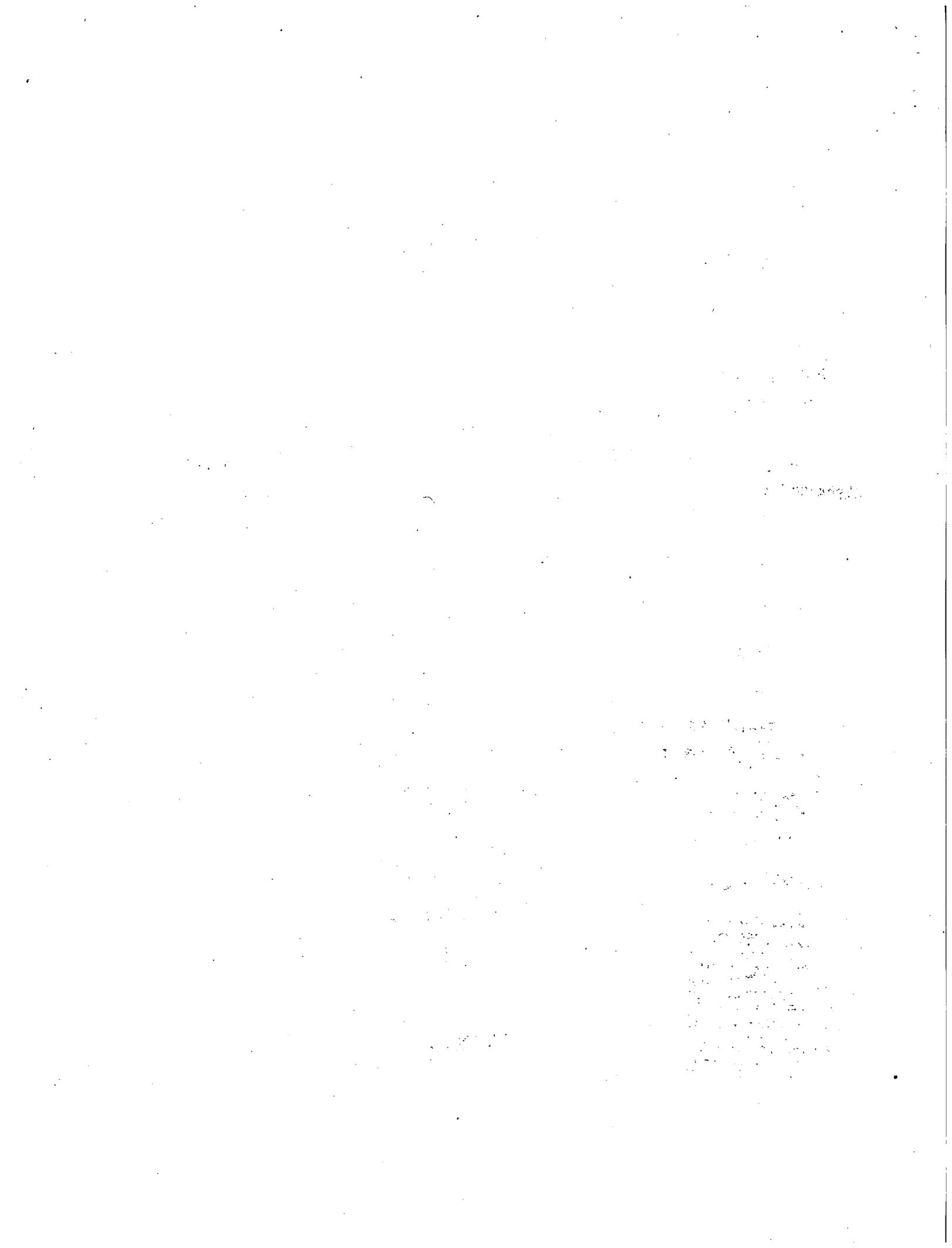
WITNESS INFORMATION (Persons not onboard involved parties)	
NAME	ADDRESS
1 Graczyk, Dana	1108 Berkley Lane
CITY/STATE/ZIP	LEAMONT, IL 60439
2 NA	NA
CITY/STATE/ZIP	NA
3 NA	NA
CITY/STATE/ZIP	NA
4 NA	NA
CITY/STATE/ZIP	NA

OFFICER INFORMATION			
DATE/TIME NOTIFIED 05-20-06 / 1450	DATE/TIME ARRIVED 05-20-06 / 1500	DATE/TIME CLEARED 05-20-06 / 1635	DATE/TIME COMPLETED 05-23-06 / 1730
NAME (PRINT) Lance Hopkins / Tony Delong	UNIT # 4413/4401	SIGNATURE	DATE 05-23-06
INVESTIGATING AGENCY Div. of Watercraft	PHONE 513-734-2731	ADDRESS 3292 Elklick Road	CITY/STATE/ZIP Bethel, Ohio 45106

VESSEL #	SECTION	DESCRIPTION	CITATION #	VESSEL #	SECTION	DESCRIPTION	CITATION #
None	NA	NA	NA	NA	NA	NA	NA
NA	NA	NA	NA	NA	NA	NA	NA
NA	NA	NA	NA	NA	NA	NA	NA

REVIEW <input type="checkbox"/> Primary <input type="checkbox"/> Final	AMENDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
NAME (PRINT) NA	UNIT # NA
REVIEWING OFFICE NA	SIGNATURE NA
	PHONE NA

MAY 24 2006



VESSEL # 1 PROPERTY # -

# OF PERSONS ON BOARD: <u>1</u>	# OF DECEASED ASSOC. W/ VESSEL: <u>0</u>	ALCOHOL ON BOARD? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK
	# OF INJURED BEYOND FIRST AID ASSOC. W/ VESSEL: <u>1</u>	DRUGS ON BOARD? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK

OPERATOR INFORMATION Operator Lives at Vessel Owner's Residence?  YES  NO Operator Using Safety Lanyard?  YES  NO

EXPERIENCE	EXPERIENCE THIS VESSEL	HOURS OF OPERATION THIS DAY	BOATING COURSE	REQUIRED?	OPERATOR FACTOR
<input type="checkbox"/> <10 Hours	<input checked="" type="checkbox"/> <10 Hours	<u>.5 hrs</u>	<input type="checkbox"/> State Course	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> Appeared Normal <input type="checkbox"/> Alcohol Use
<input type="checkbox"/> 10-100 Hours	<input type="checkbox"/> 10-100 Hours		<input type="checkbox"/> USPS <input type="checkbox"/> USCGA	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> Ability Impaired <input type="checkbox"/> Drug Use
<input type="checkbox"/> 100-500 Hours	<input type="checkbox"/> 100-500 Hours		<input type="checkbox"/> Internet <input checked="" type="checkbox"/> None	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> Physical Disability
<input checked="" type="checkbox"/> Over 500 Hours	<input type="checkbox"/> Over 500 Hours		<input type="checkbox"/> Other	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> Other

CHEMICAL TEST GIVEN?  YES  NO Type of Test: NA Results: NA

OWNER INFORMATION  Operator  Occupant # 8  Not Present GENDER: M SEX: SM DOB: 06-11-69 STATEMENT: Y   N

OWNERS: [REDACTED] CITY/STATE/ZIP: Cincinnati, OH 45209

ADDRESS: [REDACTED] Apt. #3 CITY/STATE/ZIP: Cincinnati, OH 45209

AGE: 36 RACE: Wh PHONE: [REDACTED] ALT PHONE: NA COUNTY: Hamilton

VESSEL INFORMATION Rented?  YES  NO Insured?  YES  NO Vessel a Total Loss?  YES  NO

STATE: <u>OH</u>	REGISTRATION / DOC #: <u>[REDACTED]</u>	EXPIRES: <u>2009</u>	HIN: <u>[REDACTED]</u>	INSURANCE COMPANY: <u>Boat US</u>	INSURANCE COMPANY PHONE: <u>[REDACTED]</u>
MANUFACTURER: <u>[REDACTED]</u>	YEAR: <u>2000</u>	MODEL: <u>Nautique Super</u>	COLOR: <u>Blu/Wh</u>	LENGTH: <u>21' 00"</u>	WIDTH: <u>7' 00"</u> TRANSON: <u>30"</u>
VESSEL NAME: <u>NA</u>	CAPACITY PLATE: <u>9 / 1250</u>	LBS. TOTAL LBS.: <u>NA</u>	MAX HP: <u>NA</u>	TOTAL HP OF USED ENGINES: <u>335</u>	# OF ENGINES USED: <u>1</u>

TYPE OF VESSEL	HULL MATERIAL	PROPULSION	ENGINE TYPE	FUEL TYPE	MODIFIED?
<input checked="" type="checkbox"/> Open Motorboat	<input checked="" type="checkbox"/> Fiberglass <input type="checkbox"/> Aluminum	<input checked="" type="checkbox"/> Propeller <input type="checkbox"/> Water Jet	<input type="checkbox"/> Outboard <input checked="" type="checkbox"/> Inboard	<input checked="" type="checkbox"/> Gasoline <input type="checkbox"/> Diesel	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="checkbox"/> Cabin Motorboat	<input type="checkbox"/> Plastic <input type="checkbox"/> Rigid Hull Inflatable	<input type="checkbox"/> Air Thrust	<input type="checkbox"/> Inboard/Outdrive	<input type="checkbox"/> Electric <input type="checkbox"/> None	<input type="checkbox"/> Seats <input type="checkbox"/> Deck
<input type="checkbox"/> Auxiliary Sail	<input type="checkbox"/> Kevlar <input type="checkbox"/> Rubber/Canvas	<input type="checkbox"/> Manual <input type="checkbox"/> Electric			<input type="checkbox"/> Helm <input type="checkbox"/> Hull
<input type="checkbox"/> Sail only	<input type="checkbox"/> Steel <input type="checkbox"/> Other	<input type="checkbox"/> Sail			<input type="checkbox"/> Transom
<input type="checkbox"/> Houseboat	<input type="checkbox"/> Wood				<input type="checkbox"/> Steering
<input type="checkbox"/> Paddle	ENGINE MAKE: <u>GT40</u>	ENGINE SERIAL #: <u>Unknown</u>			<input type="checkbox"/> Propulsion
<input type="checkbox"/> Other					<input type="checkbox"/> Other

DAMAGE ESTIMATE Describe Loss: \$ 0 Vessel \$ 0 Property None

USCG-APPROVED PFDS Adequate Quantity?  YES  NO Accessible?  YES  NO

USCG-APPROVED FIRE EXTINGUISHERS On Board?  YES  NO Were They Used?  YES  NO

OCCUPANTS/ASSOCIATED PERSONS

1. OPERATOR: <u>[REDACTED]</u>	ADDRESS: <u>[REDACTED]</u>	CITY/STATE/ZIP: <u>Indianapolis, IN 46256</u>
2. <u>[REDACTED]</u>	ADDRESS: <u>[REDACTED]</u>	CITY/STATE/ZIP: <u>Cincinnati, Ohio 45209</u>
3. <u>[REDACTED]</u>	ADDRESS: <u>Same as #2</u>	CITY/STATE/ZIP: <u>Same</u>
4. <u>[REDACTED]</u>	ADDRESS: <u>Same as #2</u>	CITY/STATE/ZIP: <u>Same</u>
5. <u>[REDACTED]</u>	ADDRESS: <u>[REDACTED]</u>	CITY/STATE/ZIP: <u>Pittsburgh, PA 15215</u>
6. <u>[REDACTED]</u>	ADDRESS: <u>[REDACTED]</u>	CITY/STATE/ZIP: <u>Lawrenceburg, IN 47025</u>
7. <u>[REDACTED]</u>	ADDRESS: <u>[REDACTED]</u>	CITY/STATE/ZIP: <u>Cincinnati, Ohio 45249</u>
8. <u>[REDACTED]</u>	ADDRESS: <u>[REDACTED] Apt. #3</u>	CITY/STATE/ZIP: <u>Cincinnati, Ohio 45209</u>

CONDITION: 1-No injury; 2-Injured refused treatment; 3-Claimed injury; 4-Obvious injury; 5-Fatal (see last page); 6-Missing; 7-Condition not observed  
 PFD WHEN: B-Before accident; A-After accident PFD TYPE: 1, 2, 3, 4, or 5; Indicate inflatables with an I (EXAMPLE: 3-I)

VESSEL # \_\_\_\_\_ PROPERTY # \_\_\_\_\_

# OF PERSONS ON BOARD:	# OF DECEASED ASSOC. W/ VESSEL:	ALCOHOL ON BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK
	# OF INJURED BEYOND FIRST AID ASSOC. W/ VESSEL:	DRUGS ON BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK

OPERATOR INFORMATION		Operator Lives at Vessel Owner's Residence? <input type="checkbox"/> YES <input type="checkbox"/> NO		Operator Using Safety Lanyard? <input type="checkbox"/> YES <input type="checkbox"/> NO	
EXPERIENCE	EXPERIENCE THIS VESSEL	HOURS OF OPERATION THIS DAY	BOATING COURSE		OPERATOR FACTOR
<input type="checkbox"/> <10 Hours	<input type="checkbox"/> <10 Hours		<input type="checkbox"/> State Course	REQUIRED?	<input type="checkbox"/> Appeared Normal
<input type="checkbox"/> 10-100 Hours	<input type="checkbox"/> 10-100 Hours		<input type="checkbox"/> USPS <input type="checkbox"/> USCGA	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Ability Impaired
<input type="checkbox"/> 100-500 Hours	<input type="checkbox"/> 100-500 Hours		<input type="checkbox"/> Internet <input type="checkbox"/> None	CERTIFICATE?	<input type="checkbox"/> Physical Disability
<input type="checkbox"/> Over 500 Hours	<input type="checkbox"/> Over 500 Hours		<input type="checkbox"/> Other _____	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Alcohol Use
CHEMICAL TEST GIVEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		Type of Test:	Results:		

OWNER INFORMATION		<input type="checkbox"/> Operator <input type="checkbox"/> Occupant # _____ <input type="checkbox"/> Not Present	GENDER	SSN	DOB	STATEMENT
OWNER			M F			Y N
ADDRESS		CITY/STATE/ZIP				
AGE	RACE	PHONE	ALT PHONE	COUNTY		

VESSEL INFORMATION		Rented? <input type="checkbox"/> YES <input type="checkbox"/> NO	Insured? <input type="checkbox"/> YES <input type="checkbox"/> NO	Vessel's Total Loss? <input type="checkbox"/> YES <input type="checkbox"/> NO		
STATE	REGISTRATION / DOC. #	EXPIRES	MIN	INSURANCE COMPANY		INSURANCE COMPANY PHONE
MANUFACTURER	YEAR	MODEL	COLOR	LENGTH	WIDTH	TRANSOM
VESSEL NAME	CAPACITY PLATE	LBS. TOTAL LBS.		MAX HP	TOTAL HP OF USED ENGINES	# OF ENGINES USED
TYPE OF VESSEL		HULL MATERIAL		PROPULSION	ENGINE TYPE	FUEL TYPE
<input type="checkbox"/> Open Motorboat	<input type="checkbox"/> PWC	<input type="checkbox"/> Fiberglass	<input type="checkbox"/> Aluminum	<input type="checkbox"/> Propeller	<input type="checkbox"/> Outboard	<input type="checkbox"/> Gasoline
<input type="checkbox"/> Cabin Motorboat	<input type="checkbox"/> Pontoon	<input type="checkbox"/> Plastic	<input type="checkbox"/> Rigid Hull Inflatable	<input type="checkbox"/> Water Jet	<input type="checkbox"/> Inboard	<input type="checkbox"/> Diesel
<input type="checkbox"/> Auxiliary Sail	<input type="checkbox"/> Rowboat	<input type="checkbox"/> Kevlar	<input type="checkbox"/> Rubber/Canvas	<input type="checkbox"/> Air Thrust	<input type="checkbox"/> Inboard/Outdrive	<input type="checkbox"/> Electric
<input type="checkbox"/> Sail only	<input type="checkbox"/> Canoe	<input type="checkbox"/> Steel	<input type="checkbox"/> Other _____	<input type="checkbox"/> Manual	<input type="checkbox"/> Electric	<input type="checkbox"/> None
<input type="checkbox"/> Houseboat	<input type="checkbox"/> Kayak	<input type="checkbox"/> Wood		<input type="checkbox"/> Sail	<input type="checkbox"/> None	
<input type="checkbox"/> Paddle	<input type="checkbox"/> Jet Boat	ENGINE MAKE	ENGINE SERIAL #			
<input type="checkbox"/> Other _____	<input type="checkbox"/> Air Boat					

DAMAGE ESTIMATE Describe Loss:		USCG-APPROVED PFDs		USCG-APPROVED FIRE EXTINGUISHERS	
\$ _____ Vessel	\$ _____ Property	Adequate Quantity? <input type="checkbox"/> YES <input type="checkbox"/> NO		On Board? <input type="checkbox"/> YES <input type="checkbox"/> NO	
		Accessible? <input type="checkbox"/> YES <input type="checkbox"/> NO		Were They Used? <input type="checkbox"/> YES <input type="checkbox"/> NO	

OCCUPANTS/ASSOCIATED PERSONS	
1. OPERATOR:	
ADDRESS	CITY/STATE/ZIP
AGE RACE PHONE	ALT PHONE COUNTY
2.	
ADDRESS	CITY/STATE/ZIP
3.	
ADDRESS	CITY/STATE/ZIP
4.	
ADDRESS	CITY/STATE/ZIP
5.	
ADDRESS	CITY/STATE/ZIP
6.	
ADDRESS	CITY/STATE/ZIP
7.	
ADDRESS	CITY/STATE/ZIP
8.	
ADDRESS	CITY/STATE/ZIP

CONDITION: 1-No injury; 2-injured refused treatment; 3-Casualty injury; 4-Obvious injury; 5-Fatal (see last page); 6-Missing; 7-Condition not observed  
 PFD WHEN: B-Before accident; A-After accident PFD TYPE: 1, 2, 3, 4, or 5; indicate inflatables with an i (EXAMPLE: 3-i)

**TYPE OF ACCIDENT**

Mark all that apply and number in order of occurrence.	VESSEL		Mark all that apply and number in order of occurrence.	VESSEL	
	#	1 #		#	1 #
Capsizing			Grounding		
Carbon monoxide exposure			Hit and run		
Collision w/ fixed object			Person struck by boat		
Collision w/ floating object			Person struck by motor/propeller		
Collision w/ vessel			Person left vessel		
Electrocution			Person ejected from vessel		
Fall in boat			Sinking		
Fall on a vessel			Skier mishap		1
Fall overboard			Starting engine		
Fire or explosion (fuel)			Struck submerged object		
Fire or explosion (other)			Other:		
Flooding/Swamping					

**OPERATION AT TIME OF ACCIDENT**

Mark all that apply.	VESSEL	
	#	1 #
At anchor		
Being towed		
Changing direction		
Changing speed		
Cruising		✓
Docking/Leaving dock		
Drifting		
Launching		
Rowing/Paddling		
Sailing		
Tied to dock/moored		
Towing		
Other:		

**CONTRIBUTING FACTORS**

Mark all that apply and number in order of relevance to accident.	VESSEL		Mark all that apply and number in order of relevance to accident.	VESSEL	
	#	1 #		#	1 #
Alcohol use			Machinery failure: (be specific)		
Careless/Rockless operation			- Electric system		
Congested waters			- Engine		
Dam/Lock			- Fuel system		
Drug use			- Shift		
Equipment Failure: (be specific)			- Steering system		
- Auxiliary			- Throttle		
- Communication			- Ventilation system		
- Fire extinguisher			- Other:		
- Self dewatering			Navigation aid missing		
- Seat broke loose			Navigation aid not performing properly		
- Sound equipment			Off-throttle steering		
- Visual distress signal			Operator inattention		
- Other:			Operator Inexperience		2
Excessive speed			Overloading		
Hazardous waters			Passenger/Skier behavior		
Hull failure			Restricted vision		
Ignition of spilled fuel/vapor			Rules of the road infraction		
Improper anchoring			Sharp turn		
Improper loading			Sitting/Standing on gunwale/bow/transom		
Improper lookout			Starting in gear		
Improper ventilation			Waka		
Lack of/Improper lights			Weather		
			Other: Skier Inexperience		1

**ACTIVITY AT TIME OF ACCIDENT**

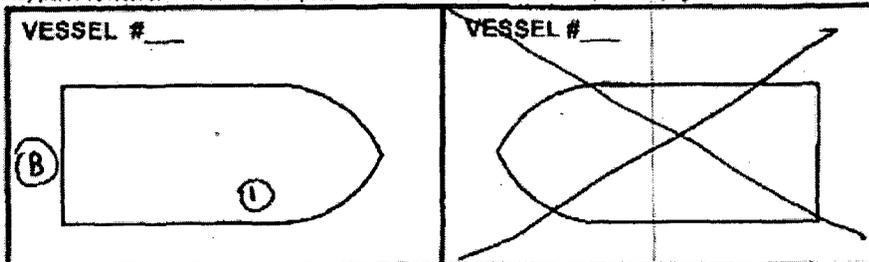
Mark all that apply.	VESSEL	
	#	1 #
Commercial activity		
Fishing		
Fueling		
Hunting		
Making repairs		
Pleasure boating		
Racing		
Scuba diving		
Snorkelling		
Starting engine		
Swimming		
Tournament		
Water sliding		
Water tubing		✓
Whitewater sports		
Other:		

**ESTIMATED SPEED**

Mark all that apply.	VESSEL	
	#	1 #
None		
Drifting		
Idling		
Accelerating		
Decelerating		
Plowing		
Planing (on plane)		
≤10 MPH		
11-20 MPH		
21-40 MPH		✓
41-60 MPH		
61-80 MPH		
≥81 MPH		

**OCCUPANT/ASSOCIATED PERSONS LOCATION DIAGRAM**

Key person's location in boat with Occupant/Associated Persons number from previous pages.



KNOWN SPEED	VESSEL	
	#	1 #
( MPH or ) RPMs		

VICTIMS			
1. <b>Noertker, Tony L</b>		[ ] Fatal <input checked="" type="checkbox"/> Injured	
ADDRESS <b>Same</b>		CITY/STATE/ZIP <b>Same</b>	
PHONE <b>Same</b>	ALT PHONE <b>Same</b>	COUNTY <b>Same</b>	Propeller injury? [ ] YES <input checked="" type="checkbox"/> NO
Vessel # <b>1</b> Occupant # <b>8</b> [ ] No Boat		Admitted? [ ] YES <input checked="" type="checkbox"/> NO Transported to: <b>Crist Hospital</b>	
Physical Condition: [ ] Unknown <input checked="" type="checkbox"/> Normal [ ] B [ ] Handicapped [ ] Under influence of alcohol/drugs [ ] Other:			BAC/Drug Type: <b>NA</b>
<del>2. [ ] Fatal [ ] Injured</del>			
<del>ADDRESS CITY/STATE/ZIP</del>			
<del>PHONE ALT PHONE COUNTY Propeller injury? [ ] YES [ ] NO</del>			
<del>[ ] Vessel # [ ] Occupant # [ ] No Boat Admitted? [ ] YES [ ] NO Transported to:</del>			
<del>Physical Condition: [ ] Unknown [ ] Normal [ ] B [ ] Handicapped [ ] Under influence of alcohol/drugs [ ] Other: BAC/Drug Type:</del>			
<del>3. [ ] Fatal [ ] Injured</del>			
<del>ADDRESS CITY/STATE/ZIP</del>			
<del>PHONE ALT PHONE COUNTY Propeller injury? [ ] YES [ ] NO</del>			
<del>[ ] Vessel # [ ] Occupant # [ ] No Boat Admitted? [ ] YES [ ] NO Transported to:</del>			
<del>Physical Condition: [ ] Unknown [ ] Normal [ ] B [ ] Handicapped [ ] Under influence of alcohol/drugs [ ] Other: BAC/Drug Type:</del>			
<del>4. [ ] Fatal [ ] Injured</del>			
<del>ADDRESS CITY/STATE/ZIP</del>			
<del>PHONE ALT PHONE COUNTY Propeller injury? [ ] YES [ ] NO</del>			
<del>[ ] Vessel # [ ] Occupant # [ ] No Boat Admitted? [ ] YES [ ] NO Transported to:</del>			
<del>Physical Condition: [ ] Unknown [ ] Normal [ ] B [ ] Handicapped [ ] Under influence of alcohol/drugs [ ] Other: BAC/Drug Type:</del>			

PFD TYPE: B-Before accident; A-After accident PFD TYPE: 1, 2, 3, 4, or 5; Indicate inflatables with an i (EXAMPLE: 3-i)

**INJURIES**

Number in order of severity.	VICTIM			
	#	1	2	3
Amputation				
Back injury				
Broken bone(s)				
Burn				
Contusions				
Dislocation				
Head injury	2			
Hypothermia				
Internal injuries	1			
Lacerations				
Neck injury				
Shock				
Spinal injury				
Sprain/Strain				
Teeth				
Other:				

**ACTIVITY AT TIME OF INJURY**

	VICTIM			
	#	1	2	3
Fishing				
Hunting				
Pleasure boating				
Scuba diving				
Snorkeling				
Swimming				
Tubing	✓			
Water skiing				
Other:				

**INJURIES CAUSED BY**

Mark all that apply.	VICTIM			
	#	1	2	3
Exposure to elements				
Fire				
Impact w/object				
Impact w/vessel				
Impact w/water	✓			
Struck by propulsion system				
Struck by vessel				
Other:				

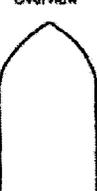
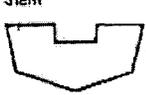
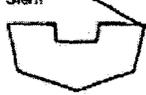
**PFD PERFORMANCE**

	VICTIM			
	#	1	2	3
Improper wear/use				
Successful	✓			
Failed				
If failed, USCG Approval #:				

**DEATH CAUSED BY**

Mark all that apply.	VICTIM			
	#	1	2	3
CO poisoning				
Drowning				
Electrocution				
Hypothermia				
Impact/Trauma				
Unknown				
Other:				

**VESSEL DAMAGE DIAGRAM**

<p>VESSEL # <u>1</u></p> <p style="text-align: center; font-size: 1.2em;"><i>No Damage</i></p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Port</p>  </div> <div style="text-align: center;"> <p>Overview</p>  </div> <div style="text-align: center;"> <p>Starboard</p>  </div> <div style="text-align: center;"> <p>Bow</p>  </div> <div style="text-align: center;"> <p>Stem</p>  </div> </div>	<p>VESSEL # _____</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Stem</p>  </div> <div style="text-align: center;"> <p>Bow</p>  </div> <div style="text-align: center;"> <p>Port</p>  </div> <div style="text-align: center;"> <p>Overview</p>  </div> <div style="text-align: center;"> <p>Starboard</p>  </div> </div>		
<p><b>DAMAGE CODE SYMBOLS</b></p> <p>→ Direction of thrust at point of greatest impact</p> <p>○ Area of damage</p>			
IMPOUNDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	IMPOUNDED? <input type="checkbox"/> YES <input type="checkbox"/> NO	PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO
LOCATION _____	DATE _____	LOCATION _____	DATE _____
TOWED BY _____	TIME _____	TOWED BY _____	TIME _____

**ACCIDENT DESCRIPTION**

The victim, ~~Todd [redacted]~~ was being pulled on tube (Kite Tube) by the operator ~~[redacted]~~. The Kite Tube used by the victim was recently purchased and at certain boat speeds it is designed to become airborne by wind hitting the broad underside of the tube causing the tube to lift and fly above the water, potentially reaching heights of over 20+ feet. Witness's state tht the tube was at least 15' above the water when a possible wind gust caused the tube to turn to the side causing the victim to fall off the airborne tube, striking the water from a minimum height of 15' and at a speed of appx. 30 mph. The victim struck the water face first and was unconscious in the water for appx. 10 to 15 seconds before 2 passengers jumped overboard and swam over to the victim where they tilted his head back and pressed on his chest in an attempt to expel any water in his lungs. The victim soon became conscious and was transported to shore where he was transported to Christ Hospital. The victim was treated for internal bruising and was later released.

[ ] ADDENDUM ATTACHED



## WEGO KITE TUBE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. **DO NOT RETURN** this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.



### ▲ RELEASE OF LIABILITY ▲

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks of injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty, including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.

#### ▲ KITE TUBE DESCRIPTION ▲

Away Wego! "Kite Tubing", the mystery of flying, becomes a reality. The Kite Tube creates an air pocket on the under carriage bottom that enables lift via ground effect and the aerodynamic shape. Be prepared to reach new heights! Spend the summer gaining experience riding the Kite Tube. The Kite Tube is designed to glide, soar, and fly. You can use it like a regular deck tube in the whips, figure eights, and circles. It "kites" the best in a straight boat pattern into the wind and will rise out of the water slowly or quickly based on the rider weight, wind and boat speed. Expect the unexpected! The basic idea behind the Kite Tube is simple; The Kite rider kneels or stands on the tube that is tethered to the tow boat. As the boat moves forward into the wind, the Kite and the rider rise up from the water's surface to perform a water ballet in the air with the rider balancing on top. Kite Tubing is not as dangerous as some extreme sports, however it can be more dangerous than regular tubing with the added dimension of height. In Kite Tubing, safety has to be taken seriously. EVERYONE is a beginner, regardless of previous experience. Read all instruction and warnings before using the Kite Tube. Start slow and begin by using the 45 foot section of the included tow rope.

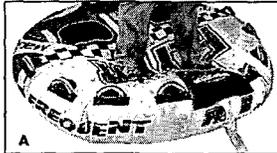
#### ▲ KITE TUBE SPECIFICATIONS ▲

- 120 inch inflated diameter(10 foot) with slanted saucer configuration.
- 840D nylon double cover with pu coating( full body cover).
- Reinforced towing system with molded aluminum connector for easy tow rope connection.
- Computerized double-stitched sewing.
- Multiple mesh bar-tacked drain ports.
- Nylon zippered openings for bladder insertion and adjustment.
- Parallel slotting system with footsteps and neoprene padding for comfort.
- Reflective piping on all handles and on the outside top taping.
- Various loops for use of detachable leash(s).
- Panoramic see-through double windows.
- High visibility red and yellow watersports safety colors with checkerboard and caution accent striping.
- Easily seen bold, billboard-style graphics.
- Skull graphics is a reminder to pay attention and not to fool around, take nothing for granted.
- Two heavy duty pvc bladders, one supports the outer ring and the other is the slotting system cockpit for the rider. Both have speed safety valves for easy inflation/deflation.
- Leash with two sponge balls is included.
- Segmented tow rope is included. Adjustable length style in 45, 55, and 65 foot lengths.

#### ▲ KITE TUBE ASSEMBLY AND INFLATION ▲

Proper inflation is key to the optimum performance of this towable. The tube is designed to fit snugly in the cover, and there should be no wrinkles in the cover when the tube is properly inflated.

IMPROPER INFLATION



PROPER INFLATION

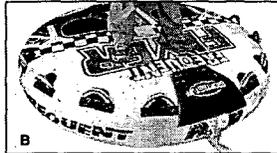


Photo "A" shows a severely underinflated tube. Note how the adult sinks in when standing on the tube. Under-inflation causes the towable to sit low in the water. Additional stress is applied to the tube, cover, rope and boat/watercraft, by being dragged through the water instead of pulled across it. This stress causes the air in tubes to be displaced and the tube may rupture. The same stress causes nylon covers to tear and ropes to stretch. The boat/watercraft cannot plane off and extra gas is consumed.

Photo "B" shows a properly inflated tube. Note how the cover is taut with few wrinkles, and how the adult barely sinks in when standing on the tube. This tube would ride high on the water, providing you with an exciting ride - less stress on the tube, cover, rope, and boat/watercraft. Proper inflation will insure a longer life-span for your product.

#### Inflation Maintenance:

Finally, it is not enough to simply fill it up and go! It is important to monitor the amount of air in this product as heat will cause the bladder to expand, possibly causing damage to the seams or I-beams. Don't let it sit on the beach, dock, or boat/watercraft full of air! If it is stored out of the sun in a cool place, you may need to add air. Check and adjust inflation levels each time you use your tube. You'll have more fun, and your toys will last longer.

The best air pumps to use are:

- 110v electric: 2.5 psi (model #57-1504A) or 3.0 psi (model #57-1508)
- Hand/foot pump specifically for towables: LP1 (model #57-1003)
- 12v pumps (model #57-1510) can also be used but a their maximum output is only .8 psi so a secondary pump such as the Sportsstuff LP1 hand pump (model #57-1003) will need to be used.
- Leaf Blower
- Vacuum with two-way switch

Your WEGO towable is equipped with the Speed Safety Valve pictured below:



**Speed Safety Valve** - A hybrid valve utilizing the best of both the Oversized Safety Valve and the Speed Valve. Pulls out for fast inflation/deflation, then can be pushed in flush with the tube. For use with standard electric pumps, shop vac, wet vac, leaf blowers, and vacuums with a 2-way switch for fast inflation/deflation.

Secure the valve by firmly inserting the bottom portion of the valve into the base. To inflate, open only the top portion of the valve. Using the hose from your inflator, inflate through the top opening of the valve.

The optimal inflator is a 2.5 psi or higher electric pump. You may also use a 1.1 or 3.0 psi pump. Using the 12v pump (model #57-1510) followed by the LP1 hand pump (model #57-1003) to top off the unit takes about 3.5 minutes. The 1.1 psi 110v pump followed by using the LP1 hand pump (model #57-1003) to top off the unit will inflate the WEGO in a few minutes. The 2.5 electric pump (model #57-1504A) will inflate the WEGO in just over 3 minutes. The 3.0 pump (model #57-1508) will inflate the WEGO in as little as 2 minutes.

Please call Sportsstuff at 1-888-814-8833 to order directly.

1. Open the box and locate Owner's manual information and instructional DVD.
2. Review owner's manual and instructional DVD first and share the information with all other users and or spotters.
3. Locate a flat, wide-open, clean and clear area to open and assemble the product.
4. Unfold the nylon cover so the yellow cover with winged skulls is completely unfolded along with slotting system cockpit.
5. Please notice the bladders have already been assembled in the cover. There are two valves total. One on the slotting portion and another on the outside ring.
6. Locate and open the padded valve cover on the slotting portion (cockpit area). Open the valve and inflate until firm and the cover is wrinkle free and taut. It may be necessary to adjust the cover to fit the inflation holes. Use the zippered openings in the cover to adjust bladder position if necessary.
7. Close valve completely and secure valve cover.
8. Locate the valve on the outer ring and repeat steps 6-7.
9. Please note that the window panels are not supported by an internal bladder, so stay off of this portion of the cover.
10. With assistance, carefully lift the unit into water.
11. Do not drag across harsh surfaces, as this will damage the unit.
12. Once at the water entry point attach tow rope to unit and hook up to the boat. Make sure leash is attached to the nose loop.
13. Enjoy your Kiting experience.

PLEASE NOTE OVER INFLATION WILL CAUSE THE BLADDER TO HAVE A CONCAVE EFFECT ON THE UNDERSIDE, CAUSING THE KITE TUBE TO SUBMARINE.

PLEASE NOTE UNDER INFLATION WILL CAUSE KITE TUBE TO NOT PERFORM AS DESIGNED. WHEN KITING, YOU CAN TELL VISUALLY IF YOU ARE CORRECTLY INFLATED

Proper inflation means you'll have a wonderful flight experience, so follow the above instructions closely.

#### **▲ KITE TUBE CARE AND MAINTENANCE ▲**

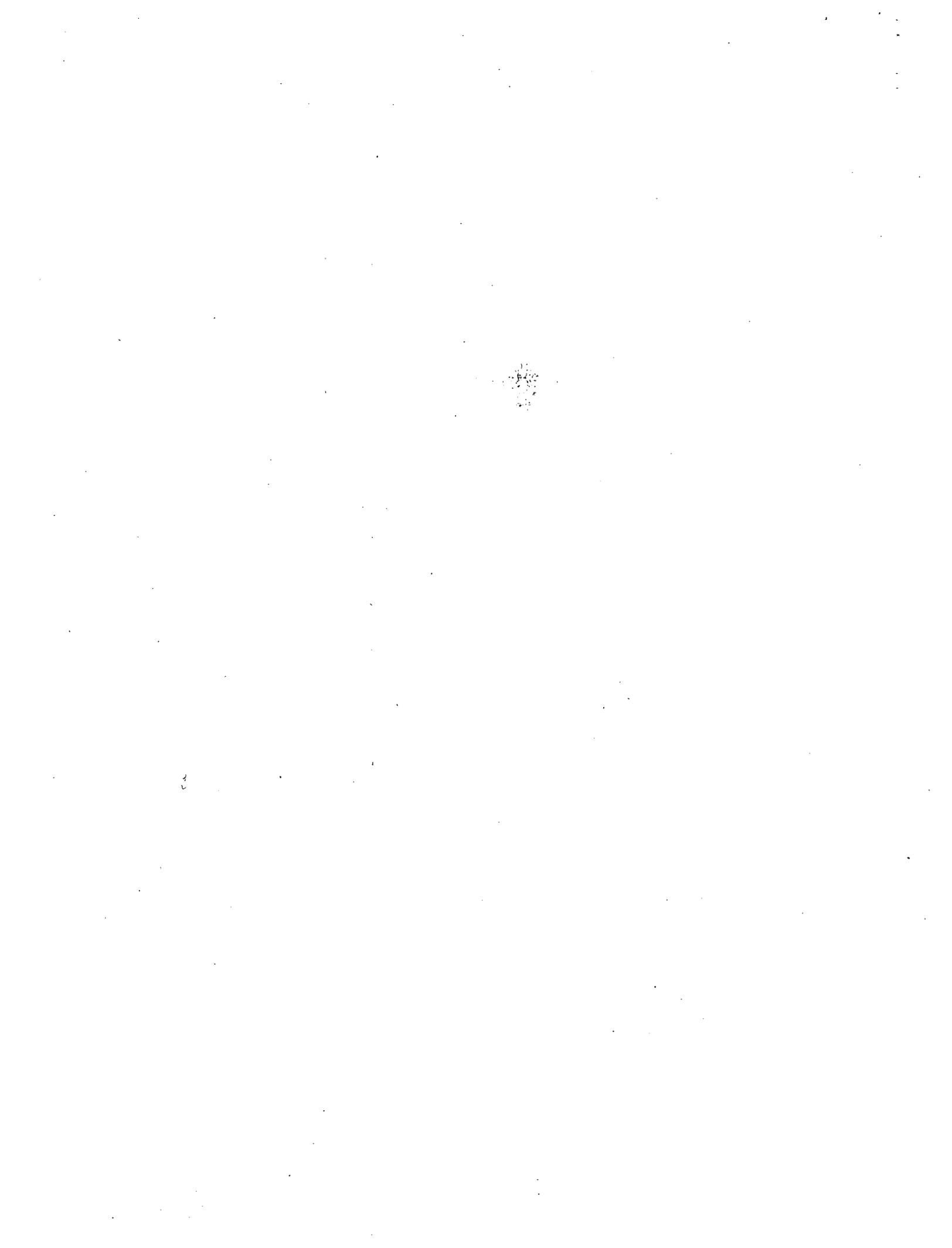
- You may clean your towable using a soap and water or mild detergent.
- You should inspect your unit frequently for wear and tear. If you need parts replacement please contact Sportsstuff 1-888-814-8833.
- Before each use always check inflation, tow connection and boat connection.
- After using the Kite Tube do not leave out in direct sunlight, but keep in a shaded area.
- When the unit is not in use NEVER leave this unit in direct Sunlight at any time.
- The strong UV rays will quickly destroy and downgrade the nylon cover and age the materials prematurely.
- Monitor and adjust bladder pressure on warm days.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight. (In between uses and at the end of the boating season.)
- To deflate, simply open red valve.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towables may bleed or fade when initially wet. Protect all boat interiors, docks and car interiors from possible staining.

#### **▲ KITE TUBE TETHER TOW ROPE ▲**

We have included a new style tether tow rope for use with the Kite Tube. Overall the tow rope is 65 foot length, but can be adjusted to 55 foot length and 45 foot length. Since the Kite Tube is unlike any previous towable tube with the added dimension of sustained height. We believe that the boat driver, rider and spotter are all beginners. We recommend the following to get the hang of Kiting, how the Kite reacts being towed by the boat, how the wind affects the flight while being ridden by different size riders. Experience is the best teacher.

##### **Step one: BEGINNER LEVEL**

All beginners start with 45 foot tow rope to get some experience. Use at least 12 times for a minimum of 20 minutes per use.



**Step two: INTERMEDIATE LEVEL**

All intermediates can increase rope length to 55 foot to get more experience. Use at least 24 times for a minimum of 20 minutes per use.

**Step three: MASTER LEVEL.**

All masters can increase length to 65 foot to get more experience.

You can spend all summer gaining experience Kiting and really still not have experienced all things, wind speed, rider weight and boat speed create many variables (different kinds of watercraft, lack of wind) etc. Attach the Kite Tube Tether tow rope to the aluminum connector on the tube and to a towable hook on the rear of the boat. We recommend you use a low tow point on the rear transom of the boat or tow hook.

**A KITE TUBE HEIGHT INSTRUCTION A**

**NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL**

Just think of the fall, in normal tubing you can get thrown off and go up to 15 to 20 foot high, but in kiting you are already at a certain height above the water and can get thrown higher. At a boat speed of 10 and 20 mph the water gets harder the faster and higher you go so control the boat speed and tube height and watch out for gusty and cross winds. Many bodies of water have natural barriers or wind breaks, be aware of these situations. Due to the height factor, you must use the Kite Tube in waters at least 6 feet deep (a guideline could be 1 foot of water depth for every foot of tube height). For best kiting use against the wind in straight-line runs.

**A RIDER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- *Gusts and cross winds can cause this product to experience sudden changes in height or direction.*
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- *Never use in shallow waters.*
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- *Never Kite higher than you're willing to fall.*
- *Into a steady wind, flight occurs more easily.*
- *With the wind, flight is not so easy.*
- Based on rider weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability, Kiting takes a practiced level of skill.
- *Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planing speed.*
- Rider safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines and

other immovable objects.

- Be aware of natural wind breaks and barriers that change the wind flow.
- Use rear transom tow point. Using higher tow point means the Kite can Kite higher.
- Maximum 1 rider capacity
- Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
- Balance to minimize movement while airborne. Too much movement can cause the Kite Tube to become wobbly and overturn. Maintain a good center of gravity.
- 10 and 2 o'clock are the best control hand positions.
- Hang time, Kite time, can be 1 second or many minutes.
- Length of hang time depends on the wind, boat speed and rider weight.
- A straight boat heading into the wind creates the optimum Kiting performance.
- Ballet performance is what you are looking for (up and down).
- Use the large panoramic window to see the boat and to view rider height.
- Force the tube down by pushing your weight down with a swift, sitting motion.
- Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.
- Use the handles to adjust left to right balance.
- Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
- Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
- Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.
- A rider that falls or is ejected should try to fall away from the Kite Tube.
- Experience safe Kiting.

#### **A BOAT DRIVER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite Tube and its performance.
- Adjust boat speed to reduce the height of the Kite Tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.

- Avoid excessive boat speed at all times.
  - Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
  - Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
  - Give-way to all other watercraft, especially sailboats.
  - The Kite Tube can sustain flight with steady head wind and boat speed.
- Head into the wind
- Be aware of cross winds and wind gusts.
  - Use the large, panoramic window to monitor and communicate with the rider.
  - Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
  - Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
  - Most boating accidents happen in less than 2 seconds.
  - Reaction time varies from 120 to 255 feet of boat length.
  - Do not be in-attentive. Do not let your mind wander. Focus on what you are doing
  - Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
  - Don't Kite in electrical storms.
  - The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
  - Instruct all riders of rules and warnings, plus how to ride.
  - In riding position, the rider and tube are at a 45° angle to the water's surface.
  - Avoid floating objects and all immovable objects.
  - All riders should be towed at speeds that allow for reasonable control.
  - Avoid submarining the towable when first starting out or on spills.
  - Slow boat down to 5 mph to turn around and pick up the rider.
  - In many cases when the rider falls off, the Kite will continue to be airborne
  - Don't be a gunner; slamming the throttle forward and forgetting about the towable and your rider. Focus
  - In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite Tube will Kite in, but remember the Kite Tube is designed to Kite into the wind.
  - Do not throw away your owners manual or DVD. You must review periodically and especially when allowing others to use or borrow your Kite Tube.
  - Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
  - Don't overload your boat with a lot of passengers.
  - Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff, till the boat reaches planing speed and lift occurs on the Kite Tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.

- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite Tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph, otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

**▲ SUBMARINE EFFECT WARNING ▲**

LIKE MANY TOWABLES, A RIDER'S BALANCE TOO FAR FORWARD CAN CAUSE TOWABLE TO NOSE UNDER. THIS WE CALL SUBMARINING. WHEN THE BOAT DRIVER STARTS FORWARD, HE OR SHE SHOULD MAKE SURE THE RIDER HOLDS THE LEASH TO HELP KEEP THE NOSE UP DURING TAKEOFF TILL THE BOAT REACHES PLANING SPEED AND LIFT OCCURS ON THE KITE TUBE. IF THE BOAT DRIVER, SPOTTER AND RIDER ARE NOT PAYING ATTENTION THE TOWABLE COULD NOSE IN. THIS CAUSES THE SUBMARINE EFFECT, WHICH RESULTS IN THE TOWABLE ACTING LIKE AN ANCHOR. REDUCE SPEED IMMEDIATELY, OTHERWISE YOU WILL CREATE TOO MUCH DRAG ON THE BOAT AND TUBE CAUSING THE SOMETHING TO BREAK. PAY ATTENTION, WHEN STARTING OUT TO PREVENT THIS EFFECT.

LET'S SAY, EVERYTHING GOES RIGHT AND THE KITE TUBE AND RIDER ARE TRAVELING A SUSTAINED HEIGHT ABOVE THE WATER AND THE RIDER FALLS OFF. THE KITE MIGHT CONTINUE IT'S FLIGHT OR CRASH DOWN INTO THE WATER. WE SUGGEST YOU SLOW THE BOAT DOWN TO 5MPH, OTHERWISE THE TOWABLE MIGHT AGAIN ACT LIKE A SUBMARINE BECAUSE IT IS UPSIDE DOWN OR WIND CONDITIONS HAVE FORCED IT INTO A WEIRD POSITION WHERE IT CANNOT BE TOWED AT ANY SPEED OTHER THAN 5 MPH. BOAT DRIVER SHOULD TURN TO PICK UP RIDER AND START ALL OVER AGAIN.

IT IS THE OBLIGATION OF THE BOAT DRIVER TO OPERATE THE BOAT IN RESPONSIBLE SAFE MANNER AND NOT TRY TO "DUMP THE RIDER". THE KITE TUBE IS DESIGNED TO BE RIDDEN AT SAFE LEVEL WITHOUT HAVING TO HAVE SOME CRAZY BOAT DRIVER TRYING TO CREATE PROBLEMS. EXPERIENCE SAFE KITING.

**▲ SPOTTER OR OBSERVER INSTRUCTION ▲**

- Have watersports safety flag
- Keep driver aware of other boating traffic, obstacles, etc
- Keep driver aware of towable state and rider conditions and how the towable is doing
- Keep tow ropes from getting caught on protrusion from the boat
- We have found that small megaphone helps to communicate with rider prior to takeoff and give last minute instructions

**A WIND SPEED AND EFFECT A**

We are providing you with the following information to help you evaluate your current conditions before Kite tubing.

Wind speed(mph)	Wind effect
0-1	smoke rises vertically
2-3	direction of the wind shown by smoke drift, but not by wind vanes
4-7	wind felt on face; leaves rustle; ordinary wind vane moved by wind
8-12	leaves and twigs in constant motion; wind extends a light flag
13-18	raises dust, loose paper; small branches are moved
19-24	small trees in leaf begin to sway; crested wavelets form on inland waters
25-33	large branches in motion; whistling heard in power lines; umbrella difficult to use
34-40	gale
41-47	strong gale
48-55	storm
56-63	violent storm
64+	hurricane

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)



## TOWABLE OWNER'S MANUAL

**Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.**

**For questions on assembly, parts or warranty, contact the experts at Sportsstuff. DO NOT RETURN this product to the store!**

**Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)**

**Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.**

# **WARNING**

**To lessen your risk of serious injury or death, follow these rules:**

- Not a lifesaving device. Never leave children unattended. Use only under competent supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under six (12) years of age.
- The watercraft driver is responsible for the towable and riders since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced watercraft driver at the helm and always have three or more people present for safe tubing-one to drive the watercraft, one to observe and one or more to ride.
- Observer in the boat/watercraft should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other boats/watercrafts, swimmers, towables, and other obstructions in the water. Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Never exceed 20 mph when towing adults or 15 mph with children.
- Use a tow rope specifically designed for the WEGO
- Never operate the boat/watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness.
- Riders should keep arms and feet out of the water.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average

tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.

- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.
- Always wear a U.S. Coast Guard approved Type III (PFD) ski vest or as recommended by proper government authorities.
- Use this product only on water.
- Know your limits. Stop when you're tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.

The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller, liable for any loss, damage, injury or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear and deterioration from use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

#### REPLACING PRODUCT PARTS:

If a leak or problem is suspected with your tube, locate the valves, deflate the item and remove the inflatable PVC bladder to inspect possible problem areas. Contact Sportsstuff warranty department for prompt parts replacement if a problem is located. For non-warranty parts replacement, follow the same procedure. When a replacement is received, follow the steps below:

1. Unfold the cover and lay the bladder out.
2. Locate the bladder and the inflation valve. Carefully place the PVC bladder inside the cover of the product in the appropriate location.
3. Line up the valve with the valve opening in the cover.
4. Refer to the WEGO manual for further assembly information.

#### MAINTENANCE:

Very little care is required for the bladder or cover.

- You may clean your towable using soap and water or mild detergent.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight.
- To deflate, simply unfasten the entire valve from the base.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towable may bleed or fade when initially wet. Protect all boat interiors and all other surfaces from possible staining.

#### TOW ROPE RECOMMENDATIONS FOR SPORTSSTUFF PRODUCTS:

- The watercraft owner/operator is responsible for informing all the persons riding or using tow ropes of the WSIA Recommendations for tow ropes. Improper use of your tube and rope could result in serious injury or death.
- Following are the WSIA (Water Sport Industry Association) Recommendations for tow ropes (Do not exceed recommended rider capacity for your tube):

Number of Riders	Combined Weight of Riders	Rope Tensile Strength
One	min 100lbs - max 200 lbs	1500 lbs

- A standard tow rope should not exceed 65 feet.
- The tow rope should be assembled in a manner appropriate for the watercraft and tow tube.
- Please check all rope connections for frays, cuts, sharp edges, knots and wear and tear before each use. Discard any ropes that appear to be worn. It is recommended that you replace each tow rope at the beginning of the boating season.
- Tow ropes are subject to stretching during use. Please warn riders and persons in the boat/watercraft of the danger of ropes recoiling.
- DO NOT place arms, legs or head in the handle section as serious injury may result.
- Ensure that the tow rope is free from all body parts prior to towing a rider and while the tube is in use.
- Do not use a tow rope with a bungee material to pull skiers or riders. This type of apparatus could also result in serious injury or death to the tube rider or passengers in the boat/watercraft.
- Ropes will deteriorate with direct sunlight exposure. Please store away from direct sunlight and discard any rope that is frayed, discolored or raveling.
- Do not add hardware to this product that is not supplied by Sportsstuff.
- Avoid the propeller and engine at all times. Should the rope become tangled in the propeller, shut off the engine and remove key from ignition before retrieving rope from propeller.

**▲ WARNING! GENERAL USE AND SAFETY: ▲**

- When using a Sportsstuff product, you are engaging in an exciting recreational activity with inherent risks. Act responsibly and only use your product with the awareness of and willingness to accept the risks involved.
- Read all instructions and warnings provided to you in this owner's manual and those printed on the product. Do not discard this manual.
- As in any recreational activity, reckless use, misuse, inexperience and/or neglect of the proper equipment used may result in serious injury or death.
- Visually inspect the towable and tow rope before each use. Do not use if product or tow rope is damaged in any way.
- This product is NOT for use by children under 12 years of age.
- Never leave children unattended. Use only under competent supervision.
- Sportsstuff products are NOT to be used for rental use.
- Do not consume alcohol or other drugs while using this product. Even small quantities of alcohol and other drugs can impair judgment, balance, and coordination which can greatly affect one's performance.
- Make sure all riders are wearing a U.S. Coast Guard Type III (PFD) approved life vest at all times.
- Be conscious of the weather conditions as weather changes can occur very quickly.
- Check with your state or local government to learn their specific legal requirements concerning towables and towing.
- Use tow ropes that are designed specifically for towables with WSIA (Water Sports Industry Association) break strength guidelines.

**▲ WARNING! BOAT DRIVERS NOTICE: ▲**

- The boat/watercraft driver has the ultimate responsibility for the safety of the riders.
- Carefully survey the water before you begin towing riders.

- Do Not pull a towable without a rider. A towable is designed to have a rider in order to balance the weight distribution of the product
- Be aware of water conditions along with changes in the weather. The condition of the water greatly influences the type of ride the rider will have. Please take into consideration the age and physical ability of your rider.
- It is the boat/watercraft driver's responsibility to instruct the riders how to ride a towable. The boat/watercraft driver should carefully instruct the riders of potential risks and possible injury that may occur if they partake in careless behavior.
- At the beginning of the ride, carefully take the slack out of the tow rope. Never jerk start a towable. After the rider has signaled that he/she is ready, the driver can slowly bring the towable to a planing point.
- Most towables will plane out at 10 to 20 mph, depending on the weight of the rider. *It is important to keep the nose of the item up until the item is planing.*
- The resistance of the product varies widely with these factors: boat speed, turns, water conditions, number of riders and their weight, towable size, shape and function. The boat/watercraft driver should adjust the boat speed to fit these situations to minimize resistance of the towable.
- Use in wide, open spaces. Stay at least 100 yards from shallow water, shore, rocks, boats, docks and buoys. Most accidents happen on turns and in congested areas.
- The boat/watercraft driver determines the speed and the action of the towable in turns and when crossing the boat/watercraft wake. In the straight-a-ways, the boat/watercraft towing speed is the same as the towable speed. The towable speed will increase when the boat/watercraft makes a 90 to 180 degrees turn without increasing the boat/watercraft speed. If the boat/watercraft speed is 20 mph, the towable speed can be 30-40 mph. The "slingshot effect" sends the user outward from the center of the towable. Be aware of the limitations of the rider.
- Large wakes combined with the wave action and speed can contribute to a rough ride. Use a safe speed that enables the towable to plane out. The boat/watercraft driver should adjust the boat/watercraft speed and turns to fit the water conditions and the age, experience, skill and physical strength of the rider.
- Excessive speed or sharp turns might cause the tube to flip over abruptly, possibly causing serious injury to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- Under normal conditions, the maximum safe speed for adults is 20 mph. Safe speeds for children are less than 15 mph, depending on the age and physical capability of the child.
- Please make sure your boat/watercraft is tow-worthy and has the appropriate horsepower to pull rider(s) and the tow tube. Do not exceed the boat/watercraft passenger capacity.
- Extreme drag forces can develop when pulling this tube. Please use towable in calm water. Heavy waves or choppy conditions can create more drag or even result in a submarine or anchor effect.
- Extreme drag forces may also result if: the rider(s) fall off, the tube noses in or tips over and water fills cockpit/seating area. The boat/watercraft operator should immediately slow or stop to eliminate this factor.
- Death or serious injury can result from the submarine or anchor effect causing more extreme drag forces on the tow rope and/or tow point. The tow rope might have too much stress and either break and snap back at the rider(s) or other occupants of the boat. It is the boat driver's responsibility to make sure this does not occur.

• Do not exceed the weight guidelines of your boat. Do not allow passengers to hang outside the boat or side on the gunwales (sides/edges of the boat) outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales (sides/edges of the boat) of the boat.

**▲ WARNING! BOAT OWNERS WITH HIGH TOWER AND PYLONS ▲**

- Tow/Ski towers are not designed for use with any inflatable tube towing.
- Use only lifting eyes/transoms or tournament-rated ski pylons for towing tubes.
- Consult your boat's manufacturer if you are unsure of its tournament rating.
- Do not tow any inflatable from a ski eye.
- Any tow pylon or ski pylon installed after market is not intended for inflatable tube towing.
- Death or serious injury may result if an unapproved ski/tow pylon is used.

**▲ WARNING! SPOTTERS NOTICE: ▲**

- Always use a spotter (observer) in the boat to communicate the needs of the rider to the driver.
- The spotter must be the eyes of the driver and the rider, always alert to recognize possible danger so proper action can be taken to avoid any risk to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- The spotter should hold up a safety flag cautioning all other boaters that riders are in the water.

**▲ WARNING! RIDERS NOTICE: ▲**

- Do not use this items as a personal flotation device.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not to exceed 65 feet.
- Only use this product with a responsible boat/watercraft operator who knows how to effectively operate the equipment.
- This product should be used in water only. Do not launch from dock or land.
- Do not use near piling, docks, shores or shallow water or other obstructions that could cause serious injury to the rider.
- Carefully instruct the other riders the proper way to attach rope and operate the towable.
- DO NOT strap or attach arms or legs to cover or tube. Never place hands or feet in between the tube or cover.
- This item has no braking or steering mechanism and can develop high speeds under certain towing conditions. Use at your own risk!
- This product is not a life saving device.
- Take necessary breaks when you are tired.
- Never get near the propeller with the engine running, even if it is in neutral.

#### GENERAL TROUBLE SHOOTING GUIDE:

**Symptom:** Product won't hold air.

**Solution:** Check to see that the valve is fastened properly. Re-fasten valve if needed. Check to see if the product was inflated fully from the beginning. If you suspect it wasn't inflated fully, add more air. PVC Repair Adhesive is available from Sportsstuff at [www.sportsstuff.com](http://www.sportsstuff.com) or 888-814-8833 for small hole or seam repairs.

**Symptom:** Valve is leaking

**Solution:** Listen closely to hear if air is leaking. Be sure the valve and cap are screwed in or fastened straight and are tight. Leakage can occur if the valve is not fastened correctly.

**Symptom:** Product inflates but doesn't become firm.

**Solution:** Please check to make sure it was inflated firmly with a high volume air pump. If you are sure you inflated it properly, fully assess it for a leak or re-fasten the valve. If a leak is detected, the bladder may be patched by using Sportsstuff PVC Adhesive which can be purchased directly from Sportsstuff.

**Symptom:** Cover is very loose (Applies only to products with covers).

**Solution:** Please check to make sure that your product is inflated fully and the tube is in place. The cover should fit snugly over the well-inflated tube. If the cover remains loose, add more air. See also the INFLATION section of this manual.

#### WARRANTY POLICY:

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

### **WATERSPORTS RESPONSIBILITY CODE**

Be aware that there are elements of risk in boating, skiing, and riding that common sense and personal awareness can help reduce. Know your ability level and stay within it.

To increase your enjoyment of the sport follow the "Watersports Responsibility Code".

It is your responsibility to:

- Familiarize yourself with all applicable laws, the risks inherent in the sport, and proper use of the equipment.
- Know the waterways where you will be skiing or riding. Do not ski or ride in shallow water, near shore, docks, pilings swimmers or other watercraft.
- Always have a person other than the boat driver as an observer and agree on hand signals before starting.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Read your owner's manual and inspect your equipment prior to use.
- Ski or ride within your limits. Always ski or ride in control and at speeds appropriate for your ability.
- Always turn ignition off when anyone is near watercraft power drive unit.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Never "Platform Drag" or touch a swim platform while the engine is running.
- Not operate watercraft, ski or ride under the influence of alcohol or drugs.

Water Sports Industry Association

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
PO Box 531226

CINCINNATI, OHIO 45253  
513-741-4919  
FAX -- 513-741-1025



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**AUTHORIZATION FOR RELEASE OF NAME**

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Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

You are hereby authorized to disclose my name and address with the information collected on this case.

My identity is to remain confidential.

*Verbal Response*  
*Durissa Kavela for*  
\_\_\_\_\_  
(Signature)

*7/6/05*  
\_\_\_\_\_  
(Date)

060831

1. Task Number 060703HBB2657		2. Investigator's ID 8156		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>	
3. Office Code 840	4. Date of Accident YR MO DAY 2006 06 25	5. Date Initiated YR MO DAY 2006 07 05			
6. Synopsis of Accident or Complaint <b>UPC 759641</b> A 19 year old male was using a kite tube on a lake. He was being pulled by a boat at about 30 MPH when a gust of wind pushed the kite tube upwards. He was thrown from from it and landed right shoulder first into the water. He was air lifted to the hospital and treated for a severed aorta, minor spleen, kidney injuries and concussion. He was hospitalized for a week and released.  <div style="text-align: right;"> <p><del>REVIEWER INITIALS</del> <i>Jan 9/6/06</i></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED <input type="checkbox"/> ATTACHED</p> <p><input type="checkbox"/> EXCLUSIONS/FOIA Etc. _____</p> <p><input checked="" type="checkbox"/> Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> </div>					
7. Location (Home, School, etc) 5 - OTHER PUBLIC PROPERTY		8. City LITTLE FALLS		9. State MN	
10A. First Product 3200 - Water Tubing (activity, Appa)		10B. Trade/Brand Name WEGO		10C. Model Number 53-5000	
10D. Manufacturer Name and Address SPORTSTUFF, INC. 11213 E. Circle Suite A Omaha, NE					
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE	
11D. Manufacturer Name and Address NONE					
12. Age of Victim 19		13. Sex 1 - Male		14. Disposition 4 - Hospitalized	
15. Injury Diagnosis 62 - Intern. Org. Inj.		16. Body Part(s) Involved 89 - NECK		17. Respondent 1 - Victim/Complainant	
18. Type of Investigation 1 - On-Site		19. Time Spent (Operational / Travel) 18 / 9		20. Attachment(s) 9 - Multiple Attachments	
21. Case Source 07 - Consumer Complaint		22. Sample Collection Number		23. Permission to Disclose Name (Non NEISS Cases Only) <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal	
24. Review Date 0711212006		25. Reviewed By 8929		26. Regional Office Director Frank J. Nava	
27. Distribution Blasius, Dennis R.; Topka, Tanya L.; Ingle, Robin L.		28. Source Document Number 10670024A			



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<b>10A. First Product</b> 3200 - Water Tubing (activity, Appa		<b>10B. Trade/Brand Name</b> WEGO		<b>10C. Model Number</b> 53-5000
<b>10D. Manufacturer Name and Address</b> SPORTSTUFF, INC. 11213 E. Circle Suite A Omaha, NE				
<b>11A. Second Product</b> 0		<b>11B. Trade/Brand Name</b> NONE		<b>11C. Model Number</b> NONE
<b>11D. Manufacturer Name and Address</b> NONE				
<b>12. Age of Victim</b> 19	<b>13. Sex</b> 1 - Male		<b>14. Disposition</b> 4 - Hospitalized	<b>15. Injury Diagnosis</b> 62 - Intern. Org. Inj.
<b>16. Body Part(s) Involved</b> 89 - NECK	<b>17. Respondent</b> 1 - Victim/Complainant		<b>18. Type of Investigation</b> 1 - On-Site	<b>19. Time Spent (Operational / Travel)</b> 18 / 9
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<b>23. Permission to Disclose Name (Non NEISS Cases Only)</b> <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal				
<b>24. Review Date</b> 07/12/2006		<b>25. Reviewed By</b> 8929		<b>26. Regional Office Director</b> Frank J. Nava
<b>27. Distribution</b> Blasius, Dennis R.; Topka, Tanya L.; Ingle, Robin L.			<b>28. Source Document Number</b> 10670024A	

060703HBB2657

SUMMARY

The product involved in this accident is 10' diameter flying kite tube. It is similar to inner tubes that are designed to be pulled behind a boat on the water. With this inflatable device you can pull up on the front of the kite tube and it becomes airborne as it is being pulled behind a boat.

The complainant's 19 year old son (160 lbs.) saw this item advertised on the internet. His family owns a resort and marina on a lake in northern Minnesota. The father ordered one of the kite tubes directly from their marina supplies dealer in Minnesota. He purchased the kite tube in June 2006. The kite tube was sent directly to them from the dealer which is about 220 miles away. There were no discussions with the dealer about any potential safety issues with the kite tube.

The kite tube came with an owner's manual, instructions for using it and also a DVD covering the safe use of it. The 19 year old victim said he read over the manuals and the warnings that covered the 10' diameter kite tube. He didn't watch the DVD that came with it.

To use the kite tube you knee down in the two slotted openings. You hold onto the ball and leash to keep the tip of the kite tube out of the water. When you hit the proper speed the kite tube will lift off the water and you stand up. You then use the hand grips and position of your feet to control the flight. The manufacturer states if you sit down quickly it will bring down the kite tube. Please see the attached owner's manual for the proper use of a kite tube.

The victim always used a certified floatation device when using the kite tube. He used no other protective equipment.

He said during the first time he attempted to use the kite tube he had some difficulty getting it off the water. He said this was the first kite tube device he has attempted to ride. He tried the three different lengths of tow rope that came with it. He said the distributor said at about

20 mph the kite tube should become airborne. He said the boat had to be traveling at least 25 MPH with some wind before he was able to become airborne. He said if there wasn't any wind the boat had to be traveling at over 30 MPH.

The father who drove the boat several times while pulling individuals on the kite tube agreed that the boat had to be moving at least 25 MPH before anyone could get the kite tube airborne.

The victim had used the kite tube about six times before the accident. He had one other incident where he sustained some injuries using it. About two weeks before the accident he was out on the lake and was being pulled by their boat. He guessed that he was up in the air about 15-20' when he hit a wind gust. This threw the kite tube off balance and it came down hard on its side in the water. He was able to hold onto the kite tube, but he sustained bruises to both of his elbows from his impact with the water. While he was riding the kite tube his sister was taking a video tape of him. It shows the kite tube up in the air and losing control of it as it hits the water. The victim sent me a copy of this incident and it is attached.

Several other members of the family have experienced accidents while attempting to ride the kite tube. The victim's brother (225 lbs.) was riding it and got it airborne. He lost control and the kite tube came down hitting the water very hard. He hit the side of his upper torso and had the wind knocked out of him.

His uncle (185 lbs.) had the same thing happen to him. This time the kite tube flipped over and he landed on his back and shoulder. He sustained a bruised shoulder and ribs.

His 16 year old sister (115 lbs.) came down hard sideways into the water and hit face first. She sustained a bloody nose. None of these injuries required professional medical attention.

On the day of the incident (6-25-2006) they had driven to Fish Trap Lake near Little Falls, MN. There were several family members there for the day and they were using the kite tube most of the day.

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The weather according to the National Weather Service for a nearby reporting station was a high of 79 degrees F with an overcast sky for parts of the day. The average wind speed was 5.5 MPH with gusts of 20 MPH.

The son couldn't remember any of the details of the accident due to his injuries.

At the time of the accident the father of the victim was driving the boat. He said they were traveling at about 30 MPH. He was driving into the wind and the victim was up in the air about 10-15' on the kite tube. He said they hit a gust of wind and the kite tube flew up into the air to about 25'. He said the kite tube went flying one way and the victim went flying off the other way. He said the victim went right shoulder first into the water. He said it sounded like a rifle shot when the boy hit the water.

The victim was unconscious when he pulled him partially into the boat. He said he pulled his upper torso into the boat and let his legs dangle in the water. He is a life responder for the local fire department and didn't want to pull the boy into the boat in case he had back or neck injuries. He called 9-1-1 from the boat and drove back to shore. He said the boy regained consciousness within a couple of minutes.

When they reached shore the local paramedics had arrived. They C collared the victim and drove him out of the resort area up to the road when a helicopter was waiting. The boy was air lifted to the hospital in St. Cloud, MN. It was determined that he had severed his aorta. He also had minor kidney, spleen damage and a concussion. He was transferred to Hennepin County Medical Center, Minneapolis, MN.

He spent one week in the hospital, 3 days in intensive care. The doctors told the family that someone normally has less than 1% chance of surviving this type of injury. The victim is at home recovering from his injuries. He is at about 90% and is scheduled for a follow-up visit within the next week. He hopes to get clearance to return to all his normal activities. The father said during his next visit to the hospital he will attempt to get copies of medical records covering his son's injuries.

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The father and son said this kite tube is very dangerous to use and has several inherent problems. The driver of the boat has complete control over the entire flight of the kite tube. He determines the boat speed that you have to pull the kite tube to get it airborne and have to watch the flight of the kite tube to see how it is reacting. He has to make sure that you are driving into the wind and not into a cross wind. Driving into a cross wind will make the kite tube unstable and can cause it to flip over. If the rider is having some difficulties he has to slow down to lower the kite tube. However, you can't slow down too quickly as the kite tube will nose dive into the water.

The owner's manual recommends that you have a spotter and it is a state law that you do have a spotter with this type of activity. However, the driver has to react immediately to how the kite tube is reacting so he has to watch it himself or it will flip over or nose dive into the water. The father said you have to watch the kite tube so you're driving the boat one direction and looking back in the other direction. He heard of one incident involving a kite tube where the boat actually drove right into a tree as the driver was watching the rider not where he was headed.

The victim said when you are up in the air riding the kite tube you are completely in the hands of the boat driver. He said you lean back and can't see over or around the kite tube. He said they have a clear plastic panel in the kite tube. However, you can't see through it and any hand signals wouldn't be seen. The motor on the boat is loud enough where it is difficult to yell loud enough to be heard.

He said the speed of the boat, length of tow rope and wind speed determines how high the kite tube goes. He has heard of individuals using 100' of tow rope and a very fast boat to get the kite tube very high.

He doesn't know if you could make this kite tube safe. He said the kite tube has a single connection point in the middle front for the tow rope. So when you pull it up into the air you have a 10' diameter saucer shaped device being pulled by a single rope traveling at high speeds. This is

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inherently unstable. He wondered if you had two tow ropes secured to the front spread apart if the kite tube would be a little more stable while up in the air. He didn't know if this would be more dangerous if the kite tube nose dived into the water or flipped over.

They spoke with their dealer about this incident. They are a larger marine supply distributor in Twin Cities, MN. They told the father that they had sold about 1,000 of the suspect kite tubes. They were aware of several other minor injuries caused by riding a kite tube. However, none were as serious as sustained by the victim.

The aunt of the victim called the manufacturer and complained about the danger of riding a kite tube. They told her if the instructions are followed it should be safe to use their kite tube.

PRODUCT IDENTIFICATION

The product involved in this incident is a 10' diameter flying inner tube. It has two heavy duty PVC bladders that are covered by a nylon skin cover. There are two built in slots for the rider's feet and 8 padded handles. There is a rope with easy grip sponge balls attached to the front for pulling up the front during use. There is colorful labeling on the nylon cover along with numerous cautions and warnings. Please see the attached photographs for a view of the complainant's kite tube.

The kite tube was purchased in June 2006 from:

Bell Industries, Inc.  
580 Yankee Doodle Road  
Eagan, MN 55121  
651-452-3165

It is identified as a "Wego" kite tube Model 53-5000. It is distributed by:

Sportstuff, Inc.  
11213 E. Circle Suite A  
Omaha, NE 68137  
402-592-8833

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Please see the attached photographs for a view of the suspect kite tube.

ATTACHMENTS

1. Photographs and video showing kite tube accident
2. Entries from Steadywinds.com covering safety concerns
3. Page from [www.sportstuff.com](http://www.sportstuff.com) describing kite tube
4. Wego Kite Tube Owner's Manual
5. Towable Owner's Manual
6. Warranty Information
7. Authorization For Release of Name
8. Contact List

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Attachment#1

Shows view of the "Wego" kite tube.



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Shows another view of the "WEGO SOLO" 10' diameter kite tube. It is distributed by [www.sportstuff.com](http://www.sportstuff.com). It is their Model#53-5000.



060703HBB2657

Shows some warnings for the kite tube rider.

**WARNING** 

**KITE TUBE RIDER**  
To lessen your risk of serious injury or death, follow these rules:

- Avoid steady and cross winds. Use in light to moderate steady winds.
- Steady and cross winds can cause this product to experience sudden changes in height or direction.
- Launch at least 8 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have one-on-one discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Do it slowly, what, flight occurs more easily.
- With the same, flight is not so easy.
- Heavier on kite weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability, Kiting takes a practiced level of skill.
- Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches gliding speed.
- Kite safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines, and other immovable objects.
- Be aware of natural wind breaks and barriers that change the wind flow.
- Use near transition low point. Using higher low point means the Kite can Kite higher.
- (Maximum 1 rider capacity)
- Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
- Balance to minimize movement while airborne. Too much movement can cause the Kite tube to become wobbly and overturn. Maintain a good center of gravity.
- 10 and 2 o'clock are the best control hand positions.
- Hang time, Kite time, can be 1 second or many minutes.
- Length of hang time depends on the wind, boat speed and rider weight.
- A straight boat heading into the wind creates the optimum Kiting performance.
- Best performance is what you are looking for (up and down).
- Use the large panoramic window to see the boat and to view rider height.
- Force the tube down by pushing your weight down with a swift, sitting motion.
- Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.
- Use the handles to adjust left to right balance.
- Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
- Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
- Raise arms above head following a split to signify to the boat driver and spotter that you are okay.
- A rider that falls or is ejected should try to fall away from the Kite tube.
- Experience safe Kiting.

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Shows some more warnings and hand signals to be used by the rider.

**WARNING**

**WATERSKI Warnings**

*(Small, illegible text describing various safety warnings for water skiing, including instructions on how to use the tow rope, how to hold the tow rope, and how to use the tow bar.)*

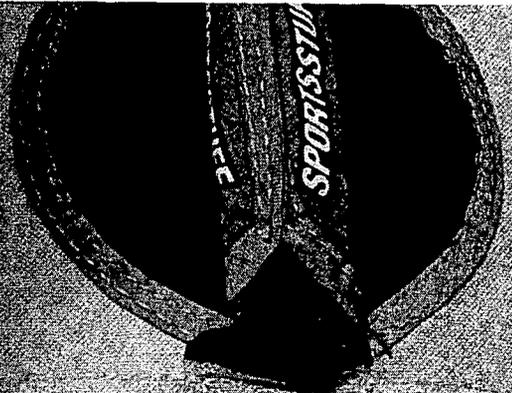
**WATERSKI HANDSIGNALS**

**SENALES DE MANOS DE LOS DEPORTES ACUATICOS**

**SIGNAUX MANUELS DES SPORTS NAUTIQUES**

<p><b>Both hands raised</b> Manos alzadas Mains levées Beide Hände hoch</p>	<p><b>Both hands raised</b> Manos alzadas Mains levées Beide Hände hoch</p>
<p><b>Right hand pointing down</b> Mano derecha hacia abajo Main droite vers le bas Rechte Hand nach unten</p>	<p><b>Right hand pointing up</b> Mano derecha hacia arriba Main droite vers le haut Rechte Hand nach oben</p>
<p><b>Right hand pointing left</b> Mano derecha hacia la izquierda Main droite vers la gauche Rechte Hand nach links</p>	<p><b>Right hand pointing right</b> Mano derecha hacia la derecha Main droite vers la droite Rechte Hand nach rechts</p>

**WASSERSKI-HANDSIGNALE**



pulling you... length but not exceed...  
 • The manufacturer, Sportsstuff, Inc. Under no circumstances shall Sportsstuff, Inc. be liable for any loss, damage, injury, or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear, and deterioration from the use and weather conditions. We strongly recommend that you inspect the product on a regular basis.  
 102605.02 ITEM NO. 53-5000 © Sportsstuff, Inc. 2005

060703HBB2657  
 Warnings and rules for driver of boat.

# WARNING

## KITE TUBE BOAT DRIVER

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height. a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite tube and its performance.
- Adjust boat speed to reduce the height of the Kite tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight, and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.
- Avoid excessive boat speed at all times.
- Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
- Determine the boat conditions for Kite tubing based on rider weight, boat speed and wind speed.
- Give-way to all other watercraft, especially sailboats.
- The Kite Tube can sustain flight with steady head wind and boat speed. Head into the wind.
- Be aware of cross winds and wind gusts.
- Use the large, panoramic window to monitor and communicate with the rider.
- Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
- Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
- Most boating accidents happen in less than 2 seconds.
- Reaction time varies from 120 to 255 feet of boat length.
- Do not be in-attentive. Do not let your mind wander. Focus on what you are doing.
- Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
- Don't Kite in electrical storms.
- The Kite Tube is an air ball of extremely limited capabilities with regard to wind and turbulence.
- Instruct all riders of rules and warnings, plus how to ride.
- In riding position, the rider and tube are at a 45° angle to the water's surface.
- Avoid floating objects and all immovable objects.
- All riders should be towed at speeds that allow for reasonable control.
- Avoid submarining the towable when first starting out or on collis.
- Slow boat down to 5 mph to turn around and pick up the rider.
- In many cases when the rider falls off, the Kite will continue to be airborne.
- Don't be a gunner, slamming the throttle forward and forgetting about the towable and your rider. Focus
- In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite tube will Kite in, but remember the Kite tube is designed to Kite into the wind.
- Do not throw away your owners manual. You must review periodically and especially when allowing others to use or borrow your Kite tube.
- Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
- Don't overload your boat with a lot of passengers.
- Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff, till the boat reaches planing speed and lift occurs on the Kite tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.
- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph; otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

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# T M

060703HBB2657

Shows some more warnings found on the kite tube.

**WARNING**  

To lessen your risk of serious injury or death, follow these rules:

- Not a Lifesaving Device.
- Never Leave Children Unattended.
- Use Only Under Competent Supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under twelve (12) years of age.
- The watercraft driver is responsible for the towable and rider(s) since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced operator (driver) at the helm of the watercraft.
- Always have three or more people present for safe tubing: one to drive, one to observe, and one or more to ride.
- Observer in the boat should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other watercraft, boats, swimmers, towables, and other obstructions in the water.
- Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water, and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Do not use at speeds that exceed the skills of the rider. Never exceed 20 mph when towing adults or 15 mph when towing children.
- Use a tow rope specifically designed for towables.
- Never operate the watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness. Ensure that the tow rope is clear of all body parts prior to or during use.
- Riders should keep arms and feet out of the water.
- Always wear a U.S. Coast Guard (USCG) approved Type III (PFD) ski vest or as recommended by proper government authorities.
- Do not exceed the manufacturer's recommended number of riders for this tube.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people, and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.
- The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller liable for any loss, damage, injury, or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear, and deterioration from the use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

102805.02      ITEM NO. 53-5000      © Sportsstuff, Inc., 2005

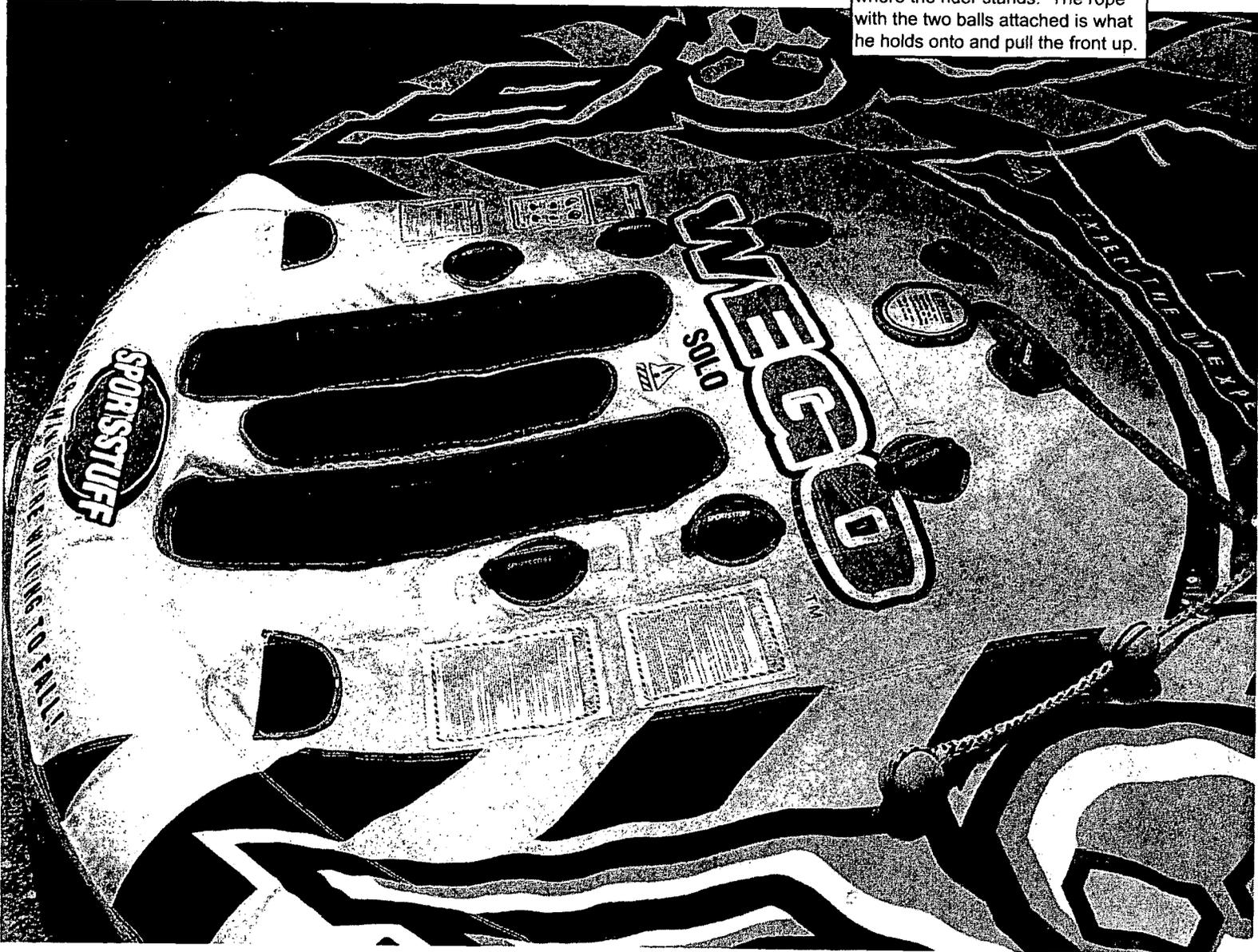
060703HBB2657

Shows the front of the tube kite where the towing rope is connected.



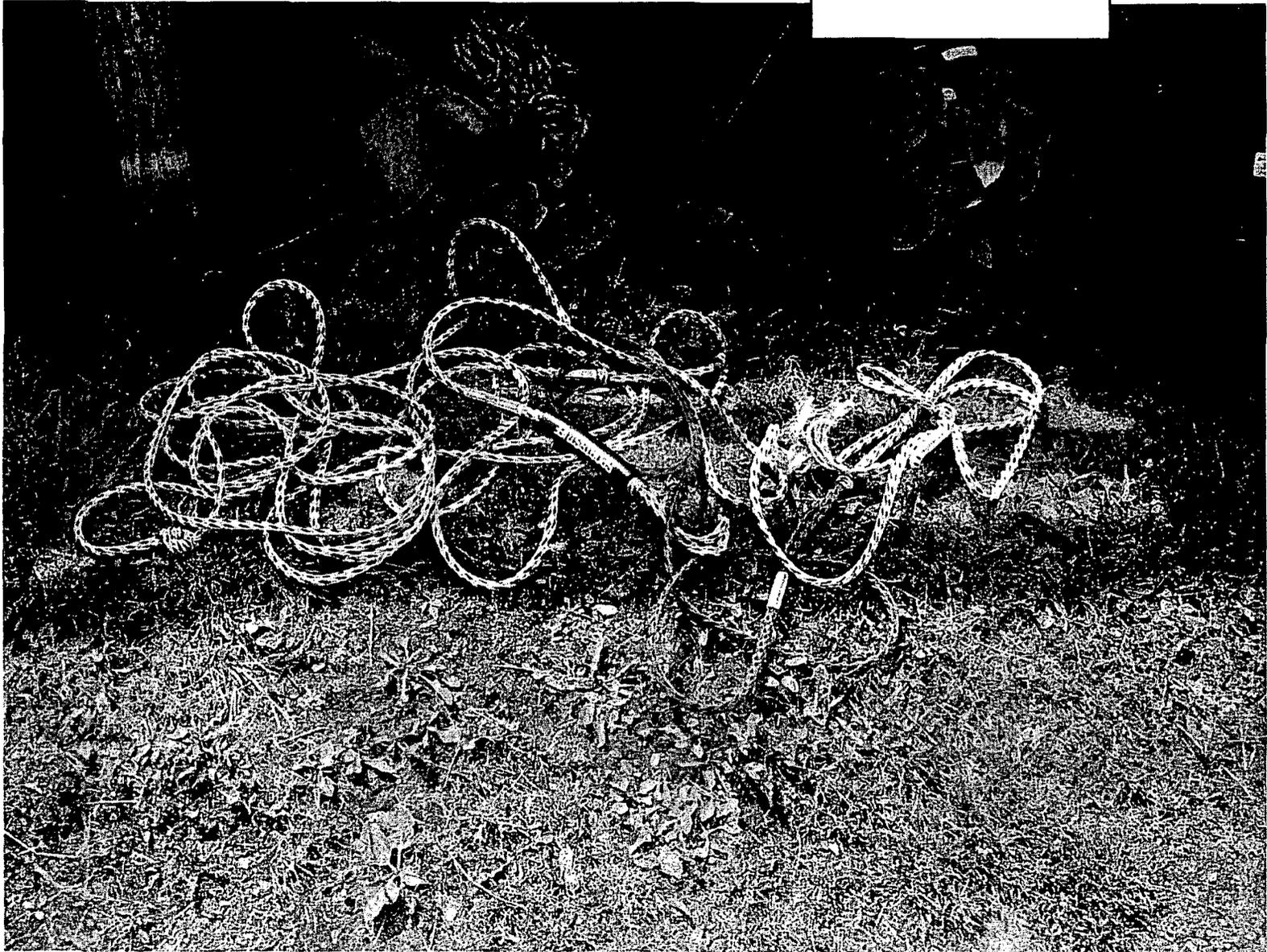
060703HBB2657

Shows the area of the tube kite where the rider stands. The rope with the two balls attached is what he holds onto and pull the front up.



060703HBB2657

Shows the 65' of tow rope that came with the tube kite.



060703HBB2657

Shows part of the warnings that were found on the tow rope.

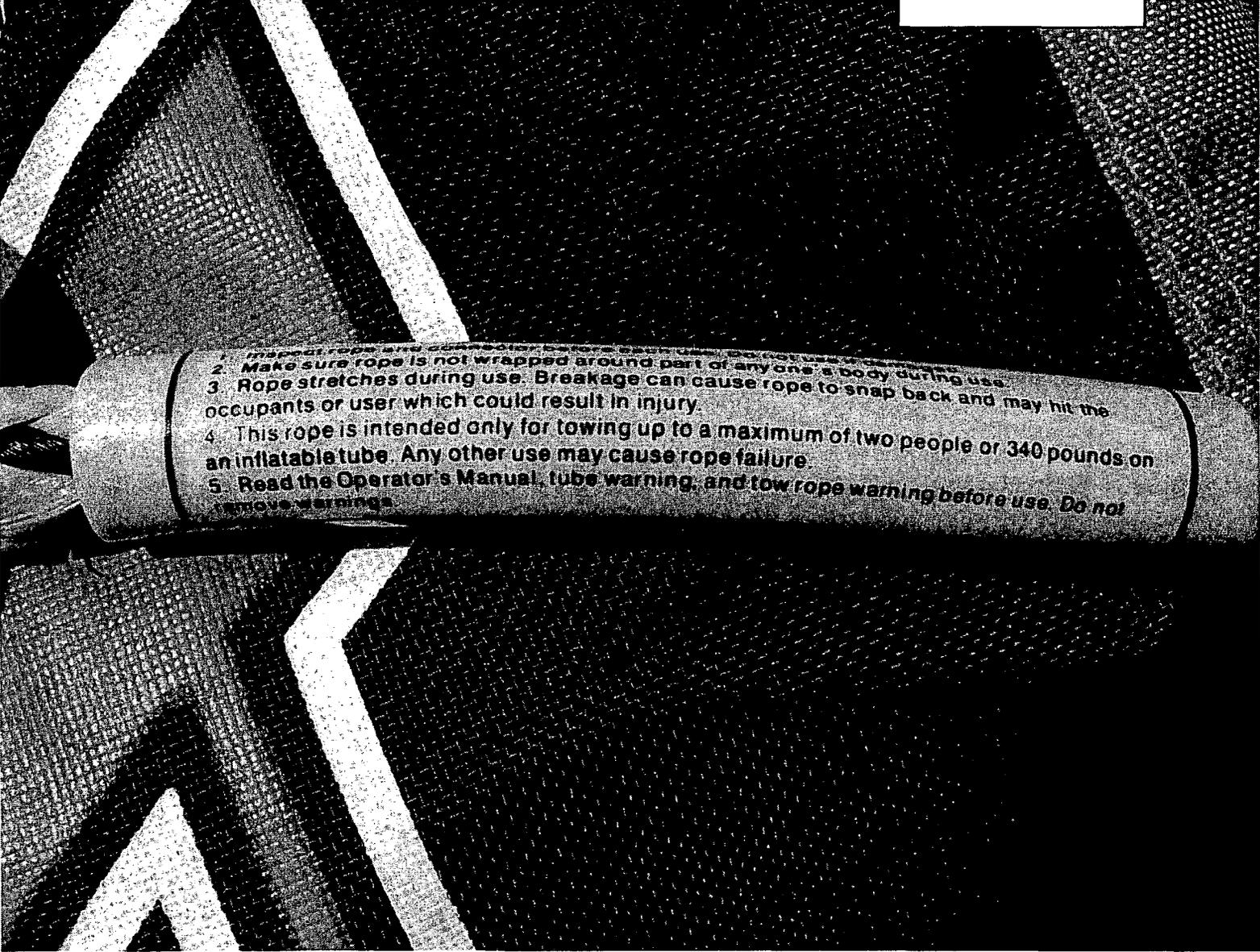
**WARNING**

Use of this product and participation in the sport involves inherent risks of injury or death.

1. Inspect rope and connector before each use. Do not use if damaged.
2. Make sure rope is not wrapped around part of anyone's body during use.
3. Rope stretches during use. Breakage can occur without warning.

060703HBB2657

Shows the remainder of the warnings on the tow rope.

- 
1. Inspect rope and connections before each use. Do not use damaged rope.
  2. Make sure rope is not wrapped around part of anyone's body during use.
  3. Rope stretches during use. Breakage can cause rope to snap back and may hit the occupants or user which could result in injury.
  4. This rope is intended only for towing up to a maximum of two people or 340 pounds on an inflatable tube. Any other use may cause rope failure.
  5. Read the Operator's Manual, tube warning, and tow rope warning before use. Do not remove warnings.

060703HBB2657

Shows one of the three distances on the tow rope. This is the length of rope (45') for a tube kite beginner.



**BEGINNER LENGTH 45'**

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Shows the next length of tow  
rope to use with the tube kite.



060703HBB2657

Shows the master length (65')  
for the tow rope for the tube  
kite. This is the length of tow  
rope being used by the victim.



MASTER LENGTH 65'

060703HBB2657

This shows the boat and motor that was being used to pull the victim on the tube kite.



060703HBB2657

Here is the home movie taken by the victim's sister . It involves another accident he had about two weeks prior. He sustained bruises to both of his elbows. To activate just click your arrow on the picture.



- [Home](#)
- [Kite Building](#)
- [Kite Portfolio](#)
- [Photos](#)
- [Archives](#)
- [Contact](#)

060703HBB2657  
Attachment#2

« [World's largest kite flies in Tokyo](#)  
[321 kite-flyers held in a crackdown against metal-wire use](#) »

## Kite Tube!?

Ads by Gooooogle

**Wego Kite Tube - In Stock**

Free Rope, DVD, and \$25 credit. Free shipping - No taxes  
[www.gotwater toys.com](http://www.gotwater toys.com)

**Ski Tube Free Ship to MN**

1000's of 2006 Ski Tubes in Stock Never any Tax or Shipping to MN  
[www.SkiTube.com](http://www.SkiTube.com)

Just reading the Toronto Kite Fliers mailing list today and someone posted a link to a bizarre "kite" that is towed behind a boat. It's called the WEGO KITE TUBE produced by SPORTSSTUFF.

So the idea is basically you convince some fearless individual to climb on top of this inflated disk, tear down the lake at top speed and with some "control" the rider can launch the kite tube in the air and remain air borne. As long as you have enough speed, and you keep the right angle of attack you should be ok. (mildly insane but ok)

Personally I don't think I would do it... there are a few spills in that video that look like they could have been a lot worse... you can check out the video here: Kite Tube Video.



This entry was posted on Tuesday, February 28th, 2006 at 8:57 pm and is filed under [General](#), [In the news](#), [SportStuff Wego Kite Tube](#). You can follow any responses to this entry through the [RSS 2.0 feed](#). You can [leave a response](#), or [trackback](#) from your own site.

### 88 Responses to "Kite Tube!?"

1. [Al Says:](#)  
[March 3rd, 2006 at 4:33 pm](#)

The wego kite tube by sportsstuff is definitely going to be an interesting ride, living in minnesota, I have not been able to get on this tube yet (it was released in january and our lakes are froze, obviously). But I sell this tube at MN Boat Shows, and as such, I have personally watched this video a few hundred times.

The WEGO will be a very safe tube if used right, as you can see in the video that if you don't want to spill on the tube, you will not have to. The girl in the video stays at a constant 5-10 feet off the water when she wants to. I personally can not wait to ride this tube. We are

currently thinking about taking this tube in the locks, where there is open water right now, simply because I am so excited to ride it. And you will not have to go "top speed" the maximum recommended speed to pull this tube is 14-28 m.p.h, depending on the wind speed on your lake.

2. *Stephanie Says:*  
March 6th, 2006 at 8:22 am

That looks like a blast! You get one and I'll try it 😊

3. *jack Says:*  
March 7th, 2006 at 11:51 am

we live on a small lake that we ski and tube .....we were wondering if the tube can be turned in air since our lake is only about 1/2 mile long.....plz reply.....jack

4. *JON Says:*  
March 9th, 2006 at 4:31 pm

Hello Jack,

Go ahead and get one man its crazy. Speaking from riding the Kite tube it is speechless. A 1/2 mile lake should be ok on the turns all you have to do is slow down and bring the rider down to the water and then turn. This not like a regular tube where it is rider versus boat driver. You have to watch the tube so if he gets to high you can gradually slow down to let him down out of the air. I have ridden mine like a regular deck tube and lower speeds and wind conditions and it performs awsome. Going on a whip the all sudden it catches a litte air then off to riding it like a deck tube again. My friends have gotten 30 to 40 feet in the air on this thing. One friend only want to go 5 feet in the air so we watched him in the reer view mirrow of the boat to make sure he didn't get to high. In summary i would say to get man you can always go to a bigger lake to for long runs. But short lake it will work. I remember we practiced like 10 rides and we were able to do a gradual turn not like a whip but gradual in the air. Going against the wind is key when going with the wind you don't get as high but thats ok we just ride like a huge deck tube with occassional ups and dows of 1 foot or so. **SO GET MAN AND TELL YOUR FRIENDS!** Oh ya there is a instructional video and riding vidoe at there website. [www.SPORTSSTUFF.COM](http://www.SPORTSSTUFF.COM)

**HOPE THAT HELPS POST YOUR COMMENTS IF YOU GET ONE OR ANYMORE QUESTIONS!**

5. *Chris Says:*  
April 8th, 2006 at 9:43 am

Just bought a new Malibu V-Drive, traded in my 2005 Supra inboard for a larger, faster, v-drive with a tower. Can't wait to try this out!! Is it any more difficult for the driver to control the boat with the tube in the air? And have you ever tried hooking it up on the Tower to get more height? Let me know.

Thanks!

Chris

6. *marc* Says:  
[April 18th, 2006 at 3:16 pm](#)

Hey Chris

I had the same idea about hooking it up to the tower, 3 out 5 guys landed in the ER that night, The air we caught was unreal. Approx 40ft on a 65ft line. It was cool but insane all at the same time. If you do hook it their be prepared for a rough fall. Good Luck

Marc

7. *Cecil* Says:  
[April 19th, 2006 at 4:55 pm](#)

Does anyone know what will happen if I hook it up to my pylon with a 100ft. barefoot line? I was thinking about running 40mph into a 20mph head wind. How tight would that be?

8. *still recovering* Says:  
[April 20th, 2006 at 12:53 am](#)

Using a 100 foot line or tying to the tower is just stupid. I did a nose dive at 10' and ended up in the er. If someone does that at 40' or 75' their dead.

9. *adog* Says:  
[April 23rd, 2006 at 3:05 am](#)

we used the 65 ft cord and to the tower on a ski nautique 210 air and got AT LEAST 50 ft before he fell on his neck....knocked him out but us Texas boys dont go to the ER till there are limbs hanging off.....

10. *Steve* Says:  
[April 26th, 2006 at 1:06 am](#)

All the videos i have seen have people on the wego kite tube that are about 150lbs, will this tube fly with lets say a 200lb fat boy.... lol

11. *D Raley* Says:  
[April 26th, 2006 at 9:38 am](#)

I road one last weekend. I could NOT control the height or dipping from side to side ( think real kite ) If I had not had on a professionally ski jacket I would have been ER. I am wearing a 6 inch wide bruise from the bottom of my jacket to my knee.

12. *areamike* Says:  
[April 26th, 2006 at 10:16 pm](#)

I put a video on our Family website of us riding this Kite Tube for the first time this last weekend.

(click on Kite tubing Video)

[http://www.fauxpas.org/modules/xoopsgallery/view\\_album.php?set\\_albumName=album44](http://www.fauxpas.org/modules/xoopsgallery/view_album.php?set_albumName=album44)

The last wipeout in the video is insane...use at your OWN risk is an understatement. This thing can be a great ride as long as you have a GOOD boat driver and STEADY headwinds. Do not use in Wind gusts!

13. *Cody* Says:  
[April 27th, 2006 at 2:44 am](#)

^^^That looked like a nasty spill. How was he afterwards?

For anybody interested in purchasing this tube, I would recommend checking out this one...  
<http://www.sevylor.com/towables.html>

I rode it last weekend and I was high flying just like on the video in about 15 minutes.

14. *bdog* Says:  
[April 28th, 2006 at 12:43 am](#)

A collapsed lung and a broken wrist are pretty serious—BUT at least all of us were tough enough to stay conscious.

15. *Meagan* Says:  
[May 2nd, 2006 at 11:10 am](#)

I watched a friend of mine die when he fell off of the wego kite tube, it was the most awful thing I will ever experience. He broke his neck when he hit the water. Please, please don't use this tube!!

16. *greg* Says:  
[May 4th, 2006 at 9:39 pm](#)

Anyone riding this thing should check this out.  
<http://www.kfdml.com/engine.pl?station=kfdm&id=14598&template=breakoutlocal.html>

17. *Steadywinds.com » Blog Archive » Kite Tube Claims Life* Says:  
[May 4th, 2006 at 11:17 pm](#)

[...] A link to this story was posted as a comment to an earlier post I made about the Kite Tube. Based on this story and a number of the comments to the last kite tube post it's not safe! Please don't take your life into your own hands with one of these. The constantly changing angle-of-attack, combined with weight shifts from the rider and the lack of drag make this an extremely unpredictable "kite". [...]

18. *joe* Says:  
[May 9th, 2006 at 9:40 am](#)

I can;t believe the comments that i'm reading about.  
i'm realy freaking out.  
my friend bought one and we flwe it this sunday and he had a nasty spill whent the thing whent up and flipped over becuase of the wind that threw him off and he's def in one ear for 4 weeks becuase he broke his eardrum when it smacked him down onto the water surface fter going 29 feet high ☹️ :(

we're planning on doin it again>

big tip: DON NOT USE IN HEAVY WINDS OR GUSTS, HAVE AN EXPERIENCED BOAT DRIVER.

19. *Brian Says:*  
[May 11th, 2006 at 11:08 pm](#)

Meagan, please email me at [brianmazzola@gt.rr.com](mailto:brianmazzola@gt.rr.com). Thank you.

20. *SCOTT Says:*  
[May 15th, 2006 at 2:22 pm](#)

I bought 1 last week we have come close to getting it flying how fast are you going to get it to fly

21. *will Says:*  
[May 15th, 2006 at 7:32 pm](#)

Does anyone know which kite tube is steadier the Manta or the WEGO KITE TUBE?

22. *Chris... Says:*  
[May 16th, 2006 at 3:39 pm](#)

I bought one of these last week and I have ridden it approx. 7-8 times now and getting pretty good with it, Yesterday I flew about 20' or so probably 5-6 different times with good control, it was really steady going up and coming down, when I was first using it, it come down sideways a few times but I just held on and it corrected itself. Now on the other hand, a friend of mine was on it yesterday also and a gust of wind caught him and he quickly soared to about 30' and got out of balance and flipped it and fell 30' at 30mph and he thought he broke his arm, although he didn't and he is alright. I honestly love this thing and think its a blast but after yesterday I don't think I'm going to let my friends get on it unless they sign a release form or something and I will probably only let like me and my brothers on it anymore. It can be dangerous but everything that really gets your adrenaline pumping is a little dangerous, I suggest just doing like the manual and video says and starting with the 45' rope for 12 times then the 55' rope for 24 times until you get used to it then the 65'. Good luck and stay balanced.

23. *Steve Says:*  
[May 17th, 2006 at 7:55 am](#)

scott,

i have had mine for 2 weeks. flying it great! we were only doing about 27mph or 30. into a 10 to 15 wind  
what is your email and i will send you some pics.

24. *Steve Says:*  
[May 17th, 2006 at 7:58 am](#)

correction on the speed only going 20 to 25mph

25. *SCOTT* Says:  
[May 17th, 2006 at 2:22 pm](#)

We have tried 25-35 mph we can but the winds were no more that about 10mh my e-mail is [maxie5612@yahoo.com](mailto:maxie5612@yahoo.com) pics would be appreciated.

26. *Chris* Says:  
[May 19th, 2006 at 10:27 am](#)

My friend purchased the wego and we took it out, it was really fun at first, but then I was riding it and for no reason it took off about 40-50 feet in the air and went out of control and slammed me down hard onto the water. Now I am an avid wakeboarder, tube rider, thrill seeker, but this thing is going to kill someone! I recently read that it did actually kill some one. Well we decided to try it again the next day and my friend was on it and it did the same thing to him went about 30 feet up then took a hard nose dive right to the water it wrapped him up in the tube and slammed him so hard it tore his acl in his knee and broke 2 ribs. This tube is a great idea but they need to redesign it. They had better watch out or as sue happy as this world is there will be a major lawsuit against them.

27. *Steve* Says:  
[May 21st, 2006 at 9:12 pm](#)

Chris,  
we have been getting some serious air on the tube also. One of my buddies stayed up for 35 seconds( our longest ride of the day). he was @ 10to15 feet on this ride. i can relate to the nose dive, were you guys in cross winds or calm day?

28. *Taylor* Says:  
[May 21st, 2006 at 10:20 pm](#)

I just bought one of these today and I will say it is alot of fun, but this thing can get out of control. As a former member of the Coast Guard I guess I should know better but I was pulling my friend and decided to push the envelope and I sent him into orbit, probably about 40'. My natural reaction was to pull back on the throttle, well that was the wrong thing to do becuse he came barreling down into the water and messed his knee up bad. Anyway we are going to keep using it, but we are going to be alot more careful.

29. *Taylor* Says:  
[May 22nd, 2006 at 3:55 pm](#)

Quick note I have ultimatly decided to sell this thing, I don't want to be responsible for killing a friend. I now think this thing is much to dangerous. I saw somewhere earlier that there are some guys from Texas. Just to let you know that a buddy of mine is a game warden here in Texas and this thing will be ILLEGAL to use buy the end of this summer, he assures me. So I guess if you are in Texas I would start thinking about selling as soon as you can because you won't be able to sell them after that.

30. *FTC924* Says:  
[May 23rd, 2006 at 12:54 pm](#)

My friends and I had this monster out yesterday here in Illinois. We are all over 200 lbs and in

good shape and thought this thing would be easy. We hooked it to the back of our wave-runner and began at 45'. We were able to hop across the water but the tube was definitely unsteady and would throw us off without notice like we were rag dolls. Towards the end of our first run we were able to get the tube to around 5 foot above the water for a few seconds at a time. The last run at 45' (before we were going to extend the rope to 55') I was at 5-8 foot above the water and the tube decided it was done and turned over and face-planted me into the water. I thought my jaw was broke.

Since my jaw was not broke, we went to 55' and began to get this thing to 10 feet. However, not matter what we did, if we hit a gust of wind or a cross wind, the tube would twist and turn and thow us off. All this time we were keeping the MPH's around 30-35 because we wanted to learn first. Then one my friends signaled to go faster so we upped the speed to 40 MPH and up he went to approx 15 feet. He seemed to have major problems keeping the tube steady at that height and speed and right before (and I mean right before) the tube decided to turn over and nose dive to the water, he jumped off and landed on his feet. We all think we was lucky.

We finally decided to try the 65' foot length and I am man enough to say that we were not ready (or "I" was not ready). I was the first to try it and wanted to increase the speed to 40-45. During my run, I was easily flying 10-15 feet in the air and it seemed to me that I was getting the hang of it. But then I caught a huge gust of wind that took me to 30 feet in the air instantly and then, even faster, it turned to the left and then whipped to the right and threw me off into the water and I landed right on my back. It knocked the @^%!\$@ out of me and I could hardly breathe for a good 5-7 minutes. I thought my neck and back were shattered. I have not gone to the doctor yet but I have eaten two bottles of aspirin since yesterday. It does disturb me that I landed exactly how that 33 year old guy landed in Texas that was killed. AND HE WAS ONLY AT 15 FEET. I was double that.

Anyways, we do many extreme sports but are always in control and we can always push the sport to our abilities. One thing I know for sure, you cannot see the wind nor can you control it and while on the Wego Kite Tube it is hard to control it as well. One thing I notice in the manual you get with the tube, it states that the weight limit of the tube is 200lbs but it seems to me that the lighter the person is, the more uncontrollable the tube will be since it is 10 feet wide. I thought the weight limit was 200 lbs because the tube would not get off the water at weights above 200. WRONG!!!! In fact, at the end of the day yesterday we decided to put two guys on the tube and ride it like a conventional tube whipping them in figure-8's and stuff like that. This is 425 lbs on this monster and as I whipped them around the first circle, they GOT AIR and were 2-3 feet over the water!!!!

I am calling Sportsstuff today for answers to my questions and will advise as to what they say.

Does anyone have experience on the Mantra flying tube? It is easier to control when flying? I have watched the video and it does seem easier but then again it was being ridden by a professional. Someone please advise.

31. *Cody Says:*

May 24th, 2006 at 9:48 am

The Manta is much safer than the WEGO, it has rope handles that you hold onto so that you can suck the wings in to steady it out, and fly for a few minutes at at time. I knew the WEGO

was gonna be bad news from the beginning. Now I won't even be able to do my favorite thing come to the end of the summer.

32. *JJ Says:*  
[May 25th, 2006 at 3:27 pm](#)

We just got our Wego and it is AWESOME! I was a bit nervous the 1st time out, but now I can't get enough. If you and the boat driver/spotter take the time to watch the instructional DVD, read the manual and actually use as directed it's a great ride! It takes getting use to and I recommend starting with the shortest of the ropes until you get comfortable with it, but we have had no problems towing at around 25-27 MPH. I can see how it would be dangerous if not used properly, but you can say that about anything. Common sense-it says right on the tube, only kite as high as your willing to fall. I give it two thumbs up!!!

33. *Shellie Says:*  
[May 26th, 2006 at 11:21 pm](#)

Wrap me in bubble wrap and give me a helmet, I'll try it!

34. *Michael Laninga Says:*  
[May 27th, 2006 at 11:44 am](#)

My son (18 years old) had a nasty crash on a Wego Kite Tube May 25th. He suffered a broken back and three broken bones in his left foot. He will be in a back brace for 6 - 8 weeks and require surgery on his foot. He missed his High School graduation and all night party too. Worse he has lost his summer employment at a youth camp. This is a very dangerous toy.

35. *James Says:*  
[May 28th, 2006 at 11:00 am](#)

Hi, i am thinking about getting a wego, but am wondering if our boat can handle it, its a 79 doral 6cyl mercruzer 165h, can someone tell me if this is sufficiant, to pull this crazy thing, thanks James.

36. *lil ripper Says:*  
[May 29th, 2006 at 10:54 am](#)

my name is lil ripper and i just got back from the hospital last night from crashing down off the kite tube we had it hooked up to the tower in our boat not a good idea..i dont really rember what happened b/c i suffered from amnesia but i was told i feell from 20 feet in the air and became uncounsious i recomend not getting one!!!!

37. *Chris Says:*  
[May 30th, 2006 at 11:28 am](#)

I wrote earlier and told ya'll about my buddy that fell from about 30' well he's getting better with a little shoulder pain still but will be ok. I had this thing out again this weekend and I have to say that I personally am getting pretty good with it, I can fly it about 15'-20' very smoothly and bring it back down no problem, I do have to say though that I ride motorcycles alot and do have pretty good balance, which I believe is the key to the kite tube. I am still the

only person that has been on my kite tube who has not flipped off at some point. I love it and can't get enough. If the wind isn't blowing very much I'll get my wife to drop the throttle all the way down to about 40mph so that I can get more air but if the wind is blowing pretty good or it is gusting then 25 works really well, I can get 15' with the 45' or the 65' rope easily. But I can see were a cross wind could throw you off course and put it out of control if you didn't expect it, so I suggest staying balanced and expect the worst and hope for the best when flying high but I have had no problems at all. Oh and 165HP should pull it fine, I have a 19' Chaparral with 190HP and it has no problems at all pulling it. Just be careful using the kite tube and follow ALL of the instructions or ride at your own risk.

38. *Derek Says:*  
[May 30th, 2006 at 2:41 pm](#)

Ive taken hard/high(30') falls and next time im wearing a protec helmet and neck brace... maybe even a mouth piece, just dont use it in high winds,cross winds. use alot of air in the tube and alot of balance when your up there. also pull into the wind as straight on as you can

39. *James Says:*  
[May 31st, 2006 at 12:35 am](#)

hi,thanks chris ,i will ride carefully, cheers James

40. *Jason Says:*  
[May 31st, 2006 at 8:52 am](#)

Had my first experience this past Memorial day. Chris is dead on with the wind situation. It was pretty windy that day. The kite goes up very well, but if you have some wind gusts, no amount of balance is going to help you. It is like trying to fly an airplane with one wing. it started the side to side shaking very violently and I came off of it at about 25'. Needless to say, the water feels like concrete when you hit it at that height and moving at about 35mph. On a good light wind day, you should be able to fly it with some nifty balancing. Even though it hurt when I fell, i will get back on it again. A glutton for punishment i guess!!

41. *Steve Says:*  
[May 31st, 2006 at 5:41 pm](#)

O.K. guys here is our story... memorial day weekend. friend of ours was riding the kite tube on the 65 ft line. was flying great! at @15 to 20' all of a sudden he went to 40' in a split second. he had excellent control of this thing. he got a bit nervous and couldnt figure how to get it down lower. we backed of throttle a bit and tube went sideways and threw him off. unfortunately he suffered a compressed vertabrae. i have posted here before and wanted to see if you guys could control the up and down on this thing. the fall he took was not really from the 40ft because he was comming back down when we throttled back. the side of the tube actually hit the water first and then slung him off. we have been very carefull when flying this thing. we all will still ride. i really believe this is the most extreme water sport out there.

42. *Steve Says:*  
[May 31st, 2006 at 5:45 pm](#)

Hey chris send me some pics!!!! [stevewbarco@aol.com](mailto:stevewbarco@aol.com)

43. *Steve Says:*  
May 31st, 2006 at 5:54 pm

FTC,

let me know when you talk to sportsstuff. im interested in what they have to say  
thanks

44. *Chris Says:*  
June 1st, 2006 at 4:13 pm

Steve,

Not saying it was the boat drivers fault in this case but I've been thinking about this same situation and this is what I have come up with. If he was flying it great at 20' then the only thing that shot him up further was a gust of wind unless someone was playing around too much and dropped the throttle to send him up higher. I think if the driver would have remained steady on the throttle that just as soon as that gust of wind settled down then he would have come down as well. I have experienced this and just remained balanced and it would come back down after a few seconds or so. But another thing I've been thinking about is this...if someone is 40' in the air on a 65' rope then that only leaves about 50' horizontal distance from the kite tube to the boat and at 30mph you cover approx. 44' per second so if the boat driver panics and drops the throttle all the way down and the boat stops it wouldn't take much for the kite tube to drift over the boat and drop the rider into the boat, which could mean serious injury or death. If my math is off I am sorry but this COULD I believe happen, someone please correct me if I am wrong. But like in your case you said the kite tube was already decending then you backed off the throttle, so in a sense you backing off the throttle caused the kite tube to lose any lift from underneath that it might have had to bring it down smoothly which caused it to flip sideways and down into the water. I really hope your friend gets better and I have sent you a few pics but I still have to get some better ones.

45. *Chris Says:*  
June 1st, 2006 at 4:22 pm

Ohh I forgot to tell you guys that I rode the kite tube backwards this past weekend for a few seconds, I just sit down and grabbed the handles and it went up maybe 4' off the water...felt kinda wierd and I didn't have much control and didn't want to break my record of no falls so I turned back around but my brothers were tripping out. It was a nice view though...you could actually see very well just how high you really was.

46. *peter pond Says:*  
June 2nd, 2006 at 8:33 am

used the kite tube for 1st time last weekend, everything was great til i shot to 30' instantly, the tube started getting very unstable up there, so i bailed, hit the water so hard it ripped my shorts in two, rested on the beach for 20 minutes, tried again, same thing, back up to 30', came crashing down, i don't think my body can handle a 3rd violent impact, and everyone else is to scared to

use the tube because they might get shot to 30'+.so my question is if we go shorter than 45' on the tow line,to say 25' will this eliminate the threat of going to high,but still allow for some lift off the water,and being a safe distance from the prop?????

47. *Chris Says:*  
[June 2nd, 2006 at 11:35 am](#)

Man just my opinion, 25' might be a little too short, it might be difficult starting off with the washout from the inside of the wake being so close, I would think it would try and submarine really bad, I would try 35' or even 40' first, but if you called sportsstuff they might have a better answer for you from the safety end, I don't think the prop would be an issue though. Something to keep in mind for next time, I know you can't see the wind or anything but if you shoot up to 30' really quick then it may be gusting too bad to fly it for that day, I think the DVD that comes with it says something about it.

48. *HeyTone Says:*  
[June 3rd, 2006 at 1:08 am](#)

My brother recently went to 65' rope, and he got it on video. His friends are absolutely nuts and some of the wipe outs are downright violent. There's two videos at the following link if you want to check it out.

[HeyTone.com movies](#)

49. *Duane H. Says:*  
[June 6th, 2006 at 3:33 pm](#)

We saw this video at Bass Pro Shops and went out and bought it. We started out at 65 feet of rope at approx. 35 MPH. My friend Kevin was doing great for the first 5 minutes and we were amazed at the height we were getting. The next thing we knew he shot up high in the air and was slammed down on his right side at full speed. He was knocked unconscious and had to be pulled from the water with rescue breaths given to revive him. We took it back the next day.

50. *Mark Says:*  
[June 7th, 2006 at 8:28 am](#)

I wish we had the problem of getting to high on the Wego Kite Tube. We cannot get the tube off the water. The area just below the recessed foot holds is always touching the water. The first weekend the tube was under inflated, because we had no foot pump, that explained that. The second weekend we had it fully inflated, 150-160 pound rider, 10 mile hour head wind, and still could not get the tube into the air. The riders have all watched the video. We used both the 65' and 55' foot lengths and have tried speeds up to 30 miles on hour. We have 23' - 250 horse I/O - deck boat, with the tow rope attachment about 2/3 of the way up the transom. Any suggestions would be greatly appreciated. Thanks

51. *Steve Says:*  
[June 7th, 2006 at 11:44 am](#)

Mark,

Keep riding, it will take a few tries to get accustomed to. you should let the tube do all the work. we struggled with this. we were trying to really yank on the handle to make it fly. that is the wrong thing to do. just gradually pull back and the wind should do the rest. make sure the tube is properly inflated very important!!!! be patient. this thing will soar. i have posted here before.. and PLEASE BE CAREFUL!!!!!!!

we usually run anywhere between 28 to 32mph depending on the wind. there should be no problem getting a 150 to 160lb guy or girl up. send me you email i will send you some pics

52. *Michael Says:*

[June 7th, 2006 at 11:09 pm](#)

We tried this last weekend. It was a blast. Started with the rope at 65 feet behind a Seadoo. Had a little trouble with control at first but once we figured out to go directly into the wind it was fine. If you get out of control just sit down and the tube will go back down to the water. Even my almost 50 year old mom had a blast.

53. *Calestie Says:*

[June 7th, 2006 at 11:19 pm](#)

Our family bought the wego kite tube. We all sat down together and watched the instructional video twice!! We are all experienced boaters and have been boating for years. My husband crashed hard on the tube. He was coughing up blood and had to be lifeflighted to closest hospital. Has broken ribs, bruised, and abdominal problems. This tube is NOT SAFE!!!! We followed instructions exactly. It is totally unpredictable. DO NOT BUY IT!!!!

54. *Rod Says:*

[June 8th, 2006 at 4:06 pm](#)

We bought a Wego Kite Tube, tried it for a couple weekends, and returned it this week. It can be very dangerous! Please be sure it is properly inflated, do not use in unsteady winds, and the boat driver should never let the tube get more than 5 feet off the water. The kite can easily soar to 25-30 feet, and dump you off hard. We are experienced boaters and tubers, and think this tube will eventually do the same thing to anyone who uses it. It can be a lot of fun, till someone gets hurt. The last time we used the tube, the rider hit the water and was unconscious for about 10 seconds. We experienced a moderate concussion, bruised ribs, coughing up blood, and severe headaches in the short time we used it. Definately not worth the risks!!

55. *David Says:*

[June 9th, 2006 at 11:24 am](#)

I just found this site while looking for information about the Wego Kite Tube after a 17 year-old in Winter Haven, Florida sustained a life-threatening injury while using this product. The young man is an experienced wake-boarder who was preparing for the professional circuit (the boat driver was also experienced). This young man sustained a 30-40 foot fall when a sudden gust of wind lifted the tube from 10 feet to that height and then flipped him over. He sustained a dissection of the aorta and has survived only because of prompt emergency care and 6-hour surgery in Tampa.

This product may provide "thrills," but so does Russian roulette, which is what you are playing every time you take a ride on this kite tube. This young man was not an inexperienced "hot dog"; he was athletic and experienced. This product should be taken off the market!!! Warnings on the tube or on "instructional videos" are not a defense for the continued sale of this product.

For those of you considering purchase and/or use of this kite tube, PLEASE review the many internet postings available. If you still decide to use it make sure you have major medical coverage and funeral arrangements.

56. [Steadywinds.com » Blog Archive » More Kite Tube Problems...](#) Says:  
[June 9th, 2006 at 12:06 pm](#)

[...] Kite Tube!? WOWT | Kite Tubing Writes [...]

57. [Troy](#) Says:  
[June 10th, 2006 at 2:46 am](#)

I have been a boater for many years, my family and I love to tube. When I first saw the Wego Kite Tube (overtone I believe) I had to have one. After 1 trip to the lake and some forum searching, I am putting my tube on ebay. This tube has the potential of hurting many people, and the one ultimately responsible will be the boat driver. This tube will go from skimming the top of the water to 20 feet in a blink of an eye. Now this wouldnt be so bad at 15 or so mph. I had a 190 pounder at over 40 mph before the tube would lift in a low wind situation. Falling off at 40 mph would not be fun. I encourage anyone to watch the videos posted on this site before purchasing a kite tube. Look at how violent the crashes are. Think of the liability involved if someone gets injured behind your boat, or worse. Friends are friends until they are layed up, unable to work, bills are piling up .....lawsuit to follow.

58. [Cader](#) Says:  
[June 12th, 2006 at 12:31 pm](#)

I got on one this weekend and I have to say this is sweet!  
My brother-in-law took about a 10' spill on his head and got a headache but he has has much worse on his air chair. Granted we were out on a pretty windy day and we shouldn't have been on the first time out.

I keep reading about people getting hurt on this but a lot of them are starting out with the 65' length rope and / or putting it on a ski tower, BOTH of which the instructions say NOT to do!!!

There is a post about a 100' rope on a tower:

still recovering Says:  
[April 20th, 2006 at 12:53 am](#)

Using a 100 foot line or tying to the tower is just stupid. I did a nose dive at 10' and ended up in the er. If someone does that at 40' or 75' their dead.

Not to sound callus but what do you expect? When you don't follow directions you get hurt -

no matter the product.

59. John Stabler Says:  
June 13th, 2006 at 5:19 pm

I'm all for safe water sports. You should stick within your limits. You need a driver and spotter who know what they're doing. With practice you will control the Wego and not the other way round. But you need to take it slowly and identify unsuitable conditions. Wear appropriate safety gear and if you drive/own the boat you should be insured. Personally I like the Wego and it can be alot of fun when used properly. Sure, I've fallen off a few times (sometimes spectacularly) but never from a height to cause major damage. You should not be flying it at more than 15'. The thing says on it "Don't fly higher than you're willing to fall". If it's going too high for you then there is something wrong and you shouldn't be using it.

#### Dopes on Ropes - Water Skiing and Kite Tubing

60. admin Says:  
June 13th, 2006 at 8:20 pm

John,

From a kite point of view it is not stable, so I am not sure how it can be used safely at all. A flat kite needs drag to fly and keep it pointed into the wind. On a flat kite this usually done using some sort of tail or drogue shoot. What I see in the videos etc is the kite starts to cobra, this is when the kite starts to oscilate back and forth and sort of looks like a snake dancing. This is where you get into trouble... if it sways too much one side of the kite will catch a little more wind and keep going and dump the rider and the kite will crash, usually in a nose dive.

just my 2 cents..

-Bill

61. John Stabler Says:  
June 14th, 2006 at 11:11 am

I find that it only "cobras" when you pull too far back on it in an attempt to get more air. This is a common mistake by people who do not know how to use it! Your body weight should be kept as far forward as possible in order to facilitate the kite tubes stabalisation features (the design of the concave underside).

If you find yourself having to pull back hard and jump to get air then you are not using it properly and yes, you will end up getting dumped when you get an unlucky gust of wind.

Any water sport is dangerous when not done competently.

62. Austinga652 Says:  
June 15th, 2006 at 11:34 pm

Hey guys i am a 16 year old guy that weighs about 155 lbs i got the wego kite tube 2 weeks ago and i love it i can stay about 20 feet high for 2 or 3 minutes. it is amazing. once you get the

hang of it it is very calm but until you can be perfectly stable on the water i would not recommend going very high. Also note that the boat driver has way more control than the rider so pick a driver that you can trust. on a day with no wind i go about 35 mph to get out of the water then the my dad (the boat driver) backs off to about 25 mph and we cruise. i love it unfortunatly i am the only one in my family that can do it. it takes a lot of balance. 2 of my friends have flipped upside down and had the wind knocked out of them but after a few minutes they were fine. however as the tube says never kite higher than you can fly

63. *Sue Johnson Says:*

June 16th, 2006 at 3:32 pm

Stupid is, is what stupid does. It is sooo obvious that this is just another dangerous water toy. Like many that have come and gone on the market, this one just takes a minute of common sense and thinking it through to determine "Are you fricking nuts? What part of water, plus speed, plus height don't you understand? To run this thing at crowded State Parks or Federal waterways is just plain INSANE! Heck, its insane just to water-ski when we are packing boats into tiny bodies of water and making us all travel the same way in fear that we will run into each other, or not allowing us to jump out of our boats to swim, because of the danger of too many boats on the water. And now, we are putting someone on a flying tube? The word FLYING is key! HOWEVER, this is America and if you want to be stupid, you are allowed to, because our insurance companies, lawyers, and the court systems protect us from being stupid. Remember STUPID HURTS!

64. *Gary Says:*

June 16th, 2006 at 5:40 pm

These tubes are extremely unstable and dangerous. Wego is going to withdraw them from the market by the end of summer for sure. Class action lawsuits will happen very soon.

There's already a ban on Lake Powell near Salt Lake City. The bad press is going to carry throughout North America.

65. *Ryan Says:*

June 16th, 2006 at 7:26 pm

I just got out of intensive care after 4 days with a collapsed lung. Dont get me wrong the kite tube is a great tube for some one that likes thrills. I was on the 35 x 35 x \$10 plan. 35MPH X 35 FEET HIGH = 1225 X \$10 it cost \$12,250 dollars.

A few things to know before you hook one up...

- DO NOT USE THIS THING IF THERE IS ANY WIND AT ALL. (the speed will create the wind and the driver can control it)

- Make sure you buy a high pressure pump and get that thing rock hard (if its not the kite will flex making it uncontrolable)

- Hook it fixed and CENTER on the boat (boat speed and stability controls over 50% of the flight)

- Make sure you keep consant presure on the rope (if you are too high you will loose the

pressure)

- The driver needs to see you at all times (it gains air way to fast)

- Go for style not height.

- THIS THING WILL KILL THE BEST KITE TUBER AS QUICK AS IT WILL KILL YOU!!!

- HAVE FUN!!!

Email me with you story.

[rcdobey@yahoo.com](mailto:rcdobey@yahoo.com)

66. *RHOCH* Says:  
[June 16th, 2006 at 10:59 pm](#)

Hey...im a 16 year old from wisconsin... a few of my friends and i have saved the money for the kite tube. The store that we talked to said that our 110hp mercury outboard on a 18 foot alumina craft boat would easily put the tube into the air... what are some opinions on this?

67. *Iain* Says:  
[June 18th, 2006 at 8:25 pm](#)

A friend of mine bought one of these after seeing it on the web. Several of us tried it with limited success but loads of fun. A week later 4 of us tried and again had little success at flying, then one of the team managed to get 10-12 feet for a reasonable time. No problems and loads of fun.

Last week we tried again, first time out I got no more than 6 feet when the thing flipped and dived to the water. Don't quite know what happened but the result was a broken ankle and I'm looking at 12 weeks before I can put weight on my foot again. Loads of hassle getting to and from work, medical bills..... believe me this thing is just too dangerous.

68. *jeff* Says:  
[June 19th, 2006 at 7:36 pm](#)

hey im 17 and 135 pounds and i got this wego thing goin in a lake in virginia...if you want a rush, this is gonna give you one, but you gotta be prepared to hit hard. Don't use it on a windy day..you can get up a lot better but its a lot harder to control and it flips over sideways which is what causes the most injuries. I recommend stayin low to learn it because if you get this thing goin high, your gonna take a spill..the first time i used it i got a concussion and i consider myself lucky especially after hearing some of the other stories. You also must have a good driver because they need to work the speed to keep you from bitin it everytime...I had a good time on this but it is deffinatly dangerous, so dont underestimate it and treat it like its just another tube...good luck

69. *Chris* Says:  
[June 20th, 2006 at 11:26 am](#)

I have posted here several times and my opinion of the kite tube remains the same...YES it can be very dangerous but if you take your time getting used to it then it can be controlled...I have had it out every weekend for almost 2 months and I have yet to fall or be thrown off of it, I have been 20-30' many many times and have always remained stable and balanced and have always come back down easily, many people have also been hurt on trampolines but they have not become illegal, stop all the negetativity...if you don't want one don't buy one but don't knock what others do for fun by calling them stupid, thats just inmature...every day when we ride down a two lane road we are within 5-6' of death every time we pass another car, we never know what the other driver is going to do, my only point in this is that we could all die at anytime, God only knows when and how, so go have fun kite tubing but know the dangers and be careful if the situation is unsafe(too much wind or gusting) then don't fly it, I mean if it were a Cat 5 hurricane outside I wouldn't go riding around in my truck...learn to recognize the limits of the tube and yourself and have fun!! Just my opinion...

70. *steve* Says:  
June 20th, 2006 at 11:42 am

I agree with you chris!!!!!!

71. *Chris* Says:  
June 20th, 2006 at 11:55 am

Hey HeyTone...I just watched your videos and I think one of your biggest problems is that your kite tube looks really underinflated not to mention alot of the falls you just jumped off instead of riding it out. Also it looks like you have the 65' rope attached. But you already have an extra 5-10' from your added rope to get around the outboard so you shouldn't really be using the full 65' rope in my opinion thats just too much rope which would explain your getting so high. My suggestion, add more air and slow the boat down just a little when alot of wind is blowing.

72. *Sportsstuff Inc* Says:  
June 21st, 2006 at 10:51 am

Given the recent online discussions about the dangers of using flying tubes like the Wego Kite Tube on this and other forums, we at Sportsstuff would like to reiterate the importance of its proper usage.

There are inherent risks with any water sport, these risks are significantly reduced when the item is properly used under the recommended guidelines.

The Wego kite tube is an extremely popular item and is unlike any other watersport activity. This means that the boat driver, spotter, and rider are all beginners. Take it easy, learn in light steady wind, start slow. Do not over-estimate your ability, Kiting takes a practiced level of skill.

No other towable inflatable on the market has such an extensive system of warnings and instruction - starting with the packaging, the user's manual, the included instructional DVD, the three segment tow rope that is specifically designed to allow a progression of rope length and height relative to user experience, and many warning patches printed on the surface of the

tube reiterating the proper usage guidelines. In addition, the slogans and markings on the item itself are there specifically to remind the rider of the possible dangers involved in the misuse of this item. To lessen your risk of serious injury or death, follow the rules.

The guideline manuals and instructional video that are packaged with the item are available directly from our website at: <http://www.sportsstuff.com>

Along with the impressive sales numbers and numerous accolades received on this item, the Wego Kite Tube was also awarded the prestigious Sporting Goods Manufacturers Association - Sports Product of the Year award for 2006.

SportsStuff follows the guidelines set forth by the Water Sports Industry Association (WSIA), is an active member of the safety board, and takes the safety and wellbeing of our customers very seriously.

So please follow the guidelines, use common sense, practice safe boating, and have fun!

If you are interested in learning more about the Kite Tube, please visit <http://www.sportsstuff.com> or call 888-814-8833 and let our friendly customer service staff answer your questions.

73. *Hey Tone Says:*  
June 21st, 2006 at 12:03 pm

Chris -

It's my site, most of the tubing is done by my brother and his (apparently) fearless friends. They've perfected getting the kite tube inflated solidly using a wet vac. The newest video showcases this inflation. The crash at the end of that video is indeed the 65' rope at about 25-30 mph, granted an added 3-5 feet for the wrap around the engine. That was actually the first run of the day (it was a bit gusty). They immediately changed to the shorter rope (i think 45 or 35, not sure). All the crashes before that last one are with the shorter rope, and a modest speed. What it comes down to is physics - simply - a gust of wind can launch you 10, 15, 20 feet in the air even with the shorter rope. I've already spoken with my brother about taking it easier when they use that thing, or else someone is going to get hurt. I personally talked to the kid on that last fall, and he said he thought he was going to die falling from that height. I talked to him 6 days after he crashed, and he still was sore and had bruises, not to mention a chipped tooth.

I wouldn't be suprised if this thing is banned in a short time, it's fun for most of the time but the problem is that it is actually difficult to fall off when it is flying properly, which means you're just hanging on til the gust of wind comes and ruins your day.

By the way, there is some serious interest in this thing though, my site has never experienced traffic like this ☺

PS - I've had my fair share of kite tubing, you can find me in the first video (3rd from the top) at the end. I wasn't even that high and i got absolutely creamed.

74. *Hey Tone Says:*

June 21st, 2006 at 12:04 pm

Sorry for the double post, but for those of you who want to know what I'm talking about, click my name, it's this link:

[www.heytone.com/movies/movies.html](http://www.heytone.com/movies/movies.html)

75. *chris* Says:

June 21st, 2006 at 4:18 pm

hey guys,

we also have this tube in the uk now and we took it out for the first time last weekend. We started off fairly sedately with the 55' but the lake we use is small and surrounded by trees so could get it up but not airbourne for too long. Hence we progressed to the longer rope and found it loved the air!!! We found the best time of day was late afternoon when the wind had dropped. However we also made the mistakes of so many before us and just always wanted to go higher so the speed was increasing. Needless to say it wasn't too long before some of us took a spill. I flew off backwards and landed on my head (still aches now, but could have been worse) and my mate fell quite spectacularly from 20'. Luckily just took his breath away but i was worried by his frantic waving - thank goodness he was just excited. The girlfriend decided we were having too much fun and she wanted some but with the threat of no sex if I scared the crap out of her. I took it easy but found with the low wind I still had to drive at about 25 mph to get her a few feet of air. She screamed a lot - but when doesn't she, and now wants to go flying every day!!!

From some of the comments and videos I think some people are just too crazy too soon and use water that is alot more exposed than the lake I use. However I will be more sensible as I would be lost without my mates and i want ot live to fly another day.

Take it easy you crazy bunch.

76. *Des Nuitz* Says:

June 22nd, 2006 at 3:08 pm

I love the comments by Sportsstuff. That would be known as the "please don't sue us even though boatload of peoples or getting worked by our tube."

77. *Phil* Says:

June 22nd, 2006 at 5:07 pm

SportsStuff,

I understand your not wanting to pull the tube off the market (money is at stake), but perhaps apologies to the people who have posted that have been injured. Perhaps even take the time to apologize to the families of people killed while using it?

Of course, I understand you are quite busy.

78. *Steve* Says:

June 22nd, 2006 at 5:30 pm

Were flying this weekend. let everyone know how it goes. Is there anyway to post pics on this site?

79. *admin* Says:  
June 22nd, 2006 at 6:41 pm

Hi Steve,

Send me the pics [bwilson@steadywinds.com](mailto:bwilson@steadywinds.com) and I will post them for you...

Cheers,  
Bill

80. *admin* Says:  
June 22nd, 2006 at 6:53 pm

In reply to SportStuff's message above...

Given the recent online discussions about the dangers of using flying tubes like the Wego Kite Tube on this and other forums, we at Sportsstuff would like to reiterate the importance of its proper usage.

There are inherent risks with any water sport, these risks are significantly reduced when the item is properly used under the recommended guidelines.

I assert there is no proper usage as it is an unstable design. It's a flat kite and therefore will have stability problems even for the most experienced flyer. There are too many variables to deal with that make it impossible to guarantee reasonably safe flight.

The Wego kite tube is an extremely popular item and is unlike any other watersport activity. This means that the boat driver, spotter, and rider are all beginners. Take it easy, learn in light steady wind, start slow. Do not overestimate your ability, Kiting takes a practiced level of skill.

No other towable inflatable on the market has such an extensive system of warnings and instruction - starting with the packaging, the user's manual, the included instructional DVD, the three segment tow rope that is specifically designed to allow a progression of rope length and height relative to user experience, and many warning patches printed on the surface of the tube reiterating the proper usage guidelines. In addition, the slogans and markings on the item itself are there specifically to remind the rider of the possible dangers involved in the misuse of this item. To lessen your risk of serious injury or death, follow the rules.

The guideline manuals and instructional video that are packaged with the item are available directly from our website at: <http://www.sportsstuff.com>

So essentially what you are saying is you know it's unsafe and that's why you have put all the warnings on the product. Yes there is danger in anything we do on the water, however the kite tube is much more likely to cause accidents than some other sports. The number of serious

injuries and deaths resulting from the kite tube should be evidence enough

Along with the impressive sales numbers and numerous accolades received on this item, the Wego Kite Tube was also awarded the prestigious Sporting Goods Manufacturers Association - Sports Product of the Year award for 2006.

Well hell let's just all go out and buy one... after all it won an award so it must be safe!!!!

SportsStuff follows the guidelines set forth by the Water Sports Industry Association (WSIA), is an active member of the safety board, and takes the safety and wellbeing of our customers very seriously.

So please follow the guidelines, use common sense, practice safe boating, and have fun!

It's good to know who the concerned tubers and others can talk to. Maybe the WSIA will help get this product off the market.

If you are interested in learning more about the Kite Tube, please visit <http://www.sportsstuff.com> or call 888-814-8833 and let our friendly customer service staff answer your questions.

81. *Steadywinds.com » Blog Archive » SportStuff Responds to Kite Tube posts...* Says:  
June 22nd, 2006 at 7:00 pm

[...] Received this letter as a comment on this site... (originally posted here Kite Tube!? [...])

82. *ChrisW "Chris" Says:*  
June 23rd, 2006 at 4:53 pm

I'm not trying to make this into a pissing contest on here, but Bill "Admin", have you actually ridden on the kite tube? If not how can you assert to its stability? As I have previously said on here I have ridden the kite tube many many times now and have had no stability problems nor have I even fallin off yet. In my opinion this kite tube is a great design and I would have to say, props to Sportstuff for coming up with such an innovative item, we need more companies like you who push safety just as far as their innovation. Also I would like to add, reffering back to Bill's comment about it being a flat kite, actually it is concave on the underside which helps to add stability, you know kinda like a parachute but not so dramatic as that would cause too much drag. I think Sportsstuff has really dialed in on their design and have gone farther than most companies on pushing safety. I have a Honda 450R quad that goes about 80mph and have wrecked a few times doing 60+mph, I recieved no "apology" letter from Honda, also I know many people who have died on quads because they are so top heavy, their families I'm sure didn't recieve an apology letter from the manufactuer. People, you all just have to understand that yea these things CAN be dangerous, but just like many products, much of the dangers comes from improper use, or inexperience, in one form or another.

83. *Jen Says:*  
June 26th, 2006 at 2:56 pm

This tube is very dangerous! I would not waste your money! My boyfriend bought one last week and we took it out to the lake last weekend. Out of the 4 people that rode it two caught

25'-30' air and the tube started spinning out of control, one girl hurt her leg, and my boyfriend, started coughing up blood! Please do not use this- it is not safe! It is not worth it to see your friends hurt for a few minutes of air time!

84. *RHOCH* Says:

June 26th, 2006 at 3:29 pm

will a 115hp mercury outboard boat put this thing in the air using the 65 foot rope?

85. *gone bad* Says:

June 27th, 2006 at 11:03 pm

I think all the people getting hurt on these tubes should get together and sue the %4%# out of sportstuff and for the cost cover the hospital bills and funerals mine were 4000.00 + lung, sholder, and a nut

86. *Gary* Says:

June 27th, 2006 at 11:40 pm

Another death by Kite Tube, this time in Wisconsin today.

"The man sailed several feet into the air and then hit the water, suffering fatal head and chest injuries, officials said."

87. *SCOTT* Says:

June 29th, 2006 at 11:39 am

I bought 1 about 6 weeks ago we have been vary carefull but last week my buddy took a 20 ft fall and was laid up for 2 days any chance sportsstuff is issueing refunds has any body tried to get there money back? I purchased it from Bass Pro Shops but they said it has been too long .

88. *Freddie* Says:

June 29th, 2006 at 9:14 pm

A friend of mine had one of these. The first pass had my cell phone ringing wanting rides. The second pass the kit caught a wind gust and looked like the space shuttle lifting off. I thought it was going over the boat. The only calls after that were to 911. My friend now has a steel rod from his hip to his knee and a collapsed lung. If your idea of a good time is pulling up to a body floating face down in the water, get one. You can probaly learn to ride it, but you may not live that long.

## Leave a Reply

Randy Kladivo

Name (required)

shamrock7@frontiernet.net Mail (will not be published) (required)

Website

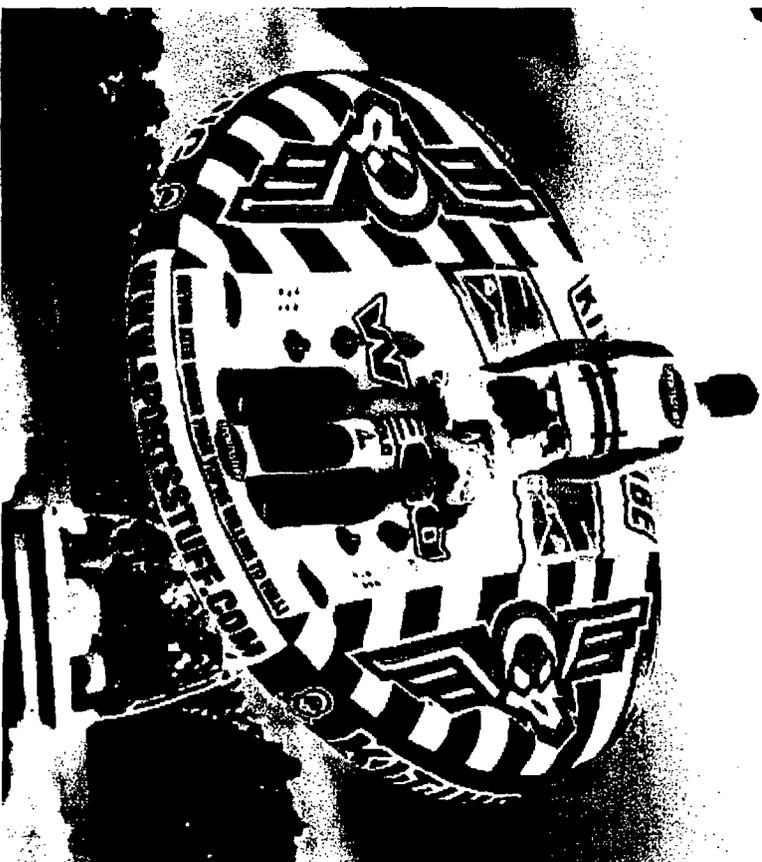


060703HBB2657  
Attachment#3

Page from distributor's web-site page describing kite tube.

- HOME
- TOWABLES
- LIFE VESTS
- INFLATION GUIDE
- LOUNGES
- SNOW SPORTS
- FIBERING
- RIVER TUNING
- FURNITURE
- PTV GIGS
- CONTACT US
- INDEX
- NEW STUFF
- SHOP
- BAOS
- ROPES/PUMPS/ACCESSORIES
- COOLERS
- FAQ
- WARRANTY
- MOVIES
- POOLS
- TRAMPOLINE
- YOU BEE HEE
- WORM
- TOWABLES
- LIFE VEST
- FOUL

new stuff | kite tube | acrobats | half-pipes | mables | motopods | speedzones | patriots | world class | decks | my-t | concepts | body glove | charlots | round-a-bouts | pvc tubes



- 27 WURFZ LIVES
- FULL COVER
- 821 RECOMMENDED TOW ROPE
- 1 MMR ROGERS
- 3 GET MANUAL



### Wego Kite Tube

10ft diameter flying tube  
Take flight with the WEGO KITE TUBE! The next generation of action towable is here, taking you to a whole new level of excitement! Whip across the water like a deck tub or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KITE TUBE. Anything else is beneath it...

Model 53-5000 Sug. Retail: **\$599.95**

#### Features:

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded, non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for detachable leash use
- Panoramic see through double windows

- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope, and starting leash included

Watch the included instructional video to learn how to fly:  
Kite Tube Instructional Video



Quick Product Find



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Attachment# 4

Wego Kite Tube Owner's Manual



## WEGO KITE TUBE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. DO NOT RETURN this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (9am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.

# ⚠️ WARNING ⚠️

⚠️ RELEASE OF LIABILITY ⚠️

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards that may be encountered through the improper use of the Kite Tube and can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture

**A KITE TUBE DESCRIPTION A**

way Wegol "Kite Tubing", the mystery of flying, becomes a reality. The Kite Tube creates an air pocket on the under carriage bottom that enables lift via ground effect and the aerodynamic shape. Be prepared to reach new heights! Spend the summer gaining experience riding the Kite Tube. The Kite Tube is designed to glide, soar, and fly. You can use it like a regular deck tube in the whips, figure eights, and circles. It "kites" the best in a straight boat pattern into the wind and will rise out of the water slowly or quickly based on the rider weight, wind and boat speed. Expect the unexpected! The basic idea behind the Kite Tube is simple: The Kite rider kneels or stands on the tube that is tethered to the tow boat. As the boat moves forward into the wind, the Kite and the rider rise up from the water's surface to perform a water ballet in the air with the rider balancing on top. Kite Tubing is not as dangerous as some extreme sports, however it can be more dangerous than regular tubing with the added dimension of height. In Kite Tubing, safety has to be taken seriously. **VERYONE** is a beginner, regardless of previous experience. Read all instruction and warnings before using the Kite Tube. Start slow and begin by using the 45 foot section of the included tow rope.

**A KITE TUBE SPECIFICATIONS A**

- 120 Inch inflated diameter (10 foot) with slanted saucer configuration.
- 840D nylon double cover with pu coating (full body cover).
- Reinforced towing system with molded aluminum connector for easy tow rope connection.
- Computerized double-stitched sewing.
- Multiple mesh bar-tacked drain ports.
- Nylon zippered openings for bladder insertion and adjustment.
- Parallel slotting system with footsteps and neoprene padding for comfort.
- Reflective piping on all handles and on the outside top tapping.
- Various loops for use of detachable leash(s).
- Panoramic see-through double windows.
- High visibility red and yellow watersports safety colors with checkerboard and caution accent striping.
- Easily seen bold, billboard-style graphics.
- Skull graphics is a reminder to pay attention and not to fool around, like nothing for granted.
- Two heavy duty pvc bladders, one supports the outer ring and the other is the slotting system cockpit for the rider. Both have speed safety valves for easy inflation/deflation.
- Leash with two sponge balls is included.
- Segmented tow rope is included. Adjustable length style in 45, 55, and 75 foot lengths.

**A KITE TUBE ASSEMBLY AND INFLATION A**

Proper inflation is key to the optimum performance of this towable. The tube is designed to fit snugly in the cover, and there should be no wrinkles in the cover when the tube is properly inflated.

IMPROPER INFLATION



PROPER INFLATION



Photo "A" shows a severely underinflated tube. Note how the adult sinks in when standing on the tube. Under-inflation causes the towable to sit low in the water. Additional stress is applied to the tube, cover, rope and boat/watercraft, by being dragged through the water instead of pulled across it. This stress causes the air in tubes to be displaced and the tube may rupture. The same stress causes nylon covers to tear and ropes to stretch. The boat/watercraft cannot plane off and extra gas is consumed.

Photo "B" shows a properly inflated tube. Note how the cover is taut with few wrinkles, and how the adult barely sinks in when standing on the tube. This tube would ride high on the water, providing you with an exciting ride - less stress on the tube, cover, rope, and boat/watercraft. Proper inflation will insure a longer life-span for your product.

**Inflation Maintenance:**

Finally, it is not enough to simply fill it up and go! It is important to monitor the amount of air in this product as heat will cause the bladder to expand, possibly causing damage to the seams or I-beams. Don't let it sit on the beach, dock, or boat/watercraft full of air! If it is stored out of the sun in a cool place, you may need to add air. Check and adjust inflation levels each time you use your tube. You'll have more fun, and your toys will last longer.

The best air pumps to use are:

- 110v electric: 2.5 psi (model #57-1504A) or 3.0 psi (model #57-1508)
- Hand/foot pump specifically for towables: LP1 (model #57-1003)
- 12v pumps (model #57-1510) can also be used but a their maximum output is only .8 psi so a secondary pump such as the Sportstuff LP1 hand pump (model #57-1003) will need to be used.
- Leaf Blower
- Vacuum with two-way switch

ur WEGO towable is equipped with the Speed Safety Valve pictured below:



**Speed Safety Valve** - A hybrid valve utilizing the best of both the Over-sized Safety Valve and the Speed Valve. Pulls out for fast inflation/deflation, then can be pushed in flush with the tube. For use with standard electric pumps, shop vac, wet vac, leaf blowers, and vacuums with a 2-way switch for fast inflation/deflation.

ecure the valve by firmly inserting the bottom portion of the valve into base. To inflate, open only the top portion of the valve. Using the hose from your inflator, inflate through the top opening of the valve.

he optimal inflator is a 2.5 psi or higher electric pump. You may also use 1.1 or 3.0 psi pump. Using the 12v pump (model #57-1510) followed by a LP1 hand pump (model #57-1003) to top off the unit takes about 3.5 minutes. The 1.1 psi 110v pump followed by using the LP1 hand pump (model #57-1003) to top off the unit will inflate the WEGO in a few minutes. The 2.5 electric pump (model #57-1504A) will inflate the WEGO in just over 3 minutes. The 3.0 pump (model #57-1508) will inflate the WEGO in as little as 2 minutes.

base call Sportsstuff at 1-888-814-8833 to order directly.

Open the box and locate Owner's manual information and instructional DVD.

Review owner's manual and instructional DVD first and share the information with all other users and or spotters.

Locate a flat, wide-open, clean and clear area to open and assemble a product.

Unfold the nylon cover so the yellow cover with winged skulls is completely unfolded along with slotting system cockpit.

Please notice the bladders have already been assembled in the cover. There are two valves total. One on the slotting portion and another on the outside ring.

Locate and open the padded valve cover on the slotting portion (cockpit area). Open the valve and inflate until firm and the cover is wrinkle free and taut. It may be necessary to adjust the cover to fit the inflation holes. Use the zippered openings in the cover to adjust bladder position if necessary.

Close valve completely and secure valve cover.

Locate the valve on the outer ring and repeat steps 6-7. Please note that the window panels are not supported by an internal bladder, so stay off of this portion of the cover.

With assistance, carefully lift the unit into water.

Do not drag across harsh surfaces, as this will damage the unit.

Once at the water entry point attach tow rope to unit and hook up to the boat. Make sure leash is attached to the nose loop.

Enjoy your Kiting experience.

**PLEASE NOTE OVER INFLATION WILL CAUSE THE BLADDER TO HAVE A CONCAVE EFFECT ON THE UNDERSIDE, CAUSING THE KITE TUBE TO SUBMARINE.**

**PLEASE NOTE UNDER INFLATION WILL CAUSE KITE TUBE TO NOT PERFORM AS DESIGNED. WHEN KITING, YOU CAN TELL VISUALLY IF YOU ARE CORRECTLY INFLATED**

Proper inflation means you'll have a wonderful flight experience, so follow the above instructions closely.

#### **A KITE TUBE CARE AND MAINTENANCE A**

- You may clean your towable using a soap and water or mild detergent.
- You should inspect your unit frequently for wear and tear. If you need parts replacement please contact Sportsstuff 1-888-814-8833.
- Before each use always check inflation, tow connection and boat connection.
- After using the Kite Tube do not leave out in direct sunlight, but keep in a shaded area.
- When the unit is not in use NEVER leave this unit in direct Sunlight at any time.
- The strong UV rays will quickly destroy and downgrade the nylon cover and age the materials prematurely.
- Monitor and adjust bladder pressure on warm days.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight. (In between uses and at the end of the boating season.)
- To deflate, simply open red valve.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towables may bleed or fade when initially wet. Protect all boat interiors, docks and car interiors from possible staining.

#### **A KITE TUBE TETHER TOW ROPE A**

We have included a new style tether tow rope for use with the Kite Tube. Overall the tow rope is 65 foot length, but can be adjusted to 55 foot length and 45 foot length. Since the Kite Tube is unlike any previous towable tube with the added dimension of sustained height. We believe that the boat driver, rider and spotter are all beginners. We recommend the following to get the hang of Kiting, how the Kite reacts being towed by the boat, how the wind affects the flight while being ridden by different size riders. Experience is the best teacher.

#### **Step one: BEGINNER LEVEL**

All beginners start with 45 foot tow rope to get some experience. Use at least 12 times for a minimum of 20 minutes per use.

**Step two: INTERMEDIATE LEVEL**

If intermediates can increase rope length to 55 foot to get more experience. Use at least 24 times for a minimum of 20 minutes per use.

**Step three: MASTER LEVEL.**

If masters can increase length to 65 foot to get more experience.

You can spend all summer gaining experience Kiting and really still not have experienced all things, wind speed, rider weight and boat speed restate many variables (different kinds of watercraft, lack of wind) etc. Attach the Kite Tube Tether tow rope to the aluminum connector on the tube and to a towable hook on the rear of the boat. We recommend you use a low tow point on the rear transom of the boat or tow hook.

**A KITE TUBE HEIGHT INSTRUCTION A****NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL**

Just think of the fall. In normal tubing you can get thrown off and go up to 15 to 20 foot high, but in kiting you are already at a certain height above the water and can get thrown higher. At a boat speed of 10 and 20 mph the water gets harder the faster and higher you go so control the boat speed and tube height and watch out for gusty and cross winds. Many bodies of water have natural barriers or wind breaks, be aware of these situations. Due to the height factor, you must use the Kite Tube in waters at least 6 feet deep (a guideline could be 1 foot of water depth for every foot of tube height). For best kiting use against the wind in straight-line runs.

**A RIDER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Into a steady wind, flight occurs more easily.
- With the wind, flight is not so easy.
- Based on rider weight, a lighter person will Kite easier than heavier person.

Do not over-estimate your ability. Kiting takes a practiced level of skill. Keep tube's nose up when starting out, pull back on the bail/leash to help hold the nose up until the boat reaches planing speed. Rider safety is in the hands of the boat driver and spotter. Stay 100 yards from shore, avoid other boat traffic, power lines and

other immovable objects.

- Be aware of natural wind breaks and barriers that change the wind flow.
- Use rear transom tow point. Using higher tow point means the Kite can Kite higher.
- Maximum 1 rider capacity
- Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
- Balance to minimize movement while airborne. Too much movement can cause the Kite Tube to become wobbly and overturn. Maintain a good center of gravity.
- 10 and 2 o'clock are the best control hand positions.
- Hang time, Kite time, can be 1 second or many minutes.
- Length of hang time depends on the wind, boat speed and rider weight.
- A straight boat heading into the wind creates the optimum Kiting performance.
- Ballet performance is what you are looking for (up and down).
- Use the large panoramic window to see the boat and to view rider height.
- Force the tube down by pushing your weight down with a swift, sitting motion.
- Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.
- Use the handles to adjust left to right balance.
- Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
- Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
- Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.
- A rider that falls or is ejected should try to fall away from the Kite Tube.
- Experience safe Kiting.

**A BOAT DRIVER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite Tube and its performance.
- Adjust boat speed to reduce the height of the Kite Tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.

**WIND SPEED AND EFFECT A**

we are providing you with the following information to help you evaluate your current conditions before Kite tubing.

Wind speed(mph)	Wind effect
0-1	smoke rises vertically
2-3	direction of the wind shown by smoke drift, but not by wind vanes
4-7	wind felt on face; leaves rustle; ordinary wind vane moved by wind
8-12	leaves and twigs in constant motion; wind extends a light flag
13-18	raises dust, loose paper; small branches are moved
19-24	small trees in leaf begin to sway; crested wavelets form on inland waters
25-33	large branches in motion; whistling heard in power lines; umbrella difficult to use
34-40	gale
41-47	strong gale
48-55	storm
56-63	violent storm
64+	hurricane

**WARRANTY POLICY:**

Sportstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customercare@sportstuff.com](mailto:customercare@sportstuff.com)

Warranty registration is available on-line at: <http://www.sportstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

avoid excessive boat speed at all times.  
 Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.  
 Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.  
 Give way to all other watercraft, especially sailboats.  
 The Kite Tube can sustain flight with steady head wind and boat speed. Do not let your mind wander. Focus on what you are doing.  
 Be aware of cross winds and wind gusts.  
 Use the large, panoramic window to monitor and communicate with the spotter.  
 Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.  
 Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube goes out of the water, there will be almost no drag on the boat.  
 Most boating accidents happen in less than 2 seconds.  
 Reaction time varies from 120 to 255 feet of boat length.  
 Do not be in-attentive. Do not let your mind wander. Focus on what you are doing.  
 Never use the Kite Tube with wind forces so strong that you are unable to maintain control.  
 Don't Kite in electrical storms.  
 The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.  
 Instruct all riders of rules and warnings, plus how to ride.  
 In riding position, the rider and tube are at a 45° angle to the water's surface.  
 Avoid floating objects and all immovable objects.  
 All riders should be towed at speeds that allow for reasonable control.  
 Avoid submarining the towable when first starting out or on spills.  
 Slow boat down to 5 mph to turn around and pick up the rider.  
 In many cases when the rider falls off, the Kite will continue to be airborne.  
 Don't be a gunner; slamming the throttle forward and forgetting about the towable and your rider. Focus on the Kite Tube.  
 In no-wind conditions, use zig-zags, whips, figure eights and circles at the Kite Tube will Kite in, but remember the Kite Tube is designed to get into the wind.  
 Do not throw away your owners manual or DVD. You must review periodically and especially when allowing others to use or borrow your Kite Tube.  
 Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag on the boat (a tendency to go faster, so watch out for this effect (a lot of drag to no drag)).  
 Don't overload your boat with a lot of passengers.  
 Like many towables, rider balance too far forward can cause towable nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the Kite Tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.

- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite Tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph, otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

#### ▲ SUBMARINE EFFECT WARNING ▲

LIKE MANY TOWABLES, A RIDER'S BALANCE TOO FAR FORWARD CAN CAUSE TOWABLE TO NOSE UNDER. THIS WE CALL SUBMARINING. WHEN THE BOAT DRIVER STARTS FORWARD, HE OR SHE SHOULD MAKE SURE THE RIDER HOLDS THE LEASH TO HELP KEEP THE NOSE UP DURING TAKEOFF TILL THE BOAT REACHES PLANING SPEED AND LIFT OCCURS ON THE KITE TUBE. IF THE BOAT DRIVER, SPOTTER AND RIDER ARE NOT PAYING ATTENTION THE TOWABLE COULD NOSE IN. THIS CAUSES THE SUBMARINE EFFECT, WHICH RESULTS IN THE TOWABLE ACTING LIKE AN ANCHOR. REDUCE SPEED IMMEDIATELY, OTHERWISE YOU WILL CREATE TOO MUCH DRAG ON THE BOAT AND TUBE CAUSING THE SOMETHING TO BREAK. PAY ATTENTION, WHEN STARTING OUT TO PREVENT THIS EFFECT.  
 LET'S SAY, EVERYTHING GOES RIGHT AND THE KITE TUBE AND RIDER ARE TRAVELING A SUSTAINED HEIGHT ABOVE THE WATER AND THE RIDER FALLS OFF. THE KITE MIGHT CONTINUE IT'S FLIGHT OR CRASH DOWN INTO THE WATER. WE SUGGEST YOU SLOW THE BOAT DOWN TO 5MPH, OTHERWISE THE TOWABLE MIGHT AGAIN ACT LIKE A SUBMARINE BECAUSE IT IS UPSIDE DOWN OR WIND CONDITIONS HAVE FORCED IT INTO A WEIRD POSITION WHERE IT CANNOT BE TOWED AT ANY SPEED OTHER THAN 5 MPH. BOAT DRIVER SHOULD TURN TO PICK UP RIDER AND START ALL OVER AGAIN.  
 IT IS THE OBLIGATION OF THE BOAT DRIVER TO OPERATE THE BOAT IN RESPONSIBLE SAFE MANNER AND NOT TRY TO "DUMP THE RIDER". THE KITE TUBE IS DESIGNED TO BE RIDDEN AT SAFE LEVEL WITHOUT HAVING TO HAVE SOME CRAZY BOAT DRIVER TRYING TO CREATE PROBLEMS. EXPERIENCE SAFE KITING.

#### ▲ SPOTTER OR OBSERVER INSTRUCTION ▲

- Have watersports safety flag
- Keep driver aware of other boating traffic, obstacles, etc
- Keep driver aware of towable state and rider conditions and how the towable is doing
- Keep tow ropes from getting caught on protrusion from the boat
- We have found that small megaphone helps to communicate with rider prior to takeoff and give fast minute instructions

060703HBB2657  
Attachment#5

Towable Owner's  
Manual



## TOWABLE OWNER'S MANUAL

Important Information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. **DO NOT RETURN** this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.



# WARNING

To lessen your risk of serious injury or death, follow these rules:

- Not a lifesaving device. Never leave children unattended. Use only under competent supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under six (6) years of age.
- The watercraft driver is responsible for the towable and riders since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced watercraft driver at the helm and always have three or more people present for safe tubing-one to drive the watercraft, one to observe and one or more to ride.
- Observer in the boat/watercraft should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other boats/watercrafts, swimmers, towables, and other obstructions in the water. Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Never exceed 20 mph when towing adults or 15 mph with children.
- Use a tow rope specifically designed for the WEGO
- Never operate the boat/watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness.
- Riders should keep arms and feet out of the water.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average

... the tow rope should be at least 45 feet in

- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.
- Always wear a U.S. Coast Guard approved Type III (PFD) ski vest or as recommended by proper government authorities.
- Use this product only on water.
- Know your limits. Stop when you're tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.

The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller liable for any loss, damage, injury or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear and deterioration from use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

**REPLACING PRODUCT PARTS:**

If a leak or problem is suspected with your tube, locate the valves, deflate the item and remove the inflatable PVC bladder to inspect possible problem areas. Contact Sportsstuff warranty department for prompt parts replacement if a problem is located. For non-warranty parts replacement, follow the same procedure. When a replacement is received, follow the steps below:

1. Untold the cover and lay the bladder out.
  2. Locate the bladder and the inflation valve. Carefully place the PVC bladder inside the cover of the product in the appropriate location.
1. Line up the valve with the valve opening in the cover.  
1. Refer to the WEGO manual for further assembly information.

**MAINTENANCE:**

Every little care is required for the bladder or cover. You may clean your towable using soap and water or mild detergent. Never use strong cleaning agents. The towable, when clean and dry, can be deflated and stored in a cool, dry area it of direct sunlight. To deflate, simply unfasten the entire valve from the base. Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents. Bright colored fabric covers used on the towable may bleed or fade when initially it. Protect all boat interiors and all other surfaces from possible staining.

**W ROPE RECOMMENDATIONS FOR SPORTSSTUFF PRODUCTS:**

The watercraft owner/operator is responsible for informing all the persons riding using tow ropes of the WSIA Recommendations for tow ropes. Improper use of if tube and rope could result in serious injury or death. Following are the WSIA (Water Sport Industry Association) Recommendations for ropes (Do not exceed recommended rider capacity for your tube):

One min 100lbs - max 200 lbs Rope Tensile Strength 1500 lbs

- A standard tow rope should not exceed 65 feet.
- The tow rope should be assembled in a manner appropriate for the watercraft and tow tube.
- Please check all rope connections for frays, cuts, sharp edges, knots and wear and tear before each use. Discard any ropes that appear to be worn. It is recommended that you replace each tow rope at the beginning of the boating season.
- Tow ropes are subject to stretching during use. Please warn riders and person in the boat/watercraft of the danger of ropes recoiling.
- DO NOT place arms, legs or head in the handle section as serious injury may result.
- Ensure that the tow rope is free from all body parts prior to towing a rider and while the tube is in use.
- Do not use a tow rope with a bungee material to pull skiers or riders. This type apparatus could also result in serious injury or death to the tube rider or passengers in the boat/watercraft.
- Ropes will deteriorate with direct sunlight exposure. Please store away from direct sunlight and discard any rope that is frayed, discolored or ravelling.
- Do not add hardware to this product that is not supplied by Sportsstuff.
- Avoid the propeller and engine at all times. Should the rope become tangled in the propeller, shut off the engine and remove key from ignition before retrieving rope from propeller.

**WARNING! GENERAL USE AND SAFETY:**

- When using a Sportsstuff product, you are engaging in an exciting recreational activity with inherent risks. Act responsibly and only use your product with the awareness of and willingness to accept the risks involved.
- Read all instructions and warnings provided to you in this owner's manual and those printed on the product. Do not discard this manual.
- As in any recreational activity, reckless use, misuse, inexperience and/or negligence of the proper equipment used may result in serious injury or death.
- Visually inspect the towable and tow rope before each use. Do not use if product or tow rope is damaged in any way.
- This product is NOT for use by children under 12 years of age.
- Never leave children unattended. Use only under competent supervision.
- Sportsstuff products are NOT to be used for rental use.
- Do not consume alcohol or other drugs while using this product. Even small quantities of alcohol and other drugs can impair judgment, balance, and coordination which can greatly affect one's performance.
- Make sure all riders are wearing a U.S. Coast Guard Type III (PFD) approved life vest at all times.
- Be conscious of the weather conditions as weather changes can occur very quickly.
- Check with your state or local government to learn their specific legal requirements concerning towables and towing.
- Use tow ropes that are designed specifically for towables with WSIA (Water Sports Industry Association) break strength guidelines.

**WARNING! BOAT DRIVERS NOTICE:**

- The boat/watercraft driver has the ultimate responsibility for the safety of all riders.

- Do Not pull a towable without a rider. A towable is designed to have a rider in order to balance the weight distribution of the product
- Be aware of water conditions along with changes in the weather. The condition of the water greatly influences the type of ride the rider will have. Please take into consideration the age and physical ability of your rider.
- It is the boat/watercraft driver's responsibility to instruct the riders how to ride a towable. The boat/watercraft driver should carefully instruct the riders of potential risks and possible injury that may occur if they partake in careless behavior.
- At the beginning of the ride, carefully take the slack out of the tow rope. Never jerk start a towable. After the rider has signaled that he/she is ready, the driver can slowly bring the towable to a planing point.
- Most towables will plane out at 10 to 20 mph, depending on the weight of the rider. It is important to keep the nose of the item up until the item is planing.
- The resistance of the product varies widely with these factors: boat speed, turns, water conditions, number of riders and their weight, towable size, shape and function. The boat/watercraft driver should adjust the boat speed to fit these situations to minimize resistance of the towable.
- Use in wide, open spaces. Stay at least 100 yards from shallow water, shore, rocks, boats, docks and buoys. Most accidents happen on turns and in congested areas.
- The boat/watercraft driver determines the speed and the action of the towable in turns and when crossing the boat/watercraft wake. In the straight-a-ways, the boat/watercraft towing speed is the same as the towable speed. The towable speed will increase when the boat/watercraft makes a 90 to 180 degrees turn without increasing the boat/watercraft speed. If the boat/watercraft speed is 20 mph, the towable speed can be 30-40 mph. The "slingshot effect" sends the user outward from the center of the towable. Be aware of the limitations of the rider.
- Large wakes combined with the wave action and speed can contribute to a rough ride. Use a safe speed that enables the towable to plane out. The boat/watercraft driver should adjust the boat/watercraft speed and turns to fit the water conditions and the age, experience, skill and physical strength of the rider.
- Excessive speed or sharp turns might cause the tube to flip over abruptly, possibly causing serious injury to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- Under normal conditions, the maximum safe speed for adults is 20 mph. Safe speeds for children are less than 15 mph, depending on the age and physical capability of the child.
- Please make sure your boat/watercraft is tow-worthy and has the appropriate horsepower to pull rider(s) and the tow tube. Do not exceed the boat/watercraft passenger capacity.
- Extreme drag forces can develop when pulling this tube. Please use towable in calm water. Heavy waves or choppy conditions can create more drag or even result in a submarine or anchor effect.
- Extreme drag forces may also result if: the rider(s) fall off, the tube noses in or tips over and water fills cockpit/seating area. The boat/watercraft operator should immediately slow or stop to eliminate this factor.
- Death or serious injury can result from the submarine or anchor effect causing more extreme drag forces on the tow rope and/or tow point. The tow rope might have too much stress and either break and snap back at the rider(s) or other occupants of the boat. It is the boat driver's responsibility to make sure this does not occur.

• Do not exceed the weight guidelines of your boat. Do not allow passengers to hang outside the boat or side on the gunwales (sides/edges of the boat) outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales (sides/edges of the boat) of the boat.

**▲ WARNING! BOAT OWNERS WITH HIGH TOWER AND PYLONS ▲**

- Tow/Ski towers are not designed for use with any inflatable tube towing.
- Use only lifting eyes/transoms or tournament-rated ski pylons for towing tubes.
- Consult your boat's manufacturer if you are unsure of it's tournament rating.
- Do not tow any inflatable from a ski eye.
- Any tow pylon or ski pylon installed after market is not intended for inflatable tube towing.
- Death or serious injury may result if an unapproved ski/tow pylon is used.

**▲ WARNING! SPOTTERS NOTICE: ▲**

- Always use a spotter (observer) in the boat to communicate the needs of the rider to the driver.
- The spotter must be the eyes of the driver and the rider, always alert to recognize possible danger so proper action can be taken to avoid any risk to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- The spotter should hold up a safety flag cautioning all other boaters that riders are in the water.

**▲ WARNING! RIDERS NOTICE: ▲**

- Do not use this items as a personal flotation device.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not to exceed 65 feet.
- Only use this product with a responsible boat/watercraft operator who knows how to effectively operate the equipment.
- This product should be used in water only. Do not launch from dock or land.
- Do not use near piling, docks, shores or shallow water or other obstructions the could cause serious injury to the rider.
- Carefully instruct the other riders the proper way to attach rope and operate the towable.
- DO NOT strap or attach arms or legs to cover or tube. Never place hands or feet in between the tube or cover.
- This item has no braking or steering mechanism and can develop high speeds under certain towing conditions. Use at your own risk!
- This product is not a life saving device.
- Take necessary breaks when you are tired.
- Never get near the propeller with the engine running, even if it is in neutral.

#### GENERAL TROUBLE SHOOTING GUIDE:

- Symptom:** Product won't hold air.  
**Solution:** Check to see that the valve is fastened properly. Re-fasten valve if needed. Check to see if the product was inflated fully from the beginning. If you suspect it wasn't inflated fully, add more air. PVC Repair Adhesive is available from Sportsstuff at [www.sportsstuff.com](http://www.sportsstuff.com) or 888-814-8833 for small hole or seam repairs.
- Symptom:** Valve is leaking  
**Solution:** Listen closely to hear if air is leaking. Be sure the valve and cap are screwed in or fastened straight and are tight. Leakage can occur if the valve is not fastened correctly.
- Symptom:** Product inflates but doesn't become firm.  
**Solution:** Please check to make sure it was inflated firmly with a high volume air pump. If you are sure you inflated it properly, fully assess it for a leak or re-fasten the valve. If a leak is detected, the bladder may be patched by using Sportsstuff PVC Adhesive which can be purchased directly from Sportsstuff.
- Symptom:** Cover is very loose (Applies only to products with covers).  
**Solution:** Please check to make sure that your product is inflated fully and the tube is in place. The cover should fit snugly over the well-inflated tube. If the cover remains loose, add more air. See also the INFLATION section of this manual.

#### WARRANTY POLICY:

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customer@sportsstuff.com](mailto:customer@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

## WATERSPORTS RESPONSIBILITY CODE

Be aware that there are elements or risk in boating, skiing, and riding that common sense and personal awareness can help reduce. Know your ability level and stay within it.

To increase your enjoyment of the sport follow the "Watersports Responsibility Code". It is your responsibility to:

- Familiarize yourself with all applicable laws, the risks inherent in the sport, and proper use of the equipment.
- Know the waterways where you will be skiing or riding. Do not ski or ride in shallow water, near shore, docks, pilings swimmers or other watercraft.
- Always have a person other than the boat driver as an observer and agree on hand signals before starting.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Read your owner's manual and inspect your equipment prior to use.
- Ski or ride within your limits. Always ski or ride in control and at speeds appropriate for your ability.
- Always turn ignition off when anyone is near watercraft power drive unit.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Never "Platform Drag" or touch a swim platform while the engine is running.
- Not operate watercraft, ski or ride under the influence of alcohol or drugs.

Water Sports Industry Association



060703HBB2657  
Attachment#6  
Warranty Information

**WARRANTY  
INFORMATION**

**The Distributor and Warrantor of the  
product is:**

**SPORTSSTUFF, INC.  
11213 E Circle, Suite A  
Omaha, NE 68137 - USA  
Tel: 402.592.9085  
Fax: 402.592.1354**

**Website: <http://www.sportsstuff.com>**

**Customer Service:  
888.814.8833  
USA ONLY**

*The following information should be filled  
in and kept for your records.*

**Date of Purchase:**

**Model:**

**Purchased From:**

**City: , State:**

**Zip Code: , Country:**

**Tel:**



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060703HBB2657

**LIMITED WARRANTY**

Sportsstuff, Inc. warrants, to the original purchaser only, that their high performance products when used for normal recreational purposes are free from defects in material and workmanship for a period of ninety (90) days from date of purchase. Any implied warranties are also limited in duration to the 90 day period from original purchase date. Some states do not allow limitations on how long an implied warranty lasts, so the above limitation may not apply to you.

There are no warranties which extend beyond the description on the face hereof. Sportsstuff, Inc. shall not be held liable for incidental or consequential damages. Some states do not allow the exclusion or limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you.

Sportsstuff, Inc. shall inspect all warranty claims and in the event of a defect, repair or replace the defective part or entire item at its option. A return authorization number must be obtained prior to return by calling the number listed below or by writing to the address on the front of this brochure. Merchandise must be returned, freight prepaid along with proof of purchase, to the address below with the return authorization number in bold on outside of package.

This warranty gives you specific legal rights, and you may also have other rights which may vary from state to state.

This warranty does NOT cover: Products for rental, for hire and other uses not considered normal recreational purposes; and punctures, cuts and abrasions sustained in normal use; and items involved in accidents; and other unreasonable uses or improper storage. Bright and neon colors will fade when subjected to prolonged sunlight exposure. Bright colored fabrics may bleed initially when wet. Protect interiors and all other surfaces from possible staining.

To validate this warranty, the purchaser must fill out and mail the attached Warranty Registration Card along with proof of purchase within ten (10) days from the date of purchase. Registration is also available online at [www.sportsstuff.com](http://www.sportsstuff.com).

Upon expiration of the warranty Sportsstuff will replace parts or components with an identical or reasonably equivalent part or component for fifty percent (50%) off the then-current suggested retail price plus shipping and handling. To order call customer service's toll free number: 888-814-8833.

To insure product warranty, complete and mail the attached Warranty Registration Card, along with proof of purchase to SPORTSSTUFF, INC. or register via Sportsstuff's internet site, within 10 (ten) days of purchase.

**WARNING:** Not for use by children under six years of age.  
**PLEASE NOTE:** This warranty is valid in the USA only!

**WARRANTY REGISTRATION CARD** T06- 0140345  
\*Warranty valid only in the U.S.

Purchaser Name: \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Country: \_\_\_\_\_  
Date of Purchase: \_\_\_\_\_ Dealer's Name: \_\_\_\_\_  
Model: \_\_\_\_\_

Warranty registration also available online at [www.sportsstuff.com](http://www.sportsstuff.com)



060703HBB2657  
Attachment# 7

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

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YES                       NO

Travis Claden  
(Signature)

7/6/06  
(Date)

060703HBB2657

Contact List

Randy (Father) & Travis (Victim) Kladivo-Complainant  
4553 Bradley Road  
Tower, MN 55790  
218-753-5457

**Doc No: I0670024A**

**Issue: 40**

**07/05/2006**

07/02/2006 17:34:47

Name = Randy Kladivo

Address = 4553 Bradley Road

City = Tower

State = Minnesota

Zip = 55790

Email = shamrock7@frontiernet.net

Telephone = 218-753-5457

Name of Victim = Travis Kladivo

Victim's Address = 4553 Bradley Road

Victim's City = Tower

Victim's State = Minnesota

Victim's Zip = 55790

Victim's Telephone = 218-753-5457

Incident Description: Wego Kite tube accident. Gust of wind caused lose of control. Fall from 20' at approx 30 MPH

Victim's age at time of incident = 19

Victim's sex = Male

Date of incident = 6/25/2006

Product involved = Wego Kite tube marketed by Sportsstuff

Product brand name/manufacturer = Sportsstuff Kite Tube

Manufacturer street address = 11213 E Circle Suite A

Place where manufactured (City and State or Country) = Omaha Nebraska

Product involved still available = Yes

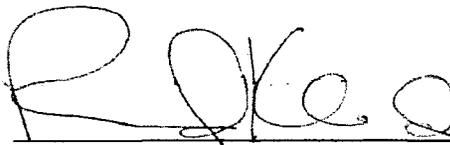
Product model and serial number, manufacture date = model 53-500

Date product purchased = June 2006

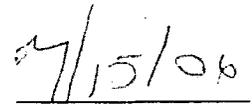
Name Release = Do not release name

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.



Signature



Date

I request that you do not release my name.

You may release my name to the manufacturer but I request that you not release it to the general public.

You may release my name to the manufacturer and to the public.

1. Task Number 060703HBB2658		2. Investigator's ID 9083		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 05 07	5. Date Initiated YR MO DAY 2006 07 05		
6. Synopsis of Accident or Complaint UPC 029808  This kite tube incident involved a 26-year-old male who was riding the kite tube for the first time. A gust of wind suddenly caught the tube and lifted it approximately 25-feet into the air. Immediately after the gust, the kite tube twisted first to the right then to the left and then stayed on its side, with the victim still holding on. The kite tube then plummeted 25-feet to the water surface. The victims body was thrown in one direction while his right leg remained stuck in the leg slot of the tube. He suffered a broken right femur as a result.				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City PEWAUKEE		9. State WI
10A. First Product 3200 - Water Tubing (activity, Appa		10B. Trade/Brand Name WEGO		10C. Model Number KITE TUBE
10D. Manufacturer Name and Address SPORTSSTUFF INC. 11213 "E" Circle (A) Omaha, NE 68137				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Nynber NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 26	13. Sex 1 - Male	14. Disposition 4 - Hospitalized	15. Injury Diagnosis 57 - Fracture	
16. Body Part(s) Involved 81 - UPPER LEG	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 3 - Other	19. Time Spent (Operational    Travel) 12 / 1.5	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non <b>NEISS</b> Cases Only) <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 0711912006	25. Reviewed By 8929		26. Regional Office Director Frank J. Nava	
27. Distribution Topka, Tanya L.; Blasius, Dennis R.			28. Source Document Number 10670004A	

~~RECEIVED~~ *Jan 9/6/06*  
 COMMENTS:  YES  NO  
                    OVERRULED  ATTACHED  
 EXEMPTIONS/FOIA Ex.   
                                   Reasons  
 DO NOT RE-NOTIFY     RE-NOTIFY

The kite tube involved in this incident is owned by the victim's friend, as was the boat that pulled the kite tube. The kite tube was utilized with the tow rope that came with the tube upon purchase (believed to be about a fifty-foot length rope by the victim's friend). The victim and group of friends arrived at Pewaukee Lake in Wisconsin around noon. The victim indicated that he and other friends had read the manual, warning labels and watched the informational DVD provided for the kite tube and were excited to try it out.

The boat pulling the kite tube at the time of the incident was a "19-foot, Malibu, Sportster, in-board motor" with a "350 Chevy Engine (about 310 HP)". The boat was driven by the victim's twenty-six-year-old friend, who according to the victim is an experienced boater. The victim relayed that the boat driver and kite tube owner, his friend would be willing to answer any questions that CPSC might have about the incident.

According to the victim, the winds were about fifteen miles per hour around the time the incident. The victim stated that they were on the west side of Pewaukee Lake, which according to the victim is somewhat more protected from the wind and other weather elements, by the many trees along the shore. The victim said that it was the first "real nice weekend that we had in Wisconsin this season".

The incident occurred on the first occasion that the victim tried the kite tube. The victim was wearing an approved personal flotation device while riding the kite tube. There were six people riding in the boat that pulled the victim on the kite tube. As a result, there were at least three to four spotters available to watch and relay the victim's status to the boat driver.

The victim is a twenty-six-year-old male (D.O.B. 2/18/1980), who describes himself as fit and active, with a lean, muscular build. He weighs about 145 pounds and is approximately five foot nine inches tall. The victim has water-skied, jet skied and been active in water sports for many years prior to this incident.

On May 7, 2006, at around 12:30 p.m. the victim decided to try the kite tube after watching one other friend ride the tube before him. He instructed the driver of the boat to go no more than twenty miles per hour and to take it easy with him. Thus the victim indicated that the boat was going no more than twenty miles an hour while he was on the tube. The victim estimated that he was on the kite tube for a total of about two minutes prior to the kite suddenly crashing down to the water.

The victim described that he was on the tube and "not catching much air at first, until the boat turned into the wind". When the boat was traveling into the wind the kite went approximately ten feet up and stayed at that height for about a minute. Then suddenly, a gust of wind appeared to catch the kite tube causing it to soar approximately twenty-five feet into the air. Then according the victim, while twenty-five feet in the air, the kite tube abruptly twisted to the right and then twisted to the left, with the victim unable to control the movement of the tube. After twisting to the left, the victim explained that the kite tube stayed sideways and rapidly plummeted to the water.

The victim indicated that his body stayed on the tube the entire time during rapid plunge to the water and upon hitting the water his body seemed to be thrown in one direction, while his right

leg stayed in the leg slot (cockpit area) on the kite tube. The victim then explained that the he somehow released his leg from the tube and was stunned by the tremendous pain that he felt in his right hip and leg area. The victim said that he thought that either his leg and/or hip was dislocated or broken. The victim indicated that he experienced some numbness right away, but mainly extreme pain in his hip and leg.

The boat that had been pulling the victim came around to pick him up. However, the victim was unable to get himself into the boat. The victim described that a couple of his friends had to lift him out of the water by his life jacket onto the boat's swim platform and then into the back of the boat. Once out of the water and in the boat, the victim stated that he was in the most severe pain he has ever experienced. One of the victim's friends called 911 from a cell phone while they were out towards the middle of the lake and arranged for the boat to meet emergency medical services (EMS) at the boat dock. The victim explained that as far as he could remember it seemed like EMS was at the dock by the time the boat reached the dock area, and this was within a couple of minutes of the call to 911.

The victim explained that he was in such extreme pain that he could not be moved from the boat until EMS administered an IV and gave him two doses of morphine. Then the victim still could not be moved from the back seat of the boat. As a result, the EMS team removed the boat seat and lifted the boat seat along with the victim into the ambulance. The victim indicated that the ambulance proceeded to the hospital emergency room where he was admitted.

The next day, about twenty-six hours after the accident, the victim explained that he underwent surgery to repair a broken right femur. The victim stated that his doctor explained to him that the amount of force it takes to break a femur is great. In fact, the victim relayed that his doctor explained that femur breaks are most often seen as an injury from a violent car crash and such a break can be life threatening.

The victim explained that thus far he has been out of work as a carpenter for more than two months and therefore has been without income for two months. In addition, he has observed bills for his medical expenses in excess of forty thousand dollars; three thousand of which has been "out of pocket" expenses that the victim has incurred as a result of this incident (See Exhibit B Compcare Insurance Statements). The victim indicated that he has been seeing an orthopedic physician on a regular basis due to this injury and that the injury according to the physician appears to be healing well.

At the time of the interview, on July 7, 2006, the victim continues to walk with a considerable limp and the assistance of a cane. The victim indicated that the future extent of his injury is unknown at this time; however, he plans to continue physical therapy and hopes to be back to work soon. The victim indicated that he had not yet contacted the manufacturer of the kite tube to inform them of the incident and his serious injury, but he planned to contact them with this information in the near future.

The victim explained that after reading on the internet about other serious injuries and even deaths associated with this product he decided to file an internet complaint with the U.S. CPSC to let the agency know about his injury. The victim's complaint was received by CPSC on July 1, 2006 and assigned for investigation on July 3, 2006. This Investigator received the investigation assignment on July 5, 2006, and conducted the in-person interview on July 7, 2006.

**PRODUCT IDENTIFICATION**

Manufacturer: Sportsstuff Inc.  
Omaha, NE

Product Name: Wego Kite Tube

Warnings: Numerous, previously recorded by CPSC and not requested for this  
Investigation.

**ATTACHMENTS**

Exhibit A-Digital Photographs

Exhibit B-Compcare Medical Documentation of Expenses provided by the Victim

Exhibit C-Release of Name Form

Exhibit D-Investigation Contact Sheet

Exhibit E-Missing Document Form

DIGITAL PHOTOGRAPHS

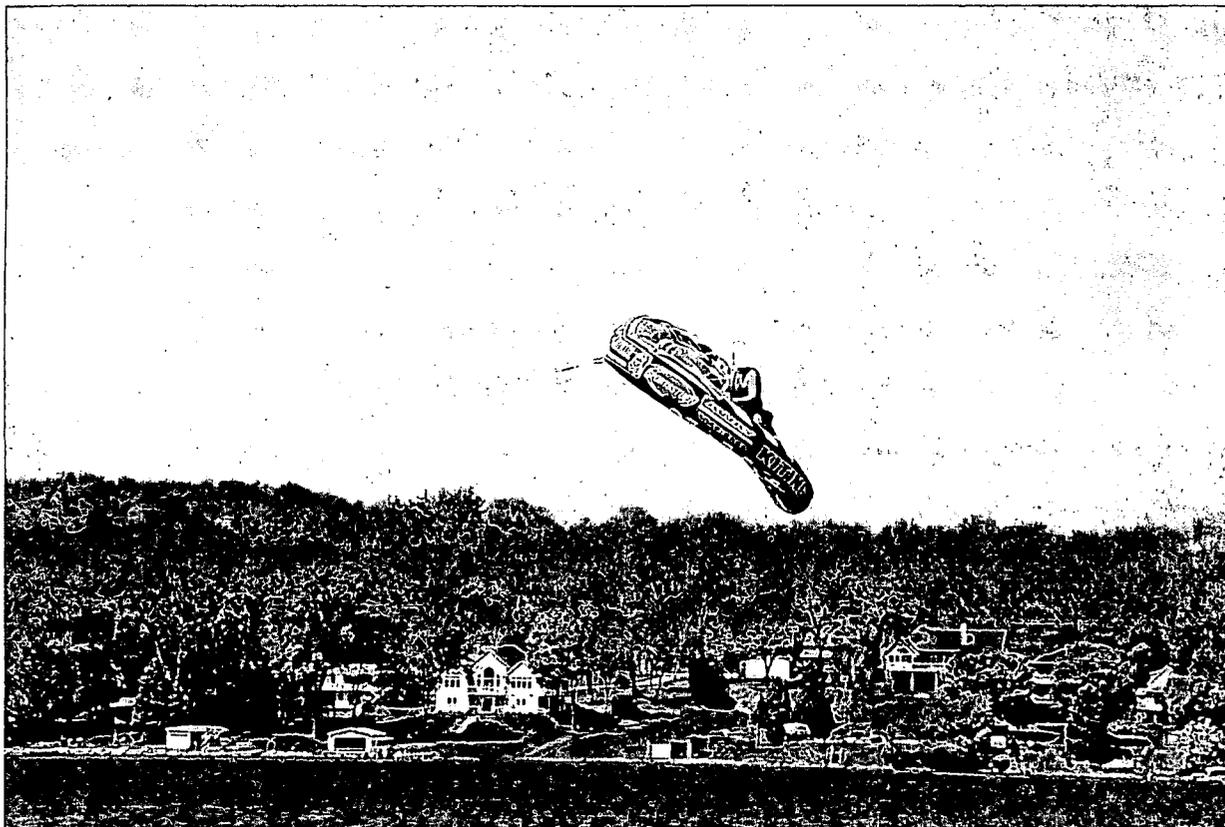
A-1 Overview photo taken by CPSC Investigator during in-person interview, showing the kite tube involved in this incident (deflated after incident)



A-2 Photo provided by the victim, taken by one of his friend's showing the inflated kite tube just after the incident



A-3 Photo provided by the victim, showing the victim high in the air, on the kite tube just prior to the kite tube plummeting to the water. The victim estimated that he was about 25 to 27 feet above the water in this photo.





**Compasscare**  
A Division of  
United Wisconsin Group

Statement Date: 07/03/2006

Page: 2 of 2

Questions-Please Contact Us At:

P.O. BOX 2270

FOND DU LAC, WI 54936-2270

TOLL FREE: 1-888-239-9514

TDD #: 1-800-722-8140

HOURS: M-F 7:00-5:00

Member Name: RESCHESKE, RYAN J  
15 S 94TH STREET  
ST ALBANS, WI  
53091-1405

Member ID Number: ZRR999147072

Group Name:

You may owe:

Primary Information:	Amount We Paid:	142.15	Deductible =	0.00
Secondary Information:	Amount Paid:	PROVIDER OF SERVICE	Coinsurance =	0.00
			Copayment =	30.00
			Other =	0.00
	Member Coverage Paid:	0.00	Patent Liability =	30.00

Provider of Service: LAKESHORE MEDICAL CLINIC LTD

Patient Account Number: 31320260

Claim Number: 667005297-00-00

Plan Accumulations:

Benefit Year: 2006	Year to Date	Remaining
Individual Deductible		
Family Deductible	0.00	0.00
Individual Out-of-Pocket	2,000.00	0.00
Family Out-of-Pocket	0.00	0.00
Annual Benefit Limit		
Lifetime Maximum	51,028.26	1,948,971.74

Additional Information Follows:

Code/Description	Date(s) of Service	Charge	Allowed	Not Allowed	Message	Deductible	Coinsurance	Copayment	Amount Paid
AVID S STOLP MD 99203/MEDICAL SERVICES	06/07/06	224.00	172.15	51.85	E8 EB A2	0.00	0.00	30.00	142.15

TOTALS	224.00	172.15	51.85	0.00	30.00	142.15
--------	--------	--------	-------	------	-------	--------

- (A2 ) CONTRACTUAL ADJUSTMENT
- (01 ) PAYMENT IS BASED ON AN AGREEMENT WITH THIS PROVIDER. IF THERE IS A DIFFERENCE BETWEEN THE CHARGE AND THE ALLOWED AMOUNTS, YOU ARE NOT RESPONSIBLE FOR THE BALANCE.
- (E8 ) QUESTIONS ABOUT YOUR CLAIM PAYMENT? VISIT OUR NEW WEBSITE FOR 24-HOUR CUSTOMER SERVICE ACCESS. EASY, CONVENIENT, CONFIDENTIAL.  
WWW.BLUECROSSWISCONSIN.COM
- (EB ) IF YOUR CLAIM HAS BEEN DENIED, PLEASE READ THE 'YOUR RIGHT TO A REVIEW OF A DENIED CLAIM' NOTICE ON PAGE ONE OF THIS EOB.



Compcare  
Health Services Corporation

RYAN J RESCHESKE  
2115 S 94TH STREET  
WEST ALLIS, WI  
53227-1405

Statement Date: 06/05/2006

Page: 2 of 2

Questions-Please Contact Us At:

P.O. BOX 2270  
FOND DULAC, WI 54936-2270  
TOLL FREE: 1-888-239-9514  
TDD #: 1-800-722-8140  
HOURS: M-F 7:00-5:00

Patient Name: RESCHESKE, RYAN J

Provider of Service: LAKE COUNTRY EMERGENCY PHYS

Member ID Number: ZRR999147072

Patient Account Number:

Claim Number: 664208389-00-00

Plan Accumulations:

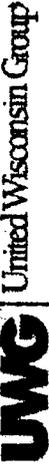
Summary Information:	You may owe:	
Amount We Paid: 241.80	Deductible = 0.00	
We Paid: PROVIDER OF SERVICE	Coinsurance = 0.00	
	Copayment = 30.00	
	Other = 0.00	
Other Coverage Paid: 0.00	Patient Liability = 30.00	

Benefit Year 2006	Year to Date	Remaining
Individual Deductible		
Family Deductible	0.00	0.00
Individual Out-of-Pocket	2,000.00	0.00
Family Out-of-Pocket	0.00	0.00
Annual Benefit Limit		
Lifetime Maximum	49,710.76	1,950,289.24

Detail Information Follows:

Provider:	Code/Description:	Date(s) of Service:	Charge:	Allowed:	Not Allowed:	Message:	Deductible:	Coinsurance:	Copayment:	Amount Paid:
MICHAEL KEFER MD	99284/MEDICAL SERVICES	05/07/06	302.00	271.80	30.20	EB EB A2	0.00	0.00	30.00	241.80
<b>TOTALS</b>			<b>302.00</b>	<b>271.80</b>	<b>30.20</b>		<b>0.00</b>	<b>30.00</b>	<b>30.00</b>	<b>241.80</b>

- (A2 ) CONTRACTUAL ADJUSTMENT
- (01 ) PAYMENT IS BASED ON AN AGREEMENT WITH THIS PROVIDER. IF THERE IS A DIFFERENCE BETWEEN THE CHARGE AND THE ALLOWED AMOUNTS, YOU ARE NOT RESPONSIBLE FOR THE BALANCE.
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- (EB ) IF YOUR CLAIM HAS BEEN DENIED, PLEASE READ THE 'YOUR RIGHT TO A REVIEW OF A DENIED CLAIM' NOTICE ON PAGE ONE OF THIS EOB.





**Compcare**  
Insurance Corporation

Statement Date: 06/01/2006

Page: 2 of 5

RYAN J RESCHESKE  
2115 S 94TH STREET  
WEST ALLIS, WI  
53227-1405

Patient Name: RESCHESKE, RYAN J

Member ID Number: ZRR999147072

Group Name:

Summary Information:

Amount We Paid:	14,720.40	Deductible =	1,000.00
We Paid: PROVIDER OF SERVICE		Coinurance =	2,000.00
		Copayment =	0.00
		Other =	0.00
Other Coverage Paid:	0.00	Patient Liability =	3,000.00

You may owe:

Questions-Please Contact Us At:

P.O. BOX 2270  
FOND DULAC, WI 54936-2270  
TOLL FREE: 1-888-239-9514  
TDD #: 1-800-722-8140  
HOURS: M-F 7:00-5:00

Provider of Service: OCONOMOWOC MEMORIAL HOSPITAL I

Patient Account Number: 838362

Claim Number: 663725627-00-00

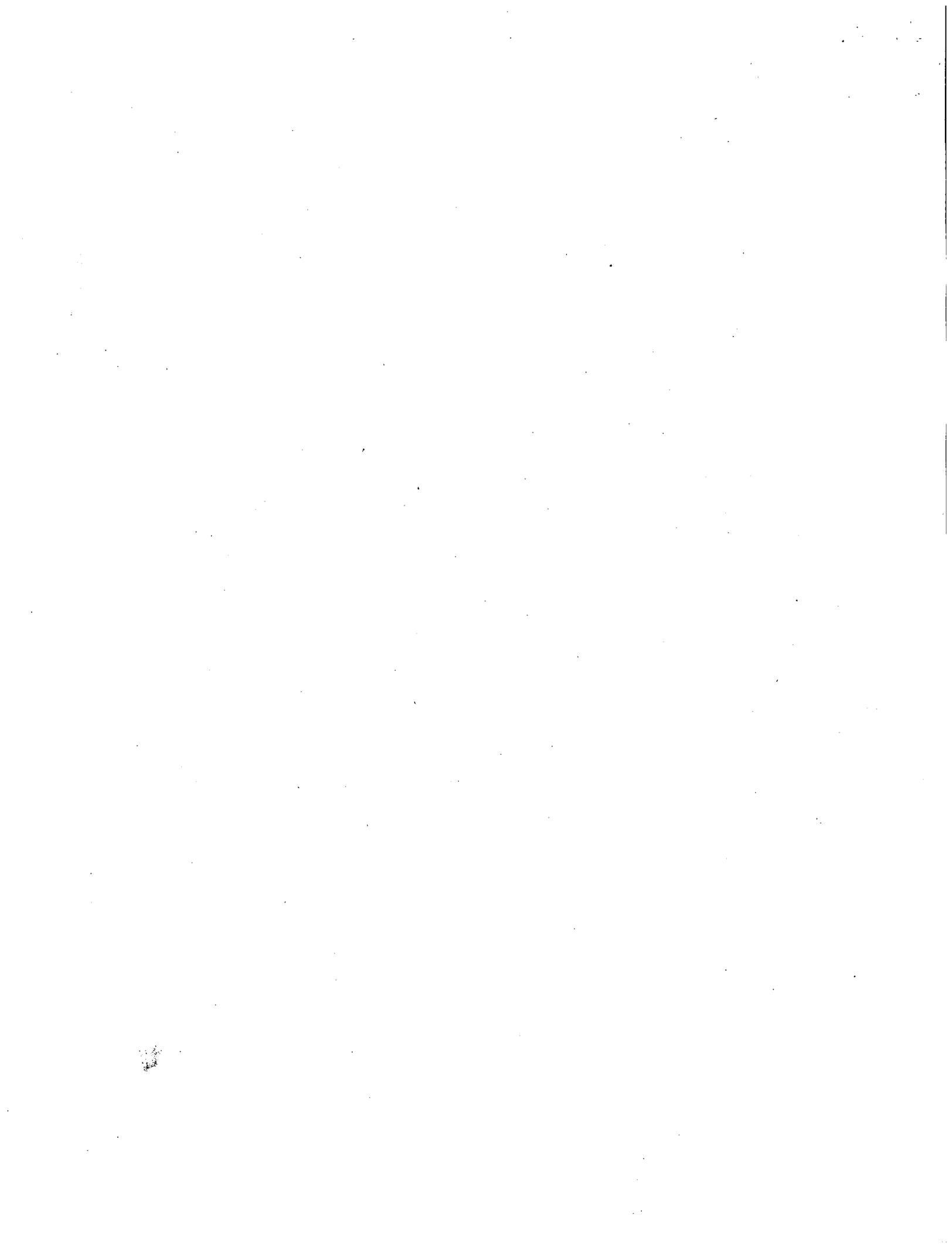
Plan Accumulations:

Benefit Year	2006	Year to Date	Remaining
Individual Deductible		1,000.00	0.00
Family Deductible		0.00	0.00
Individual Out-of-Pocket		2,000.00	0.00
Family Out-of-Pocket		0.00	0.00
Annual Benefit Limit			
Lifetime Maximum		47,271.01	1,952,728.99

Detail Information Follows:

Provider:	Code/Description:	Date(s) of Service:	Charge:	Allowed:	Not Allowed:	Message:	Deductible:	Copayment:	Coinsurance:	Amount Paid:
OCONOMOWOC	MEMORIAL HOSPITAL I 0121/ROOM CHARGES	05/07/06-05/11/06	1,576.00	1,292.31	283.69	E8 EB A2	1,000.00	58.46	0.00	1,073.53
OCONOMOWOC	MEMORIAL HOSPITAL I 0250/DRUGS	05/07/06-05/11/06	2,924.98	2,398.48	526.50	E8 EB A2	0.00	479.70	0.00	1,992.63
OCONOMOWOC	MEMORIAL HOSPITAL I 0258/DRUGS	05/07/06-05/11/06	496.00	406.72	89.28	E8 EB A2	0.00	81.34	0.00	337.86
OCONOMOWOC	MEMORIAL HOSPITAL I 0260/MEDICAL SUPPLIES	05/07/06-05/11/06	50.00	41.00	9.00	E8 EB A2	0.00	8.20	0.00	34.06
OCONOMOWOC	MEMORIAL HOSPITAL I 0270/MEDICAL SUPPLIES	05/07/06-05/11/06	1,320.30	1,082.65	237.65	E8 EB A2	0.00	216.53	0.00	899.36
OCONOMOWOC	MEMORIAL HOSPITAL I 0271/MEDICAL SUPPLIES	05/07/06-05/11/06	357.00	292.74	64.26	E8 EB A2	0.00	58.55	0.00	243.18
OCONOMOWOC	MEMORIAL HOSPITAL I 0272/MEDICAL SUPPLIES	05/07/06-05/11/06	111.85	91.72	20.13	E8 EB A2	0.00	18.34	0.00	76.19







Compcare

RYAN J RESCHESKE  
2115 S 94TH STREET  
WEST ALLIS, WI  
53227-1405

Statement Date: 06/01/2006

Page: 3 of 5

Questions-Please Contact Us At:

P.O. BOX 2270

FOND DULAC, WI 54936-2270  
TOLL FREE: 1-888-239-9514  
TDD #: 1-800-722-8140  
HOURS: M-F 7:00-5:00

Patient Name: RESCHESKE, RYAN J

Member I.D. Number: ZRR999147072

Group Name:

Provider of Services: OCONOMOWOC MEMORIAL HOSPITAL I

Patient Account Number: 838362

Claim Number: 663725627-00-00

Detail Information Follows:

Provider:	Code/Description:	Date(s) of Service:	Charge:	Allowed:	Not Allowed:	Message:	Deductible:	Coinsurance: Copayment:	Amount Paid:
OCONOMOWOC	MEMORIAL HOSPITAL I 0278/INPT SURGERY	05/07/06-05/11/06	9,304.37	3,529.58	774.79	EB EB A2	0.00	705.92 0.00	2,932.03
OCONOMOWOC	MEMORIAL HOSPITAL I 0300/LABORATORY	05/07/06-05/11/06	16.00	13.12	2.88	EB EB A2	0.00	2.62 0.00	10.90
OCONOMOWOC	MEMORIAL HOSPITAL I 0301/LABORATORY	05/07/06-05/11/06	160.00	131.20	28.80	EB EB A2	0.00	26.24 0.00	108.99
OCONOMOWOC	MEMORIAL HOSPITAL I 0302/LABORATORY	05/07/06-05/11/06	78.00	63.96	14.04	EB EB A2	0.00	12.60 0.00	53.13
OCONOMOWOC	MEMORIAL HOSPITAL I 0305/LABORATORY	05/07/06-05/11/06	129.00	105.78	23.22	EB EB A2	0.00	21.15 0.00	87.87
OCONOMOWOC	MEMORIAL HOSPITAL I 0307/LABORATORY	05/07/06-05/11/06	25.00	20.50	4.50	EB EB A2	0.00	4.10 0.00	17.03
OCONOMOWOC	MEMORIAL HOSPITAL I 0320/INPT SURGERY	05/07/06-05/11/06	1,635.00	1,340.70	294.30	EB EB A2	0.00	0.00 0.00	1,113.72



Compcare  
Health Insurance Corporation

RYAN J RESCHESKE  
2115 S 94TH STREET  
WEST ALLIS, WI  
53227-1405

Statement Date: 06/01/2006

Page: 5 of 5

Questions-Please Contact Us At:

P.O. BOX 2270

FOND DULAC, WI 54936-2270  
TOLL FREE: 1-888-239-9514  
TDD #: 1-800-722-8140  
HOURS: M-F 7:00-5:00

Patient Name: RESCHESKE, RYAN J

Provider of Service: OCONOMOWOC MEMORIAL HOSPITAL I

Member I.D. Number: ZRR999147072

Patient Account Number: 838362

Group Name:

Claim Number: 663725627-00-00

Detail Information Follows:

Provider:	Code/Description:	Date(s) of Service:	Charge:		Not Allowed:	Message:	Deductible:	Coinsurance:		Amount Paid:
			Allowed:	Charge:				Copayment:	Copayment:	
OCONOMOWOC MEMORIAL HOSPITAL I	0710/INPT SURGERY	05/07/06-05/11/06	1,078.30	1,315.00	236.70	EB EB A2	0.00	0.00	895.75	
OCONOMOWOC MEMORIAL HOSPITAL I	0940/MISCELLANEOUS	05/07/06-05/11/06	29.52	36.00	6.48	EB EB A2	0.00	0.00	24.52	
<b>TOTALS</b>			<b>21,610.25</b>	<b>17,720.40</b>	<b>3,889.85</b>		<b>1,000.00</b>	<b>2,000.00</b>	<b>14,720.40</b>	

- (A2 ) CONTRACTUAL ADJUSTMENT
- (01 ) IF THERE IS A DIFFERENCE BETWEEN THE CHARGE AND THE ALLOWED AMOUNT, IT IS BASED ON AN AGREEMENT WITH THIS PROVIDER. YOU ARE NOT RESPONSIBLE FOR THIS DIFFERENCE AND SHOULD NOT BE BILLED BY THE PROVIDER.
- (EB ) QUESTIONS ABOUT YOUR CLAIM PAYMENT? VISIT OUR NEW WEBSITE FOR 24-HOUR CUSTOMER SERVICE ACCESS. WWW.BLUECROSSWISCONSIN.COM
- (EB ) IF YOUR CLAIM HAS BEEN DENIED, PLEASE READ THE 'YOUR RIGHT TO A REVIEW OF A DENIED CLAIM' NOTICE ON PAGE ONE OF THIS EOB.



**INVESTIGATION CONTACT SHEET**

<b>Name:</b>	Ryan Rescheske	<b>Contact Dates/Information</b>
<b>Title:</b>	Victim	Initial -07/05/06 emailed & telephoned victim 7/6/06-set up in person interview
<b>Address:</b>	2115 S. 94 <sup>th</sup> St. West Allis, WI 53227	07/07/06-in person interview with victim
<b>Phone:</b>	(414) 651-3542	7/10/06-emailed victim to request that he obtain medical records 7/13/06 emailed about recall
<b>Email:</b>	macoy@wi.rr.com	7/17/06-follow up on records not yet obtained, is working on doing that
<b>Name:</b>	Waukesha County Sheriff's Dept.	<b>Contact Dates/Information</b>
<b>Address:</b>	515 W. Moreland Blvd. Waukesha, WI 53187	7/10/06 No report done as a result of incident (per D. Blasius)
<b>Phone:</b>	(262) 548-7126	
<b>Name:</b>	City of Pewaukee Police Dept.	<b>Contact Dates/Information</b>
<b>Address:</b>	W240 N3065 Pewaukee Road Pewaukee, WI 53072	7/10/06 No report done as a result of incident (per D. Blasius)
<b>Phone:</b>	(262) 446-5070	
<b>Fax:</b>	(262) 691-5720	
<b>Name:</b>	Village of Pewaukee Police Dept.	<b>Contact Dates/Information</b>
<b>Address:</b>	235 Hickory St. Pewaukee WI 53072	7/10/06 No report done as a result of incident (per D. Blasius)
<b>Phone:</b>	(262) 691-5678	
<b>Name:</b>	Town of Delafield Fire & Rescue	<b>Contact Dates/Information</b>
<b>Address:</b>	W304 N2455 Maple Avenue Delafield, WI 53018	7/10/06 Faxed request for report. No response received as of 7/18/06
<b>Phone:</b>	(262)367-6930	
<b>Fax:</b>	(262)367-9544	

**Task Number: 060703HBB2658**

### **Status of Missing Document(s)**

The official records below were requested for this investigation report, but could not be obtained.

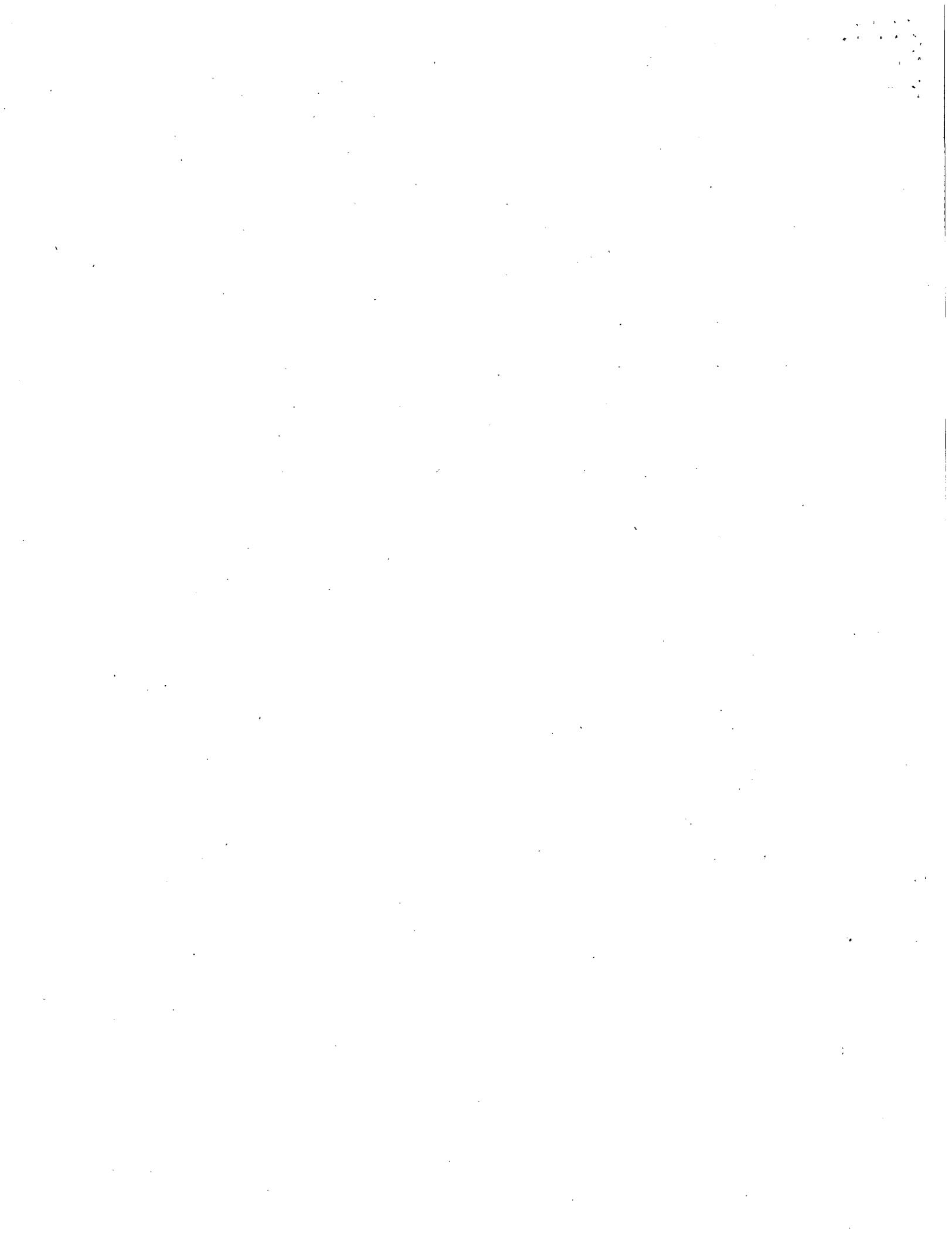
1. Town of Delafield Fire and Rescue Report

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_





060706HBB1617  
Doc # 10670069A

This assignment was predicated upon a consumer's complaint of a kite tube incident involving the complainant's nineteen year old brother (DOB: 09/16/1986; 5'11"; 170 pounds), as the victim. The complainant provided the information in this report, as he was the owner and the driver of the 19 foot "Bayliner Capri" boat, bearing Maryland vessel registration # MD 8594BS being used to tow the kite tube, at the time of the incident. The complainant has owned this boat for a three year period prior to the kite tube incident. The victim was unavailable for interview as he was out of the area.

The product involved in this incident is one of the emerging hazard products, described as a "Wego" kite tube by Sportsstuff Inc.; - model 53-5000, of 11213 East Circle, #A, Omaha, NE - ((402) 592-9085). The complainant (DOB: 07/18/1974; 5'9"; 175 pounds) had purchased the kite tube off of the inter-net, after seeing a video on the kite tube and thinking this might be a "fun" thing to do, from "boattube.com, on 05/18/2006, under their order # 1293. The kite tube was delivered to the complainant on 05/22/2006 via United Parcel Services (UPS) at the cost of \$499.95. Included in this order was a "free" life vest as a gift for purchasing the kite tube. Also received was an instruction video to be reviewed prior to using the kite tube. No changes, repairs or modifications were made to the kite tube by the complainant.

On Sunday evening, 06/11/2006, at about 5:00 PM, the complainant, the victim, the victim's 18 year old girlfriend and a 19 year old male friend of the victim's (both the girlfriend and the male friend's dates of birth; height and weight are unknown), were all in the boat on the Susquehanna river, in an area down stream of the Conowingo Dam, near the town of Port Deposit, Maryland. The weather was bright and sunny, with a strong wind blowing. Boat traffic in the area was light and the area was clear of any other obstructions. According to the complainant, "it was the ideal weather conditions and time of day, to fly the kite tube". Both the victim and the complainant had on at least three separate occasions, prior to the incident, watched the instructional video to insure that they understood the safety issues on the use of this kite tube. It should also be noted that on at least two separate dates/occasions, before the incident, both the complainant and the victim had attempted to "fly" the kite tube by pulling it behind the boat, but had been unsuccessful, in at least eight to ten attempts to get the kite tube out of the water and into the air. The victim, who was wearing the "free gift" life vest and a water ski type of helmet, was the only person on the kite tube. The complainant attached the kite tube harness to the back of his boat and adjusted the tow rope to a length of about forty five feet, which was the recommended length for a beginner to use as outlined in the instructional video. With all in place the boat was moved out to a position to stretch of the rope away from the boat.

060706HBB1617  
Doc # 10670069A

Once all was in place, the complainant began to run the boat at a speed of between twenty five (25) and thirty (30) mile per hour (mph). This was the recommended speed to travel in order to get the kite tube up in the air according to the instructional video. Once the boat reached this speed, the kite tube became airborne. The kite tube was in the air at a height estimated to have been about twenty five feet off of the surface of the water, for about a three to four minute period. At this point a gust of wind suddenly "kick up", causing the kite to dip and begin turning towards a vertical position. In order to try to right the kite tube, the complainant sped up the speed of the boat, a little, which only caused the kite tube to go more out of control, as it turned and twisted in the air. The complainant then tried backing off of the speed that the boat was traveling, but at this point the kite tube was in the vertical position and tossed the victim off and into the water below. The complainant could not see whether or not the kite tube landed on top of the victim as he was turning the boat around to go to the area in which the victim had landed in the water. Arriving at the point where the victim was in the water, the people in the boat pulled the victim into the boat and they took him to the shore. The victim had blood running from his mouth as he was coughing up the blood and water which had gotten into his body from this incident. Medical personnel were called to the scene and medical treatment was begun at the boat dock area. A medical helicopter was called to the scene and the victim was air lifted to the University of Maryland medical center in Baltimore, Md.

Maryland Natural Resources police- officer J. Vogt, was the responding official, to take charge at the incident scene. Under that organization's central region case number of 106007225-N, the report was filed at 3738 Gwynnbrook Ave., Owings Mills, Maryland 21117 - ((410) 356-7060), the police headquarters.

On 07/06/2006 in a telephonic interview and again on 07/07/2006 in a face to face meeting with the complainant at his home, the facts of this incident were verified. The complainant stated that this was the first inflatable product that he had ever towed behind his boat. He additionally stated that both he and the victim had planned to use hand signals to communicate while using the kite tube, but that with the distance off of the water and size and configuration of the kite tube this was not able to be done as they could not see one another. The complainant saw the victim fall from the kite tube, land in the water, but lost sight of the victim for a brief period as he began to turn the boat around to go to the aid of the victim. The complainant executed a Release of Name Authorization which is attached as an exhibit to this report.



060706HBB1617  
Doc # 10670069A

Further from watching the instructional video pertaining to the kite tube, it was the impression of both the victim and the complainant, that the kite tube could be controlled by the length of rope being used as it limited the height that could be reached. The consumer noticed no mechanical issues with the kite tube after the incident and stated that he saw none prior to the incident. The complainant felt, that even though the instructional video did not show the kite tube rider wearing a helmet, it was very fortunate that the victim was wearing one at the time of this incident, along with the life vest. In regards to the safety warnings that appear both on the kite tube and in the video the complainant and the victim had both been made aware of them and read them fully before using the kite tube. The complainant did state that it is written in bold lettering on the kite tube- "never kite higher, than you are willing to fall", which the complainant found interesting in light of this incident.

A copy of the medical release form was provided to the complainant to obtain the release of medical records for treatment of the victim, by obtaining the victim's signature, when he returns to the area. The victim was treated and released from the medical center at the University of Maryland, without an over night stay for a slight head concussion. The victim does not suffer from any lingering effects of this incident, although he still has follow up doctor's visits to be made.

Telephonic contact was made with the responding police department in order to obtain a copy of their report. The report has not yet been completed and should be forwarded to this office when ready for public information.

In a telephonic briefing to the Special Assistant to the Deputy Director, Office of Compliance and Field Operations and follow up e-mail instruction, no copy of the owner's manual was obtained in this investigation. During the face to face meeting with the complainant, the kite tube was inflated in the garage area of the complainant's home and a color photograph of the kite tube was exposed as required by the assignment instruction to verify the manufacturer of the kite tube.

#### PRODUCT IDENTIFICATION:

The product involved in this incident is a kite tube, inflatable, purchased on line from "Boattube.com" for \$499.95. Kite tube by "WEGO" is made by Sportsstuff, Inc., 11213 East Circle, #A, Omaha, NE.

060706HBB1617  
Doc # 10670069A

**ATTACHMENTS:**

- 1) Contact Information
- 2) Release of Name Authorization
- 3) Missing document form
- 4) Color identifying photograph

0607060HBB1617  
Doc # 10670069A

CONTACT INFORMATION;

Daniel Klawitter, 105 Turtleback Court, Rising Sun, MD 21911 – ((302) 631-7393) -  
contact dates 07/06 & 07/2006



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

060706 HBB1617

Ex #2

U. S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

037

YES

NO

Daniel Clavitt  
(Signature)

7/7/206  
(Date)

## STATUS OF MISSING DOCUMENT

The purpose of this record is to notify the reader that the following document(s), which is/are missing from this report, will not be collected.

1. victim's medical records
2. Police report
3. \_\_\_\_\_

The investigator indicates in the report that he/she requested a copy of the above listed document(s), but the document(s) was/were not yet available when the investigation report was completed. The investigator intended to forward the document(s) for attachment to this report when the requested material was obtained.

The investigator has made numerous attempts, since the original request, to collect a copy of the requested document(s) but has not been successful. Because of the problems associated with the collection of this material and our limited investigation resources, no additional efforts will be made to collect the missing document(s).

We apologize for any inconvenience the missing data may cause you.

Date: July 8, 2006

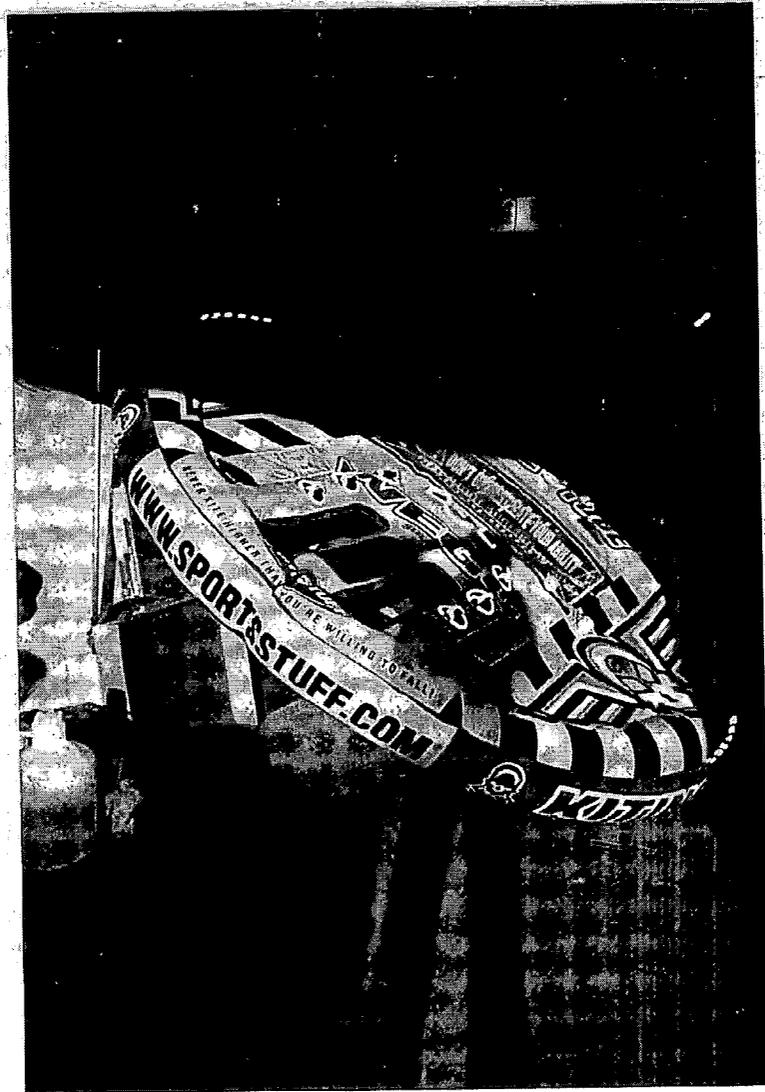
Investigator No.: 8951

Regional Office: \_\_\_\_\_

Supervisor No.: \_\_\_\_\_

060706HBB1617  
Doc # 10670069A

Identifying photograph of the kite tube:



**Doc No: I0670069A**

**Issue: 40**

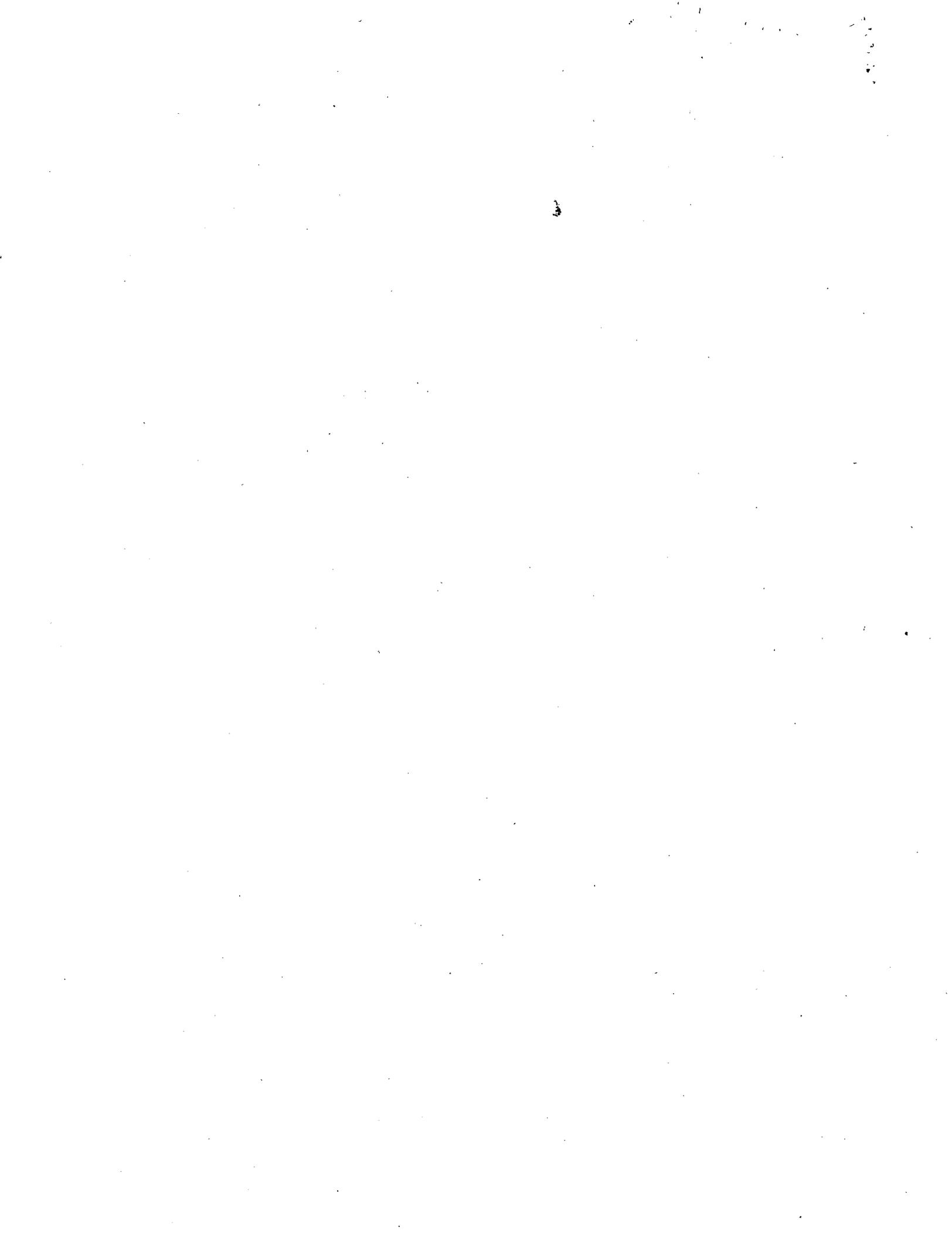
**07/06/2006**

07/05/2006 10:42:13

Name = Daniel Klawitter  
Address = 105 Turtleback Court  
City = Rising Sun  
State = Maryland  
Zip = 21911  
Email = danklaw@yahoo.com  
Telephone = 302-631-7393  
Name of Victim = Richard Henderson III  
Victim's Address = 1784 Jacob Tome HWY  
Victim's City = Port Deposit  
Victim's State = Maryland  
Victim's Zip = 21904  
Victim's Telephone = 410-658-6059

Incident Description: Travelling 25 mph the tube abruptly flew 25feet in the air and ejected the victim off of the tube. The victim was coughing up blood and had to be flown to a trauma center for evaluation.

Victim's age at time of incident = 19  
Victim's sex = Male  
Date of incident = 6-11-06  
Product involved = Wego Kite Tube  
Product brand name/manufacturer = SportsStuff  
Manufacturer street address =  
Place where manufactured (City and State or Country) =  
Product involved still available = Yes  
Product model and serial number, manufacture date = 53-5000  
Date product purchased = 6-1-2006  
Name Release = Release name to the manufacturer and public



1. Task Number 060706HBB1619		2. Investigator's ID 9108		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 810	4. Date of Accident YR MO DAY 2006 07 01	5. Date Initiated YR MO DAY 2006 07 06		
6. Synopsis of Accident or Complaint UPC While a 24-year-old male was tube kiting on a lake from a height of 20 to 25 feet and a boat speed of 25 to 35 m.p.h., the kite tube suddenly tilted sideward and fell to the water below. The victim was treated at a local hospital for a broken right femur and bruised ribs. The victim is expected to make a full recovery.				
<div style="text-align: right;"> <p><del>NEISS/IBR NOTIFIED</del> <i>Aug 9/6/06</i></p> <p>COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><input type="checkbox"/> OVERRULED: <input type="checkbox"/> ATTACHED</p> <p><input checked="" type="checkbox"/> EXEMPTION/FOIA Ex <i>25c</i></p> <p><input type="checkbox"/> Revisions</p> <p><input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY</p> </div>				
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City WRENTHAM		9. State MA
10A. First Product 3279 - Flotation Devices	10B. Trade/Brand Name WEGO		10C. Model Number 53-5000	
10D. Manufacturer Name and Address SPORTSTUFF INC. 11213 East Circle, #A Omaha, NE 68102				
11A. Second Product 0	11B. Trade/Brand Name NONE		11C. Model Number NONE	
11D. Manufacturer Name and Address NONE				
12. Age of Victim 24	13. Sex 1 - Male	14. Disposition 4 - Hospitalized	15. Injury Diagnosis 57 - Fracture	
16. Body Part(s) Involved 81 - UPPER LEG	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 2 - Telephone	19. Time Spent (Operational / Travel) 10 / 0	
20. Attachment(s) 9 - Multiple Attachments	21. Case Source 07 - Consumer Complaint		22. Sample Collection Number	
23. Permission to Disclose Name (Non NEISS Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Verbal				
24. Review Date 07/13/2006	25. Reviewed By 9062		26. Regional Office Director Eric B. Ault	
27. Distribution Topka, Tanya L.; Ingle, Robin L.; Kessler, Charles R.; Twitchell, Jason M.			28. Source Document Number 10670072A	

The information contained within this report was obtained from the victim's sister, stepmother, and friend during separate telephone interviews; from the local fire official during a telephone interview and review of the incident and emergency medical services report; and from the state environmental police official during a telephone interview. As instructed by the Compliance Officer, this high-priority assignment did not require an onsite investigation or the collection of product literature. As this investigator did not have the opportunity to examine the incident product, the information contained in the product identification section of this report is based upon information received from the above-listed respondents and/or from the manufacturer's website.

The victim's sister, a 22-year-old female, and the victim's friend, a 24-year-old male, provided the majority of the details for this incident involving a kite tube. The 24-year-old male victim, approximately 160-pounds in weight, was described as a normally active young adult with no known medical or psychological abnormalities. The victim lived with his parents on a small lake where the incident occurred. The victim's father owned a 340-horsepower inboard-motor power boat which was docked at this same address. Although the victim had limited previous experience with the incident product, the victim's friend stated that the victim, who had lived on the lake his entire life, was considered to be an expert-level water skier, a near expert wake boarder, and experienced with water tubing activities. He further explained that the victim and his friends, described as experienced with various water sports, were always seeking to try new watercraft devices.

On June 30, 2006, the victim received the recently purchased kite tube via the mail. Upon opening the product packaging and reading the instructions, the victim and two friends decided to try the product on the lake. According to the victim's sister and friend, there were warnings on the product and/or product literature that mentioned you would be safe as long as you kept the speed below 25 m.p.h. She stated that the victim had read the warnings and had the impression that the product would be safe to operate. The product was sold with an adjustable tow rope. According to the victim's friend, the tow rope was adjusted by the victim to the expert-level length of 65 feet. Each of the three participants took a brief ride on the incident kite tube. The average boat speed was estimated to be 25 m.p.h and the average height of the rider did not exceed 10 feet. The friend stated that although the victim's ride was without incident, he (the friend) suffered a minor shoulder strain from his ride and that the other rider suffered a bloody nose. Neither injury required medical treatment.

On July 1, 2006, the following day, the victim took his father's boat out on the lake with three different male friends, ages 21, 22, and 23. The 21-year-old male was the driver of the boat at the time of the incident while the other two friends were spotters. The driver reportedly had more than 500 hours experience operating power boats. The tow rope length was maintained at 65 feet. The victim was wearing a bathing suit and life vest. According to the historical weather data website, [www.weatherunderground.com](http://www.weatherunderground.com), the weather conditions for the local area at the approximate time of the incident were as follows: 82° F temperature, 44% humidity, 15 m.p.h. wind speed, 20 m.p.h. wind gusts, and clear.

The victim entered the water to prepare for his ride at approximately 1 p.m. The 24-year-old friend, who was not present, stated that the friends present on the boat and witnesses on the lake have described the following details to him. During the victim's ride, the boat speed was reported as averaging between 25 m.p.h and 35 m.p.h. He apparently had no problems becoming airborne and maintained a height of about 12 feet for approximately one minute. As the boat accelerated, he then reportedly increased an additional 10 feet to a total height of between 20 and 25 feet.

Almost immediately after reaching a height of between 20 and 25 feet, the incident kite tube suddenly tilted sideward with the victim holding on to it, and fell to the water below.

Upon impact, the victim reportedly bounced a considerable distance away from the tube. The boat immediately circled around to the victim. Upon approach, he appeared unresponsive and they thought that he was either in shock or unconscious. Two of his friends (the spotters) entered the water to rescue him. They reported that the victim started to yell and scream. Concerned that he may have suffered a head or spinal injury, they laid him on the swim platform located on the stern of the boat, called 911 with a cell phone, and transported him to shore. When they got to shore in about five minutes, the ambulance was there. The victim was reportedly in extreme pain. The local EMS technicians took some time to stabilize him and put his leg in traction before transporting him by ambulance to a local hospital.

The victim suffered a broken femur in his right leg and bruised ribs. There was no head or spinal injury. The victim was treated in intensive care unit due to complications involving bone marrow leaking into the blood which resulted in respiratory difficulties and delay of surgery.

On July 10, 2006, successful surgery was performed on the victim's right leg. The victim's stepmother stated that the victim's recovery was progressing well.

The state's department of environmental police responded to the scene and conducted an investigation. A copy of their investigative report was requested. The local emergency medical services report was obtained and a copy of the victim's medical records was requested from the family. When or if these records are received, a separate addendum will be submitted.

### **PRODUCT INFORMATION**

The product was a tube kite. **The Wego-brand inflatable tube kite**, model 53-5000 was approximately 10-foot in diameter, circular in shape, and red, yellow, and black in color. The saucer-type tube was composed of mostly heavy-duty nylon materials and included 8 handles. The product contained black cautionary warning stripes on the floor and black skull and crossbones on the bottom. The product was purchased, online, by the victim and received via the mail on June 30, 2006. The purchase cost was approximately \$500. The product was sold with a tow rope component. The adjustable tow rope was

segmented into three different lengths; 45 foot for beginner level; 55 feet for intermediate level; and 65 feet for expert level.

The product was manufactured by:

Sportstuff Inc.  
11213 East Circle, #A  
Omaha, NE 68102  
Tel 402-592-9085

#### **PRODUCT RECALL NOTICE**

On July 13, 2006, during this ongoing in-depth investigation, the U.S. Consumer Product Safety Commission (CPSC) announced a recall (Release #06-210) of the incident product. Upon review of the recall notice, the victim's sister confirmed that the product involved in this incident was the same as the recalled product.

#### **SAMPLE COLLECTION**

As per CRC instructions, there was no sample collected.

#### **ATTACHMENTS**

- Exhibit 1: Contact List
- Exhibit 2: Local fire department response and emergency medical services report
- Exhibit 3: CPSC recall notice dated 7/13/06
- Exhibit 4: Missing document form

**Contact List**

[REDACTED], Victim's sister

[REDACTED]  
[REDACTED] MA 02762

Tel. [REDACTED]  
[mkirby@c3boston.com](mailto:mkirby@c3boston.com)

Telephone interview conducted on 7-6-06; email exchange on 7/13/06.

[REDACTED], Victim's stepmother

[REDACTED]  
[REDACTED] 02093

*Incident location: Lake Pearl, Wrentham, MA*

Tel. [REDACTED]

Telephone interview conducted on 7-13-06.

[REDACTED]'s, Victim's friend

[REDACTED]  
[REDACTED] 02093

Tel. [REDACTED]

Telephone interview conducted on 7-13-06.

Robert Morrill, Fire Chief  
Wrentham Fire Department  
99 South Street  
Wrentham, MA 02093  
Tel. 508-384-3131  
Email: [rmorrill@fire.wrentham.ma.us](mailto:rmorrill@fire.wrentham.ma.us)

Telephone interview conducted on 7-10; and received EMS report 7-11-06.

Joseph Collamati, Chief of Police  
Wrentham Police Department  
89 South Street  
Wrentham, MA 02093  
Tel. 508-384-2121

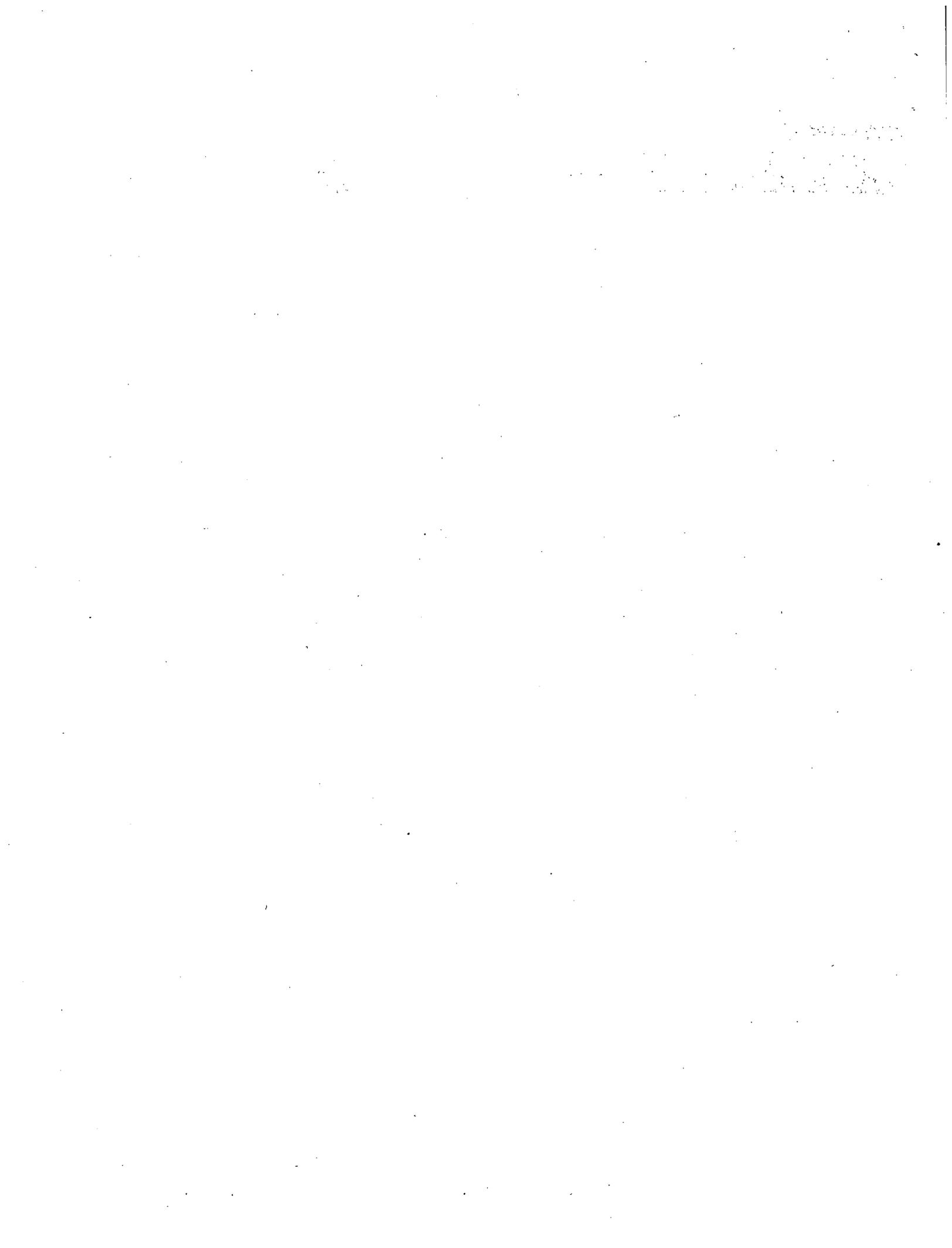
Telephone interview conducted on 7-10-06.

Officer Robert Forseyth  
Massachusetts Environmental Police  
251 Causeway Street, 1<sup>st</sup> Floor  
Boston, MA 02114  
Tel. 617-626-1650 / 800-632-8075

Telephone interview conducted on 7-10-06.

Sargeant Richard Sylvia  
Massachusetts Environmental Police  
Boat & R.V. Safety Bureau  
Building 1019, Route 132, 2<sup>nd</sup> Floor  
Hyannis, MA 02601  
Tel. 617-727-2617

Requested investigative report by telephone on 7-12-06.



# Wrentham Fire Department EMERGENCY PATIENT REPORT

ALS Intercept  
 YES  NO

DISPATCHED AS:  
**BROKEN LEG**

DISPATCH LOCATION [REDACTED]	MUTUAL AID <input type="checkbox"/> TO <input type="checkbox"/> FROM	PEV 2	MO. DAY YR. 7 1 06	DISPATCHED TIMES DISP. L 1333	TRIP NO. 752
PATIENT NAME [REDACTED]	SEX M	AGE 24	DOB MO. DAY YR. 4 21 82	ON SCN. 1336	MILEAGE IN: 846
S.S.#	NEXT OF KIN	PHONE [REDACTED]		LV. SCN. 1413	OUT: 892
INSURANCE CO.	INSURANCE NO.	GROUP #		ARR. HOSP. 1434	VEHICLE# R2
				IN SERV.	

EYES OPEN 1-SPONTANEOUSLY 2-TO VOICE 3-TO PAIN 4-NONE	VERBAL RESPONSE 1-ORIENTED 2-CONFUSED 3-INAPPROPRIATE 4-INCOMPREHENSIBLE 5-NONE	MOTOR RESPONSE 1-OBEDIENTS COMMAND 2-LOCALIZES (PAIN) 3-WITHDRAWS (*) 4-FLEXION (PAIN) 5-EXTENSION (*) 6-NONE	RESPIRATORY RATE 1-10-24/MIN 2-24-35/MIN 3-36-45/MIN 4-46-60/MIN 5-NONE	RESPIRATORY EXPANSION 1-NORMAL 2-REACTIVE	SYSTOLIC B/P 1-90 2-70-89 3-50-69 4-1-0-19 5-NONE	CAPILLARY REFILL 1-NORMAL 2-DELAYED 3-NONE	SUSPECTED DIAGNOSIS		
							GLASGOW COMA SCORE	TRAUMA SCORE	COMBINED TRAUMA SCORE

NARRATIVE: SUBJECT, OBJECT, NEURO, RESP, CV, GI, GU, MSI, ASSES, PT

**Sub 24 1/0 8 240x3 POSSIBLE (R) FEMUR FRACTURE.**  
 PT WAS TUBING ON LAKE PERL ON A TUBE  
 W WINGS @ 40MPH PT ON TUBE WENT  
 APPROX. 20 FT INTO AIR CAME DOWN ON TUBE  
 INJURED FEMUR. LOC

TEMPERATURE <input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> ABOVE NORMAL <input type="checkbox"/> BELOW NORMAL	COLOR <input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> FLUSHED <input type="checkbox"/> PALE <input type="checkbox"/> CYANOTIC <input type="checkbox"/> OTHER	MOISTURE <input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> DIAPHORETIC <input type="checkbox"/> DRY	PUPILS L REACTIVE R UNREACTIVE <input type="checkbox"/> DILATED <input type="checkbox"/> MID POINT <input type="checkbox"/> CONSTRUCTED	LUNG SOUNDS L CLEAR R ABSENT <input type="checkbox"/> RALES <input type="checkbox"/> RONCHI <input type="checkbox"/> WHEEZES
PRE-HOSPITAL CARE PROVIDED				
A <input type="checkbox"/> CLEARED	<input type="checkbox"/> RESCUE BREATHING	<input type="checkbox"/> ORAL AIRWAY	<input type="checkbox"/> PRIOR CPR?	<input type="checkbox"/> 2-RESCUER CPR
W <input type="checkbox"/> LMA	<input type="checkbox"/> END TIDAL CO2	<input type="checkbox"/> COMBI	C BY: <input type="checkbox"/> CITIZEN	<input type="checkbox"/> 1ST RESPONDER
Y <input type="checkbox"/> ET. TUBE SIZE	LM ROUTE	CM	R <input type="checkbox"/> ESTIMATED DURATION OF ARREST:	MINUTES

**DOB** ODA PT TRANSPORTED TO DOCK ON MOTOR  
 BOAT W FRIENDS. PT W OBVIOUS PAIN  
 FROM ANGLER (R) FEMUR. CLIMBED INTO  
 BOAT HELD MAINTAINED TRACTION W RELIEF.  
 COULDN'T LEAVE BOAT W FULL C-SPINE  
 MEASUREMENTS TO EMS.

**NAME** PT IS 48x3 8 LOC (+) OSM  
 ALL 4 EXTREM.

TIME	RHYTHM	P	B/P	RR	O2%	TXMED. & DOSE	ROUTE	BY
	NSR	90	118/60	12	90%	RA		RN
	IV's	16	90	18	90%	RA FOREARM		AM
						BLOOD SUGAR = 121 mg/dL IV SGLX		ED
1406	MORPHINE	1	MY	IV	P		JVP	RN
1408	NSR	92	110/70	12	100%	15LPM		NRB
1412	MORPHINE	1	MY	IV	P		JVP	AM
1420	NSR	93	100/70	12	100%			
1430	NSR	94	100/70	12	100%			

**ASSES / H** PT B DMS HELD MAINTAINED TRACTION  
 RIBBON TRACTION SPLINT BROKEN ON SCENE  
 2 IV's (R) FOREARM 18 + 16 NS KVO BLOOD SUGAR = 121 mg/dL IV SGLX. 1 MY MORPHINE  
 IV PAIN RELIEF 1 MY MORPHINE RELIEVES  
 TRACTION SPLINT APPLIED TRANSPORTED TO RI

**CURRENT MEDICATIONS**  
 NONE  
 NOTE PT C/O  
 @ SIDE OF PT PAIN  
 MED CONTROL CALLED  
 FOR MORPHINE AT  
 CMT.

**ALLERGIES**  
 NONE

**PHYSICIAN**  
 RI TRAUMA

**MEDICAL CONTROL PHYSICIAN**  
 R NOLST R

**MEMBERS**  
 ED NOLST P 851514  
 R NOLST R

TRIP NO. 752  
DATE 7/1/06

Print Date: July 11, 2006

# Wrentham Fire Department Incident Detail

Printed By: rmorrill

Incident No: 2006000001450

CAD No: 2006000011554

**File Number:**

Nature: Ambulance Call

Date: 7/1/06 13:32

Address: [Redacted] MA 02093

Location Type: Street address

Structure:

Alarm:

Priority:

Occupant(s): Occ. No. Occupant

Comments:

**Date/Time**

**LapTime Total**

Received Date: 7/1/06 13:32

0:00 0:00

Dispatched: 7/1/06 13:33

00:01:00 00:01:00

Out of Station:

00:01:00

Arrived: 7/1/06 13:33

To Medical:

At Medical:

Cleared: 7/1/06 14:55

Type

Call Taker:

Dispatcher: Jason C Accord

Member Making Report: Gordon L Winget

Shift Supervisor: Gordon L Winget, Capt.

Officer in Charge: Gordon L Winget, Capt.

Caller Name:

Caller Address:

Caller Phone Number:

Status: New

Incident Type(s):  Primary  Reported  Description EMS call, excluding vehicle accident with

Actions Taken Provide advanced life support (ALS)

**Involved Fire Fighter(s):**

Name/Title  
Christopher Duvarney

Division  
Fire Fighter

Agency Description

Notes:

Robert W Holst

Fire Fighter

Notes:

Antonio R Marino

Fire Fighter

Notes:

Walter F Petrino

Fire Fighter

Notes:

Gordon L Winget, Capt.

Fire Captain

Notes:

**Unit Chronology :** Unit Type

E1

Time

13:33:05

Status

13:33:49

13:36:18

14:08:09

14:08:12

Unit Summary  
Unit: E1

Time:

0.35

Unit Chronology : Unit Type

Time

Status

# Wrentham Fire Department

## Incident Detail

Print Date: July 11, 2006

Printed By: rmorrill

R2

13:33:05  
13:33:50  
13:36:23  
14:13:32  
14:34:19  
14:34:20  
14:55:20

Unit Summary  
Unit: R2 Time: 1:22

**Unit Chronology :**

Unit-Type	Time	Status
E1-Wrentham FD Engine	13:33:05	Dispatched
	13:33:49	On Air
	13:36:18	On Scene
	14:08:09	Returning
	14:08:12	In Quarters

Unit Summary: Unit: E1-Wrentham FD Engine Time: 0:00:35:07

R2-Wrentham EMS Rescu	13:33:05	Dispatched
	13:33:50	On Air
	13:36:23	On Scene
	14:13:32	To Hospital - ALS
	14:34:19	At Hospital
	14:34:20	Returning
	14:55:20	In Quarters

Unit Summary: Unit: R2-Wrentham EMS Rescue Time: 1:00:22:15

Narratives for Incident Number 2006000001450? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: **Capt. Gordon Winget**

Seq No:	Date & Time	Type	Description	Entered by	Status	Reviewed by	Last Edit Date
1	7/11/2006 3:10:00PM	Narrative Statement Type C	R2, E1 out to the above address for an water skiing accident. R2 on scene and needing equipment that works. Request for R1 to respond with hair traction splint. R2 transported. 1 to R1. Trauma ALS EMS # 752 R1 responded to second medical				07/01/2006

Print Date: July 11, 2006

### Related Incidents

Print Date: July 11, 2006

# Wrentham Fire Department

## Incident Detail

Printed By: rmorrill

Incident No.

Exposure No.

Date/Time

Address

Occupant

Incident Type

0

No data on file

# NEWS from CPSC

## U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE

July 13, 2006

Release #06-210

**Firm's Recall Hotline: (866) 831-5524**

CPSC Recall Hotline: (800) 638-2772

CPSC Media Contact: (301) 504-7908

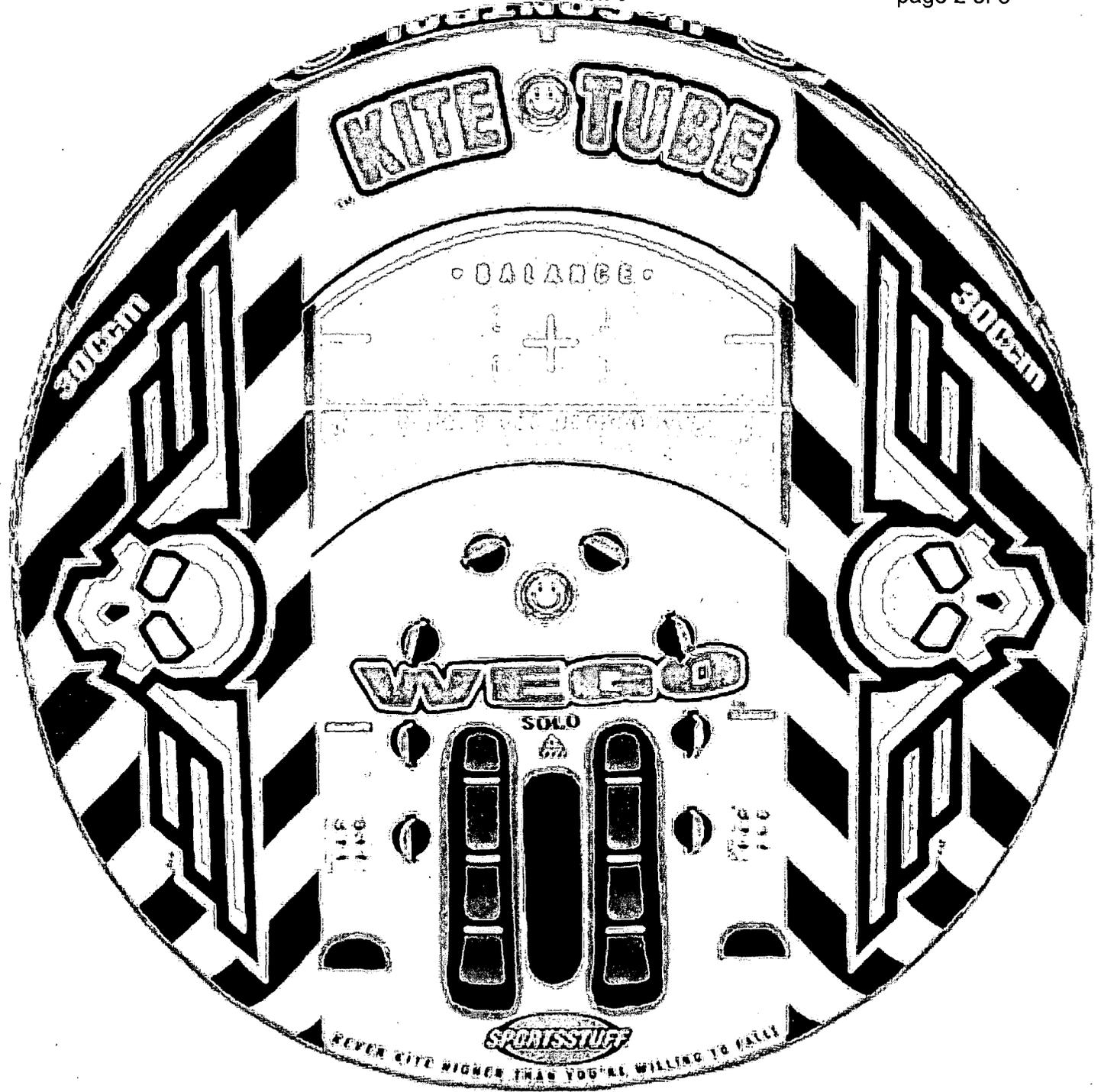
### **Sportsstuff Wego Kite Tubes Withdrawn from Market after Reports of Deaths and Injuries**

WASHINGTON, D.C. – In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Sportsstuff, Inc., of Omaha, Nebraska is voluntarily recalling about 19,000 Wego Kite Tubes.

CPSC staff is aware of 39 injury incidents with 29 of those resulting in medical treatment. Those injuries include a broken neck, punctured lung, chest and back injuries and facial injuries. Sportsstuff has received reports of two deaths in the United States and a variety of serious injuries. Sportsstuff has been unable to determine the cause of the incidents. Nevertheless, the company has withdrawn the kite tube from the market and is undertaking this voluntary recall out of an abundance of caution.

The Sportsstuff Wego Kite Tube is a 10-foot-wide, circular, yellow inflatable watercraft designed to be towed behind a power boat. A rider in the tube becomes airborne by pulling on handles attached to the floor of the tube. Model 53-5000 is printed on the tube near the product valve. The floor of the tube has black caution warning stripes. The cover for the product bears a skull and crossbones and the statement "Never Kite higher than you are willing to fall." The tubes were imported and sold through marine distributors, mail order catalogs, and various retailers from approximately October 1, 2005 to July 11, 2006 for about \$500 to \$600.

Consumers should immediately stop using the kite tubes and contact Sportsstuff at (866) 831-5524 between 8 a.m. and 5 p.m. CST Monday through Friday to learn how to obtain free replacement products. Consumers can also visit the firm's Web site at [www.sportsstuff.com](http://www.sportsstuff.com) for more information.



Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30

percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at [www.cpsc.gov/talk.html](http://www.cpsc.gov/talk.html). To join a CPSC email subscription list, please go to [www.cpsc.gov/cpsclist.asp](http://www.cpsc.gov/cpsclist.asp). Consumers can obtain this release and recall information at CPSC's Web site at [www.cpsc.gov](http://www.cpsc.gov).

Task Number: 060706HBB1619

Date: 7-13-06

### Status of Missing Document(s)

The official records below were requested for this investigation report, but could not be obtained.

1. Massachusetts Environmental Police investigative report
2. Copy of victim's medical records
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

1. Task Number 060710HBB2669		2. Investigator's ID 9044		<b>EPIDEMIOLOGIC INVESTIGATION REPORT</b>
3. Office Code 840	4. Date of Accident YR MO DAY 2006 07 04	5. Date Initiated YR MO DAY 2006 07 10		
6. Synopsis of Accident or Complaint UPC Unknown  While airborne on a kite tube about 40 feet in the air, a consumer lost control when it began twisting and flipping and he let go and fell into the Mississippi River and he was knocked unconscious. He was wearing a life jacket. He was rescued and then hospitalized for one day in ICU for a brain injury that was caused by a broken blood vessel. He is experiencing short term memory loss and unable to work temporarily.				<i>9/6/06</i> <b>EXEMPTED FROM DISCLOSURE</b> COMMENTS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> OVERRULED <input type="checkbox"/> ATTACHED <input checked="" type="checkbox"/> EXEMPTED FROM DISCLOSURE <i>25c</i> <small>Revisions</small> <input checked="" type="checkbox"/> DO NOT RE-NOTIFY <input type="checkbox"/> RE-NOTIFY
7. Location (Home, School, etc) 9 - SPORTS OR RECREATION PLACE		8. City ANDALUSIA		9. State IL
10A. First Product 3200 - Water Tubing (activity, Appa)		10B. Trade/Brand Name WEGO		10C. Model Number 53-5000
10D. Manufacturer Name and Address SPORTSSTUFF INC. 11213 E. Circle # A Omaha, NE				
11A. Second Product 0		11B. Trade/Brand Name NONE		11C. Model Number NONE
11D. Manufacturer Name and Address NONE				
12. Age of Victim 30	13. Sex 1 - Male	14. Disposition 4 - Hospitalized	15. Injury Diagnosis 52 - Concussion	
16. Body Part(s) Involved 75 - HEAD	17. Respondent 1 - Victim/Complainant	18. Type of Investigation 1 - On-Site	19. Time Spent (Operational / Travel) 16 / 1	
20. Attachment(s) 9 - Multiple Attachments		21. Case Source 07 - Consumer Complaint		22. Sample Collection Number
23. Permission to Disclose Name (Non <b>NEISS</b> Cases Only) <input type="radio"/> Yes <input checked="" type="radio"/> <b>No</b> <input type="radio"/> Verbal				
24. Review Date 0711312006	25. Reviewed By 8929		26. Regional Office Director Frank J. Nava	
27. Distribution Blasius, Dennis R.; Topka, Tanya L.; Ingle, Robin L.			28. Source Document Number 10670062A	



All information contained in this report, was obtained through an on-site visit with the victim and several witnesses, including family members, who reported this incident (source document).

In June, 2006, a consumer purchased a new water tubing product called a "kite tube" from an on-line company called EBay (exhibit 7). He had researched the product both on-line (exhibit 2) and in magazines, including one called "Wake Boarding".

The consumer was looking for the largest model with the widest diameter he could find because he noted the weight limit for the rider was generally about 200 pounds. He planned to use the new kite tube with his brother. He and his twin brother were approaching their 31st birthday's, on 7/9/2006. Both men were about 6'2" tall and they each weighed about 200 pounds.

They observed many places on-line that sold kite tubes. Prior to purchasing the kite tube, the consumer observed a video on-line that showed how the product was used and detailed several key safety rules. The consumer understood that it was a new sport using a newly invented product that was considered an extreme sport. However, he felt confident in the safety of the product as well as his ability to operate it. Both he and his brother enjoyed many sports over the years including snow and water skiing. They also had experience with ATV's and had been avid boaters for many years.

The consumer purchased the kite tube on a website called EBay (exhibit 7) for about \$389.00, plus shipping, and it was delivered to his home a few days later. He purchased the associated tow robe along with the kite tube and it also came with a DVD that he watched. It arrived in an original shipping carton and was not inflated. The consumer did not remember seeing the owner's manual. They inflated the kite tube and used it for the first time a few days later.

They used the kite tube twice in the first month they had it. The first time they used it, the kite tube did not fly. They thought it was under-inflated and that may have



caused it to not go airborne as it was designed to do. A few weeks later, they took it out again. This time they inflated the kite tube with more air and it was used by younger, smaller males who were in their boating party.

During this second use of the kite tube, it became airborne about 5" or more from the water, while they were operating the boat at about 25 mph. They took turns with two younger males using it, including a 10-year-old, and a 15-year-old family member. The 15-year-old male was about 5'8" tall and he weighed about 130 pounds. The older 30-year-old twin brothers observed the kids on the kite tube and thought that it looked fun. They planned to take the kite tube out in the near future again.

On 7/4/2006, the family took the boat out for the day into the Mississippi River where it bordered Iowa and Illinois. The boat they were operating was a 1994 model, 25 1/2" "Cobalt", with a 350 HP inboard/outboard motor. They were very familiar with it and had owned it for many years. The family was avid boaters and they took the boat out about twice a week near their home in eastern Iowa. They also took regular boating and fishing trips to Canada, as well as to other lakes in the Midwest.

On the boat that day were the 30-year-old twin brothers, their wives, the two family's four young children and the family dog. They planned to use the kite tube during the day on the river and had inflated it as directed. The part of the Mississippi River (exhibit 9) they were boating in had had some back-water known as sloughs that were lake-like with deep water in parts. They had boated in this area 100's of times. It was a busy "Holiday" on the river, with many people nearby including some enjoying several beach areas on a large nearby island. There were at least 8 boats in the area and many people were in or near the water, enjoying the hot summer day which was sunny with a light breeze.

At about 12 noon, on 7/4/2006, they had been on the river for about 3 hours and they prepared to use the kite tube. The twin brother who had purchased the kite tube, climbed onto it, and the other twin brother operated the boat. Other family members watched. He was able to get the kite tube airborne about 10 feet above the water during the

about 20 minutes that he was on it.

Later, the brothers switched places: The brother, who was wearing a life jacket, climbed onto the kite tube, while his twin brother operated the boat, and other family members watched. They were excited and were enjoying this twin brother's first attempt to fly the kite tube.

All the family members were watching from the boat as the twin brother riding the kite tube became airborne. The tow rope was extended to the maximum amount about 65 feet. As the boat speeded up the kite tube went higher into the air. The maximum they operated the boat speed at was about 40 mph, but they ran it mostly from 25-30 mph. The kite tube rider appeared to be having fun as it went up and down in the air.

Others, nearby in boats and on the beaches were watching them. Someone yelled "*Here he comes again*". All eyes were reportedly on the man riding on the kite tube. He went very high in the sky, higher than any other time they had used the kite tube. One witness described what happened next:

*"He was using a tube kite at about 25 feet above the water when he lost control (the tube kite turned in the air) and lost grip. He fell into the water and was knocked unconscious for several minutes. Luckily, two nurses were watching and helped (along with several others) to stabilize him while we attempted to contact the ambulance."*

The victim reportedly became unstable as he was up in the air, reportedly at heights at or exceeding 40 feet above the water. He was trying to maintain the stability of the kite tube, but it was moving and twisting and dipping from side to side. He reportedly felt like he was going to fall, and it got very scary for him, so he let go of the handles and fell into the water, which was as much as 40 feet below him.

When the victim hit the water, he fell feet first, but hit his upper chest and head at an angle to the water. He was knocked unconscious from the impact with the water. He was floating in the water because he was wearing a life jacket.

His twin brother, who was operating the boat at the time of the incident, immediately stopped the boat and then he jumped into the water to rescue his brother.

The brother pulled the victim along side the boat. Soon a friend of the family, who was a Registered Nurse for over a dozen years in the medical-surgical area, also came along side the boat and assisted in the rescue effort. They found the victim was breathing, but he remained unconscious. He was gurgling and had blood coming from his mouth. They wanted to get him into the boat in case they needed to perform other emergency medical steps including CPR or artificial resuscitation.

Others gathered around to assist in lifting him into the boat. The first responders, including another registered nurse came over to help, decided they needed to keep him rigid in case he had spinal or other neck or head injuries. It was a very difficult situation because the victim was unconscious, but he continued breathing.

Others in the area including several family members called 911 on cell phones to request help. Several attempted to communicate with the US Coast Guard by radio. All were asking for immediate medical emergency rescue of the victim at the location of the incident, due to the severity of his injuries. However, they encountered many problems including difficulty in identifying their exact location in the river, and dropped or lost cell phone calls and loss of radio contact. The situation was very difficult and no one knew if a rescue could be completed in this location.

After about a total of 5-10 minutes, the victim became alert and was able to respond to his rescuers efforts to help him. They observed that he was awake but he wasn't thinking clearly. His color improved but he got a bit combative. They tried to hold him rigid. As he became more alert, he started pulling himself into the boat, and other assisted him into the boat.

They took him to a nearby dock area about ½ mile away, where they found an ambulance and police waiting for them. The ambulance stopped a few miles away and picked up a paramedic. They transported the victim about 5 miles to the nearest hospital and he was admitted for care in the

intensive care unit. They performed many medical procedures including a cat-scan, chest x-ray and EKG to determine his condition.

On 7/5/2006, a victim's family member reported this incident to CPSC on-line (source document). She reported that he was currently hospitalized in the intensive care unit due to his injuries, which included a broken blood vessel in his brain. This condition affected his short term memory. The victim was released from the hospital on 7/6/2006 and was advised to stay off work. He continued to suffer from some memory loss and had some bruising and cuts and there was concern that he had swallowed some river water during the incident.

On 7/6/2006, I visited the victim and his family and other witnesses to this incident. The nature of the interview process included interviews of the individuals separately and together and the following additional information was collected.

Also during this visit, they placed the deflated incident unit in the driveway, and I photographed it (exhibit 1). The tow rope was not photographed because it was not available. They provided information about where they had purchased the kite tube including the reference number (7247541437) for their purchase through EBay, and explained that it came with the tow rope, training video on DVD, and starting leash. They identified the email address for the seller on EBay and noted that he was selling them, and currently had 12 units available for sale.

I observed information on the incident unit at the manufacturers website (exhibit 2), including the Kite Tube Owner's Manual (exhibit 3) and Towable Owner's Manual (exhibit 4). I also observed a contest that they were announcing at this website called the "The Great Tube Challenge" (exhibit 5) for new designs of kite tubes.

In addition, the victim's family reported that they had heard a nearby large sports and boating retailer called "Scheels.Sports" had discontinued sales of tube kites and that they were advertising that they would refund any they had previously sold "no questions asked." I found this information was advertised on their website (exhibit 6) at

[www.scheelssports.com](http://www.scheelssports.com) and [www.msnbc.com](http://www.msnbc.com).

During this visit, the victim's family members explained that the tow rope that came with the kite tube was adjustable in three lengths including 45, 55 and 65 feet long. They stated that they were using the rope at the longest length of 65 feet during the incident because they wanted it to fly. They explained that the other two times they used it at the shorter lengths, but that it did not go airborne very high and they were dissatisfied with the experience.

The victim and his brother reported that that they felt they had a very strong grip while using the handles on the kite tube and felt comfortable with the grasp they had as the kite tube went airborne. The victim said he bailed out only when the kite tube became unstable and he thought he was losing control of it. They said no one thought the kite tube would go so high. The victim said it took a long time to fall into the water from the height of about 40 feet.

During this visit, the victim's brother, who had purchased the kite tube, reported that it had "shot up so quickly", that it doubled in airborne height so incredibly fast, and that it looked like it was very difficult to control by his brother at that height. He stated that after the incident, they had thought about how high the kite tube must have gone in the incident and determined that it had to be as much as 40 feet in the air. He stated that they had never seen it go that high before.

Also, during this visit, the victim's wife explained she did not realize the risk involved in using the kite tube and that it appeared to her that he had no way to control it while airborne. In addition, she noted it was difficult to see the rider when airborne and for them to see the boat so communication was difficult between them. They also noted that the window on the kite tube was very hard to see through and that it did not work so that the rider was left to look over the side to see the boat below and it was not normal to look down but rather up.

They reported that they did not know what they will do with the incident unit or if they will notify the manufacturer

of this incident. They stated that they were not aware of the CPSC news release (reference CPSC News Release 06-202, dated June 30, 2006) until after this incident. They said that the product needs to be redesigned to make it safer and that it needs some way to better stabilize it when it is airborne. They noted that the kite tube weighs about 50 pounds as dry weight and about 55 pounds when inflated. They noted that the kite tube could cause some serious injuries if it hit someone when it landed.

The victim reported that the head injury this incident caused him, gave him the worst headache he has ever had in his life and that it lasted well over 24 hours. He stated that he felt fortunate that this was the worst that had happened to him. I requested his medical records and will provide them as an addendum to this report (exhibit 11) when they are received.

**ADDITIONAL INFORMATION:**

**FROM VICTIM:**

- How many people were on the kite tube at the time of the incident? ONE
- Did you have previous experience with similar products? NO
- Did you have any experience with this unit? NO
- Did this unit perform differently than the others you tried? NO EXPERIENCE
- Did you believe you could direct / control the direction and height of the kite tube? YES
- What happened when you became airborne? LOST CONTROL
- How high off the surface of the water were you at the time that things began to go wrong? ABOUT 40 FEET
- What was the maximum height achieved during the incident? ABOUT 40 FEET
- Could you see the boat (due to the angle of the tube kite)? NOT VERY WELL
- Did you try to signal the boat to slow down? NO
- Did you do anything to try to lower the tube kite back down towards the water? HAD NO CONTROL
- Describe specifics regarding the actual crash. LET GO AND DROPPED TO WATER
- Did you notice any mechanical issues with tube kite? YES, IT WAS MOVING, TWISTING AND DIPPING FROM SIDE TO SIDE
- What were you wearing (safety gear)? YES, LIFE JACKET

**FROM DRIVER AND WITNESSES:**

- Had you towed inflatable or similar products behind the boat previously? YES
- What experience did you have with this particular product? THIRD USE
- Who attached the tow rope/ tow harness to the tube kite and to the boat? DRIVER

- Was it done based on instructions provided? YES
- How long was the rope (i.e., distance from where it was tied on boat to where it was tied to the kite tube, after tying)? SET AT MAX LENGTH OF 65 FEET
- What was the age and condition of the tow rope? NEW, CAME WITH ORDER
- What was the speed of the boat? ABOUT 25 MPH
- How did you decide what speed you would travel? FROM EXPERIENCE
- How high off the surface of the water was the kite tube at the time that things began to go wrong? ABOUT 40 FEET
- What was the maximum height achieved during the incident? ABOUT 40 FEET
- How did you communicate with the kite tube rider? SIGHT ONLY
- Did you actually see the kite tube dive to the surface? NO, FIRST SAW THE VICTIM FALL
- Why/ why not? KITE TUBE FELL TOO, WHEN STOPPED BOAT
- Did you try to do anything to halt the dive or avoid the crash? SLOWED DOWN
- What did you do after the crash? RESCUE VICTIM
- Was there any damage or apparent equipment failure noted? NO

**FROM PURCHASER OF KITE TUBE:**

- Did you ask the sales staff how to use the product? BOUGHT ON-LINE, SAW INFO ON WEBSITE ONLY
- Did they offer any directions/ cautions? YES, IN VIDEO
- Did any instructional material come with the product? SAW VIDEO BUT DO NOT REMEMBER SEEING ANY WRITTEN MATERIAL
- Did you read it? YES, SAW VIDEO ONLY
- Did you read any safety warnings that may have been on the product itself? YES, HAS MANY, READ THEM ALL.

**PRODUCT IDENTIFICATION:**

**Water Tubing** (Product Code 3200)

Type: Kite Tube, included tow rope, DVD and starting leash

Item # 53-5000

Brand: "WEGO"

Manufacturer: Sports Stuff Inc., 11213 E. Circle # A,  
Omaha, NE, 402-592-9085, [www.sportstuff.com](http://www.sportstuff.com) (exhibit 2)

Retailer: Purchased from EBay (Ref. # 7247541437) in June  
2006, from [trigger@wabash.net](mailto:trigger@wabash.net), reportedly located in  
Dundas, IL (exhibit 7)

Price: \$ 389.00 (plus shipping)

**SAMPLES COLLECTED: None**

ATTACHMENTS:

- Exhibit 1 - 10 Photographs
- Exhibit 2 - Manufacturer's Internet Product Information
- Exhibit 3 - "Sportstuff Wego" Kite Tube Owner's Manual
- Exhibit 4 - "Sportstuff" Towable Owner's Manual
- Exhibit 5 - Manufacturer's "The Great Tube Challenge"
- Exhibit 6 - "Scheel's Sports" Recall and Store Information
- Exhibit 7 - "EBay" Sales Information
- Exhibit 8 - Authorization for Release of Name
- Exhibit 9 - Map of Incident Location
- Exhibit 10- Description of Respondents
- Exhibit 11- Medical Records

060710HBB2669

Exhibit 1, Photo 1: Incident unit.



060710HBB2669

Exhibit 1, Photo 2: Labeling on incident unit.



060710HBB2669

Exhibit 1, Photo 3: Labeling on incident unit.



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Exhibit 1, Photo 4: Label on clear plastic window.



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Exhibit 1, Photo 5: Clear plastic window is located above rider.



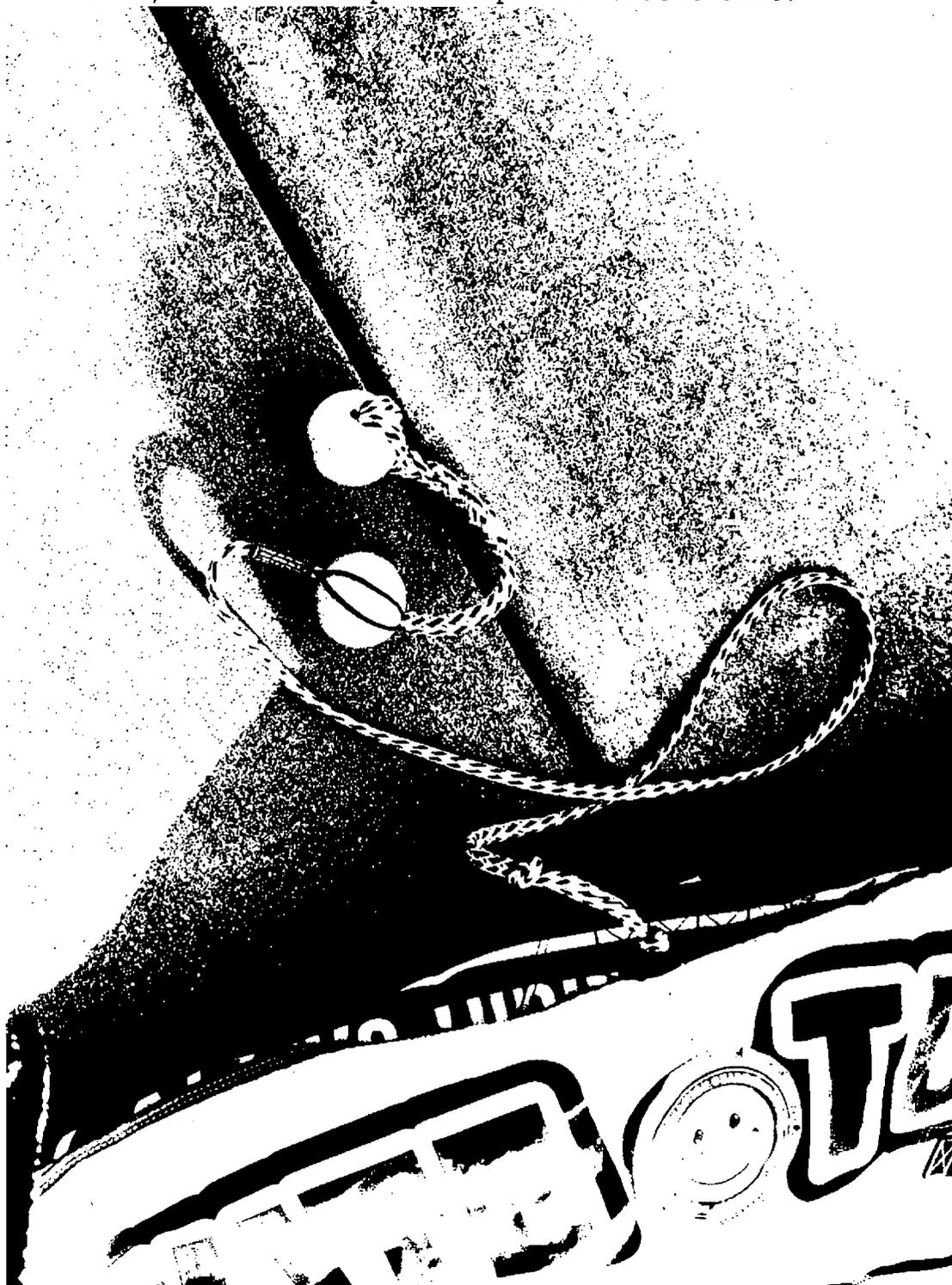
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Exhibit 1, Photo 6: Top of incident unit.



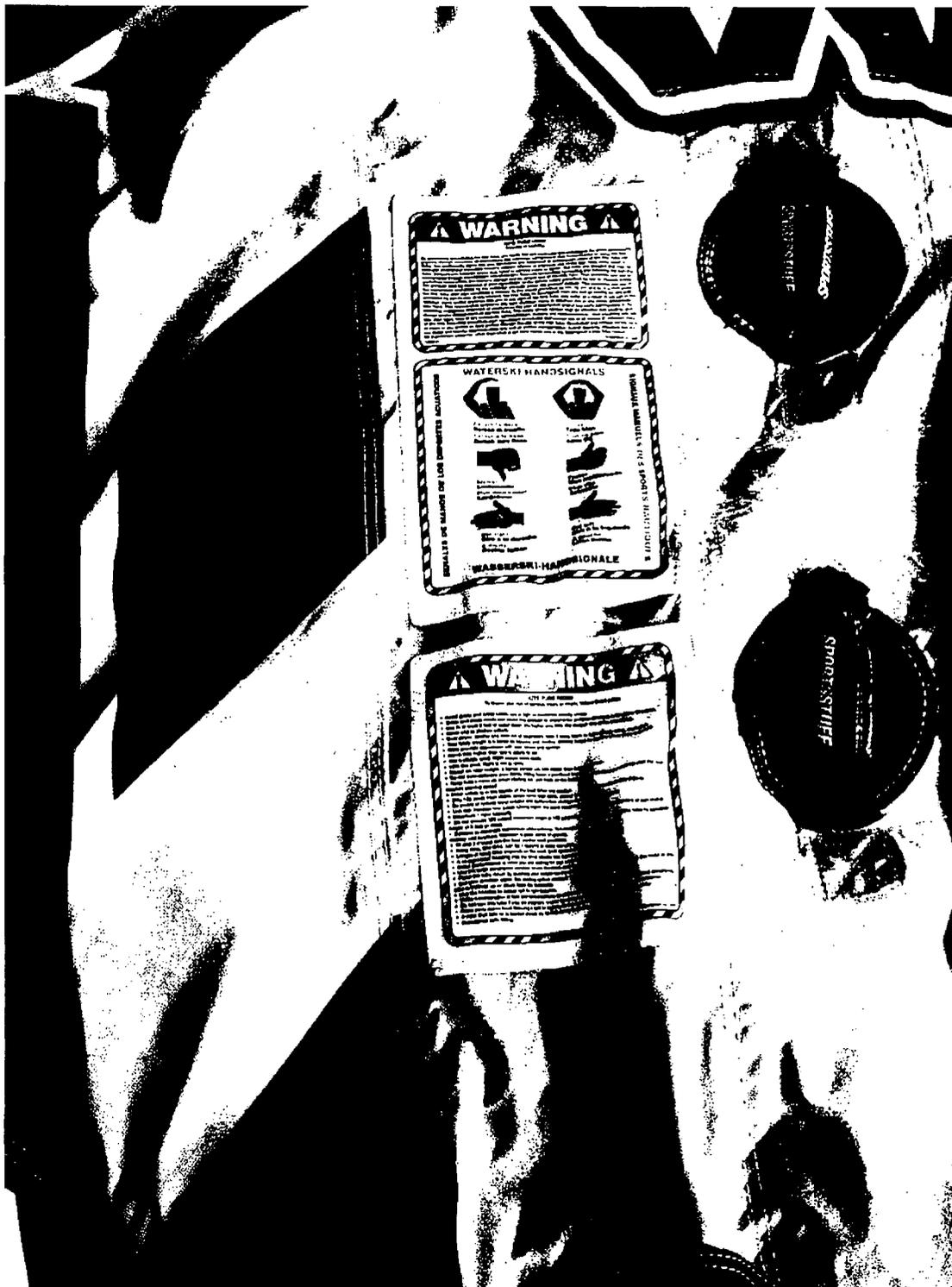
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Exhibit 1, Photo 7: Rope at top of incident unit.



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Exhibit 1, Photo 8: Warning labels on left side of rider on incident unit.



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Exhibit 1, Photo 9: Warning labels on right side of rider on incident unit.



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Exhibit 1, Photo 10: Close up of one of the warning labels on incident unit.



**KITE TUBE RIDER**  
To lessen your risk of serious injury or death, read and follow these instructions.

Use only in light to moderate steady winds. Strong winds can cause this product to experience difficulty and if used in shallow waters, the higher you kite, the greater the risk of injury or death.

If you and rider are all beginners, take it easy. Rider weight is a factor on balance and control, shifting the kite's position with rider, driver and spotter.

Higher than you're willing to fall.

Strong wind, flight occurs more easily.

And, flight is not so easy.

Rider weight. A lighter person will kite easier than a heavier person. Adjust your position to compensate your ability. Kiting takes a position of the kite up when starting out, pull back on the kite to slow speed.

Kite is in the hands of the boat driver and spotter. Stay away from shores, avoid other boat traffic, points of natural wind breaks and barriers that obstruct the narrow low point. Using higher low point of the kite.

1. Rider capacity  
Maximum 200 pound maximum weight or 110 lbs. for children or more.

2. Kite movement while airborne. The kite should be in a good center of gravity position. 12 o'clock are the best control hand position. The kite can be 1 second or more in the air. Kite time depends on the wind, boat speed and kite heading into the wind creates the lift. Reference is what you are looking for. Large panoramic window to see the kite. Kite tube down by pushing your weight on the kite. Position within the steering system. Kite up or down from the bottom. Kite to adjust left to right balance. Construction of feet and kite position. Use this tube if you are prepared. My space head following a kite. Kite tube or to spotter should be used. Use safe kiting.

SIGNAL

MIES

**WARNING**

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conditions.

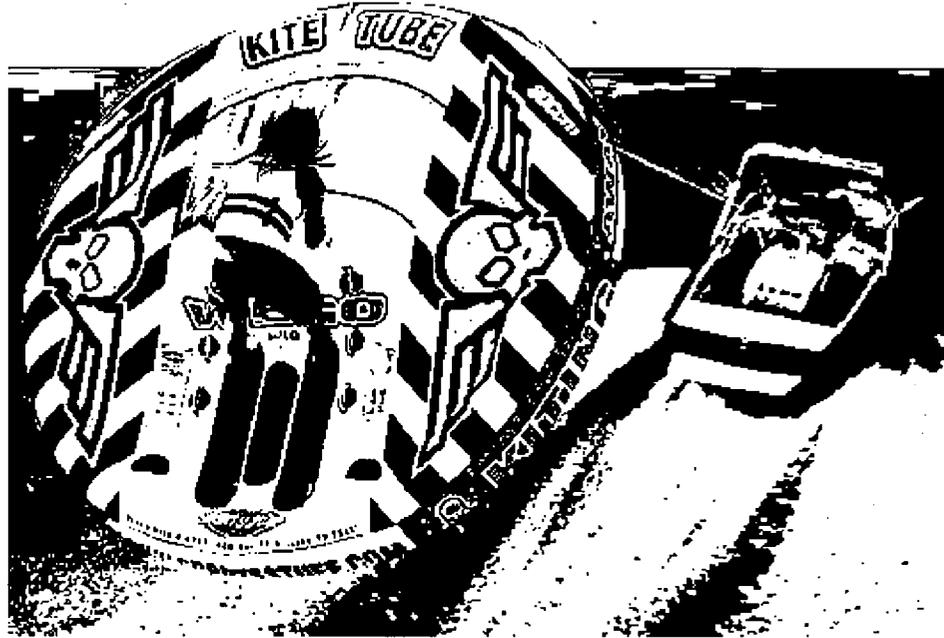
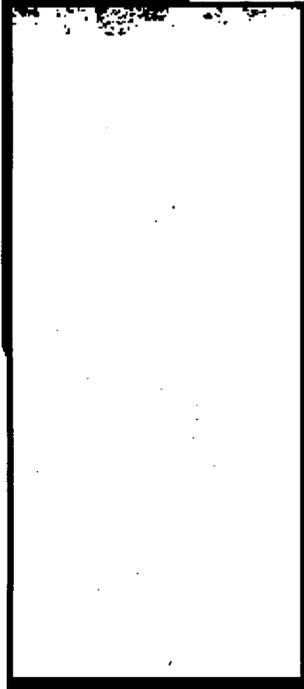
name.

Model, Inc. 1978



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**NEWS:** [Click Here to download an entry form and rules for the Great Tube Challenge](#)



[Click Here For More Wego Kite Tube Info](#)

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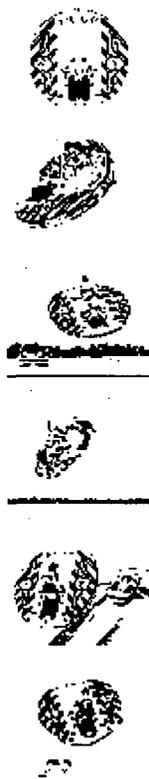
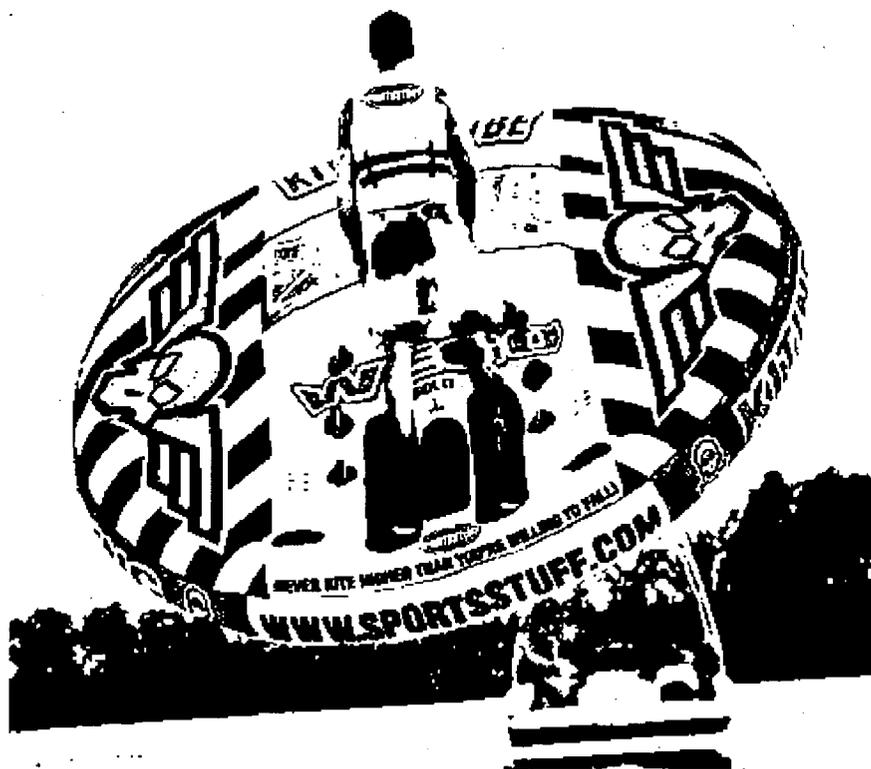


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### Wego Kite Ti

10ft diameter flying tu  
Take flight with the W  
action towable is here,  
excitement! Whip acro  
through the air like a l  
rise above the water, i  
nothing but adrenaline  
has been raised with t  
beneath it...

Model 53-5000 Sug. R

#### Features:

- 120 inch inflat configuration
- 840D full body
- Computerized
- Nylon zipperc adjustment
- Multiple mesh
- Two heavy-dut cockpit
- Reinforced tow connector for c
- Speed safety v
- Parallel slottin; neoprene padc use
- 8 padded, non
- Heavy-duty st
- Reflective Safe outside top tap
- Variable loops
- Panoramic see
- Adjustable len; rope included
- High visibility, watersports sa caution accent
- Instructional C included

Watch the included ins  
[Kite Tube Instructiona](#)



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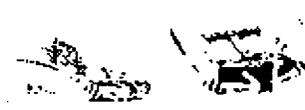
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**KITE TUBE**



**PATRIOTS**



**MABLES**



**WORLD CLASS**



**MY-T**



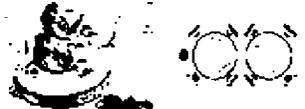
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### 2k Tow Rope

2375-pound break strength! This rope is perfect for towing all Sport molded plastic caddy for easy storage. 60' length.

Model 57-1522 Sug. Retail: **\$24.95**

Features:

- Molded Plastic Caddy
- 2375 Pound Break Strength
- Minimum Stretch Design



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## WEGO KITE TUBE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. **DO NOT RETURN** this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.



### ▲ RELEASE OF LIABILITY ▲

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks of injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty, including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.

#### ▲ KITE TUBE DESCRIPTION ▲

Away Wego! "Kite Tubing", the mystery of flying, becomes a reality. The Kite Tube creates an air pocket on the under carriage bottom that enables lift via ground effect and the aerodynamic shape. Be prepared to reach new heights! Spend the summer gaining experience riding the Kite Tube. The Kite Tube is designed to glide, soar, and fly. You can use it like a regular deck tube in the whips, figure eights, and circles. It "kites" the best in a straight boat pattern into the wind and will rise out of the water slowly or quickly based on the rider weight, wind and boat speed. Expect the unexpected! The basic idea behind the Kite Tube is simple; The Kite rider kneels or stands on the tube that is tethered to the tow boat. As the boat moves forward into the wind, the Kite and the rider rise up from the water's surface to perform a water ballet in the air with the rider balancing on top. Kite Tubing is not as dangerous as some extreme sports, however it can be more dangerous than regular tubing with the added dimension of height. In Kite Tubing, safety has to be taken seriously. EVERYONE is a beginner, regardless of previous experience. Read all instruction and warnings before using the Kite Tube. Start slow and begin by using the 45 foot section of the included tow rope.

#### ▲ KITE TUBE SPECIFICATIONS ▲

- 120 inch inflated diameter(10 foot) with slanted saucer configuration.
- 840D nylon double cover with pu coating( full body cover).
- Reinforced towing system with molded aluminum connector for easy tow rope connection.
- Computerized double-stitched sewing.
- Multiple mesh bar-tacked drain ports.
- Nylon zippered openings for bladder insertion and adjustment.
- Parallel slotting system with footsteps and neoprene padding for comfort.
- Reflective piping on all handles and on the outside top taping.
- Various loops for use of detachable leash(s).
- Panoramic see-through double windows.
- High visibility red and yellow watersports safety colors with checkerboard and caution accent striping.
- Easily seen bold, billboard-style graphics.
- Skull graphics is a reminder to pay attention and not to fool around, take nothing for granted.
- Two heavy duty pvc bladders, one supports the outer ring and the other is the slotting system cockpit for the rider. Both have speed safety valves for easy inflation/deflation.
- Leash with two sponge balls is included.
- Segmented tow rope is included. Adjustable length style in 45, 55, and 65 foot lengths.

#### A KITE TUBE ASSEMBLY AND INFLATION A

Proper inflation is key to the optimum performance of this towable. The tube is designed to fit snugly in the cover, and there should be no wrinkles in the cover when the tube is properly inflated.

**IMPROPER INFLATION**



**PROPER INFLATION**



Photo "A" shows a severely underinflated tube. Note how the adult sinks in when standing on the tube. Under-inflation causes the towable to sit low in the water. Additional stress is applied to the tube, cover, rope and boat/watercraft, by being dragged through the water instead of pulled across it. This stress causes the air in tubes to be displaced and the tube may rupture. The same stress causes nylon covers to tear and ropes to stretch. The boat/watercraft cannot plane off and extra gas is consumed.

Photo "B" shows a properly inflated tube. Note how the cover is taut with few wrinkles, and how the adult barely sinks in when standing on the tube. This tube would ride high on the water, providing you with an exciting ride - less stress on the tube, cover, rope, and boat/watercraft. Proper inflation will insure a longer life-span for your product.

#### Inflation Maintenance:

Finally, it is not enough to simply fill it up and go! It is important to monitor the amount of air in this product as heat will cause the bladder to expand, possibly causing damage to the seams or I-beams. Don't let it sit on the beach, dock, or boat/watercraft full of air! If it is stored out of the sun in a cool place, you may need to add air. Check and adjust inflation levels each time you use your tube. You'll have more fun, and your toys will last longer.

#### The best air pumps to use are:

- 110v electric: 2.5 psi (model #57-1504A) or 3.0 psi (model #57-1508)
- Hand/foot pump specifically for towables: LP1 (model #57-1003)
- 12v pumps (model #57-1510) can also be used but a their maximum output is only .8 psi so a secondary pump such as the Sportsstuff LP1 hand pump (model #57-1003) will need to be used.
- Leaf Blower
- Vacuum with two-way switch

Your WEGO towable is equipped with the Speed Safety Valve pictured below:



Speed Safety Valve - A hybrid valve utilizing the best of both the Oversized Safety Valve and the Speed Valve. Pulls out for fast inflation/deflation, then can be pushed in flush with the tube. For use with standard electric pumps, shop vac, wet vac, leaf blowers, and vacuums with a 2-way switch for fast inflation/deflation.

Secure the valve by firmly inserting the bottom portion of the valve into the base. To inflate, open only the top portion of the valve. Using the hose from your inflator, inflate through the top opening of the valve.

The optimal inflator is a 2.5 psi or higher electric pump. You may also use a 1.1 or 3.0 psi pump. Using the 12v pump (model #57-1510) followed by the LP1 hand pump (model #57-1003) to top off the unit takes about 3.5 minutes. The 1.1 psi 110v pump followed by using the LP1 hand pump (model #57-1003) to top off the unit will inflate the WEGO in a few minutes. The 2.5 electric pump (model #57-1504A) will inflate the WEGO in just over 3 minutes. The 3.0 pump (model #57-1508) will inflate the WEGO in as little as 2 minutes.

Please call Sportsstuff at 1-888-814-8833 to order directly.

1. Open the box and locate Owner's manual information and instructional DVD.
2. Review owner's manual and instructional DVD first and share the information with all other users and or spotters.
3. Locate a flat, wide-open, clean and clear area to open and assemble the product.
4. Unfold the nylon cover so the yellow cover with winged skulls is completely unfolded along with slotting system cockpit.
5. Please notice the bladders have already been assembled in the cover. There are two valves total. One on the slotting portion and another on the outside ring.
6. Locate and open the padded valve cover on the slotting portion (cockpit area). Open the valve and inflate until firm and the cover is wrinkle free and taut. It may be necessary to adjust the cover to fit the inflation holes. Use the zippered openings in the cover to adjust bladder position if necessary.
7. Close valve completely and secure valve cover.
8. Locate the valve on the outer ring and repeat steps 6-7.
9. Please note that the window panels are not supported by an internal bladder, so stay off of this portion of the cover.
10. With assistance, carefully lift the unit into water.
11. Do not drag across harsh surfaces, as this will damage the unit.
12. Once at the water entry point attach tow rope to unit and hook up to the boat. Make sure leash is attached to the nose loop.
13. Enjoy your Kiting experience.

PLEASE NOTE OVER INFLATION WILL CAUSE THE BLADDER TO HAVE A CONCAVE EFFECT ON THE UNDERSIDE, CAUSING THE KITE TUBE TO SUBMARINE.

PLEASE NOTE UNDER INFLATION WILL CAUSE KITE TUBE TO NOT PERFORM AS DESIGNED. WHEN KITING, YOU CAN TELL VISUALLY IF YOU ARE CORRECTLY INFLATED

Proper inflation means you'll have a wonderful flight experience, so follow the above instructions closely.

#### ▲ KITE TUBE CARE AND MAINTENANCE ▲

- You may clean your towable using a soap and water or mild detergent.
- You should inspect your unit frequently for wear and tear. If you need parts replacement please contact Sportsstuff 1-888-814-8833.
- Before each use always check inflation, tow connection and boat connection.
- After using the Kite Tube do not leave out in direct sunlight, but keep in a shaded area.
- When the unit is not in use NEVER leave this unit in direct Sunlight at any time.
- The strong UV rays will quickly destroy and downgrade the nylon cover and age the materials prematurely.
- Monitor and adjust bladder pressure on warm days.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight. (In between uses and at the end of the boating season.)
- To deflate, simply open red valve.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towables may bleed or fade when initially wet. Protect all boat interiors, docks and car interiors from possible staining.

#### ▲ KITE TUBE TETHER TOW ROPE ▲

We have included a new style tether tow rope for use with the Kite Tube. Overall the tow rope is 65 foot length, but can be adjusted to 55 foot length and 45 foot length. Since the Kite Tube is unlike any previous towable tube with the added dimension of sustained height. We believe that the boat driver, rider and spotter are all beginners. We recommend the following to get the hang of Kiting, how the Kite reacts being towed by the boat, how the wind affects the flight while being ridden by different size riders. Experience is the best teacher.

##### Step one: BEGINNER LEVEL

All beginners start with 45 foot tow rope to get some experience. Use at least 12 times for a minimum of 20 minutes per use.

**Step two: INTERMEDIATE LEVEL**

All intermediates can increase rope length to 55 foot to get more experience. Use at least 24 times for a minimum of 20 minutes per use.

**Step three: MASTER LEVEL.**

All masters can increase length to 65 foot to get more experience.

You can spend all summer gaining experience Kiting and really still not have experienced all things, wind speed, rider weight and boat speed create many variables (different kinds of watercraft, lack of wind) etc. Attach the Kite Tube Tether tow rope to the aluminum connector on the tube and to a towable hook on the rear of the boat. We recommend you use a low tow point on the rear transom of the boat or tow hook.

**▲ KITE TUBE HEIGHT INSTRUCTION ▲**

**NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL**

Just think of the fall, in normal tubing you can get thrown off and go up to 15 to 20 foot high, but in kiting you are already at a certain height above the water and can get thrown higher. At a boat speed of 10 and 20 mph the water gets harder the faster and higher you go so control the boat speed and tube height and watch out for gusty and cross winds. Many bodies of water have natural barriers or wind breaks, be aware of these situations. Due to the height factor, you must use the Kite Tube in waters at least 6 feet deep (a guideline could be 1 foot of water depth for every foot of tube height). For best kiting use against the wind in straight-line runs.

**▲ RIDER INSTRUCTIONS AND WARNING ▲**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Into a steady wind, flight occurs more easily.
- With the wind, flight is not so easy.
- Based on rider weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability, Kiting takes a practiced level of skill.
- Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planing speed.
- Rider safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines and

- other immovable objects.
- Be aware of natural wind breaks and barriers that change the wind flow.
- Use rear transom tow point. Using higher tow point means the Kite can Kite higher.
- Maximum 1 rider capacity
- Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
- Balance to minimize movement while airborne. Too much movement can cause the Kite Tube to become wobbly and overturn. Maintain a good center of gravity.
- 10 and 2 o'clock are the best control hand positions.
- Hang time, Kite time, can be 1 second or many minutes.
- Length of hang time depends on the wind, boat speed and rider weight.
- A straight boat heading into the wind creates the optimum Kiting performance.
- Ballet performance is what you are looking for (up and down).
- Use the large panoramic window to see the boat and to view rider height.
- Force the tube down by pushing your weight down with a swift, sitting motion.
- Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.
- Use the handles to adjust left to right balance.
- Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
- Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
- Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.
- A rider that falls or is ejected should try to fall away from the Kite Tube.
- Experience safe Kiting.

#### **▲ BOAT DRIVER INSTRUCTIONS AND WARNING ▲**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite Tube and its performance.
- Adjust boat speed to reduce the height of the Kite Tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.

- Avoid excessive boat speed at all times.
  - Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
  - Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
  - Give-way to all other watercraft, especially sailboats.
  - The Kite Tube can sustain flight with steady head wind and boat speed.
- Head into the wind
- Be aware of cross winds and wind gusts.
  - Use the large, panoramic window to monitor and communicate with the rider.
  - Never gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
  - Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
  - Most boating accidents happen in less than 2 seconds.
  - Reaction time varies from 120 to 255 feet of boat length.
  - Do not be in-attentive. Do not let your mind wander. Focus on what you are doing
  - Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
  - Don't Kite in electrical storms.
  - The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
  - Instruct all riders of rules and warnings, plus how to ride.
  - In riding position, the rider and tube are at a 45° angle to the water's surface.
  - Avoid floating objects and all immovable objects.
  - All riders should be towed at speeds that allow for reasonable control.
  - Avoid submarining the towable when first starting out or on spills.
  - Slow boat down to 5 mph to turn around and pick up the rider.
  - In many cases when the rider falls off, the Kite will continue to be air-borne
  - Don't be a gunner; slamming the throttle forward and forgetting about the towable and your rider. Focus
  - In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite Tube will Kite in, but remember the Kite Tube is designed to Kite into the wind.
  - Do not throw away your owners manual or DVD. You must review periodically and especially when allowing others to use or borrow your Kite Tube.
  - Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
  - Don't overload your boat with a lot of passengers.
  - Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff, till the boat reaches planing speed and lift occurs on the Kite Tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.

- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite Tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph, otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

**▲ SUBMARINE EFFECT WARNING ▲**

LIKE MANY TOWABLES, A RIDER'S BALANCE TOO FAR FORWARD CAN CAUSE TOWABLE TO NOSE UNDER. THIS WE CALL SUBMARINING. WHEN THE BOAT DRIVER STARTS FORWARD, HE OR SHE SHOULD MAKE SURE THE RIDER HOLDS THE LEASH TO HELP KEEP THE NOSE UP DURING TAKEOFF TILL THE BOAT REACHES PLANING SPEED AND LIFT OCCURS ON THE KITE TUBE. IF THE BOAT DRIVER, SPOTTER AND RIDER ARE NOT PAYING ATTENTION THE TOWABLE COULD NOSE IN. THIS CAUSES THE SUBMARINE EFFECT, WHICH RESULTS IN THE TOWABLE ACTING LIKE AN ANCHOR. REDUCE SPEED IMMEDIATELY, OTHERWISE YOU WILL CREATE TOO MUCH DRAG ON THE BOAT AND TUBE CAUSING THE SOMETHING TO BREAK. PAY ATTENTION, WHEN STARTING OUT TO PREVENT THIS EFFECT.

LET'S SAY, EVERYTHING GOES RIGHT AND THE KITE TUBE AND RIDER ARE TRAVELING A SUSTAINED HEIGHT ABOVE THE WATER AND THE RIDER FALLS OFF. THE KITE MIGHT CONTINUE IT'S FLIGHT OR CRASH DOWN INTO THE WATER. WE SUGGEST YOU SLOW THE BOAT DOWN TO 5MPH, OTHERWISE THE TOWABLE MIGHT AGAIN ACT LIKE A SUBMARINE BECAUSE IT IS UPSIDE DOWN OR WIND CONDITIONS HAVE FORCED IT INTO A WEIRD POSITION WHERE IT CANNOT BE TOWED AT ANY SPEED OTHER THAN 5 MPH. BOAT DRIVER SHOULD TURN TO PICK UP RIDER AND START ALL OVER AGAIN.

IT IS THE OBLIGATION OF THE BOAT DRIVER TO OPERATE THE BOAT IN RESPONSIBLE SAFE MANNER AND NOT TRY TO "DUMP THE RIDER". THE KITE TUBE IS DESIGNED TO BE RIDDEN AT SAFE LEVEL WITHOUT HAVING TO HAVE SOME CRAZY BOAT DRIVER TRYING TO CREATE PROBLEMS. EXPERIENCE SAFE KITING.

**▲ SPOTTER OR OBSERVER INSTRUCTION ▲**

- Have watersports safety flag
- Keep driver aware of other boating traffic, obstacles, etc
- Keep driver aware of towable state and rider conditions and how the towable is doing
- Keep tow ropes from getting caught on protrusion from the boat
- We have found that small megaphone helps to communicate with rider prior to takeoff and give last minute instructions

**▲ WIND SPEED AND EFFECT ▲**

We are providing you with the following information to help you evaluate your current conditions before Kite tubing.

Wind speed(mph)	Wind effect
0-1	smoke rises vertically
2-3	direction of the wind shown by smoke drift, but not by wind vanes
4-7	wind felt on face; leaves rustle; ordinary wind vane moved by wind
8-12	leaves and twigs in constant motion; wind extends a light flag
13-18	raises dust, loose paper; small branches are moved
19-24	small trees in leaf begin to sway; crested wavelets form on inland waters
25-33	large branches in motion; whistling heard in power lines; umbrella difficult to use
34-40	gale
41-47	strong gale
48-55	storm
56-63	violent storm
64+	hurricane

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customer-care@sportsstuff.com](mailto:customer-care@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)



## TOWABLE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. DO NOT RETURN this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.

# **WARNING**

To lessen your risk of serious injury or death, follow these rules:

- Not a lifesaving device. Never leave children unattended. Use only under competent supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under six (12) years of age.
- The watercraft driver is responsible for the towable and riders since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced watercraft driver at the helm and always have three or more people present for safe tubing—one to drive the watercraft, one to observe and one or more to ride.
- Observer in the boat/watercraft should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other boats/watercrafts, swimmers, towables, and other obstructions in the water. Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Never exceed 20 mph when towing adults or 15 mph with children.
- Use a tow rope specifically designed for the WEGO
- Never operate the boat/watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness.
- Riders should keep arms and feet out of the water.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average

tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.

- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.
- Always wear a U.S. Coast Guard approved Type III (PFD) ski vest or as recommended by proper government authorities.
- Use this product only on water.
- Know your limits. Stop when you're tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.

The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller, liable for any loss, damage, injury or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear and deterioration from use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

#### REPLACING PRODUCT PARTS:

If a leak or problem is suspected with your tube, locate the valves, deflate the item and remove the inflatable PVC bladder to inspect possible problem areas. Contact Sportsstuff warranty department for prompt parts replacement if a problem is located. For non-warranty parts replacement, follow the same procedure. When a replacement is received, follow the steps below:

1. Unfold the cover and lay the bladder out.
2. Locate the bladder and the inflation valve. Carefully place the PVC bladder inside the cover of the product in the appropriate location.
3. Line up the valve with the valve opening in the cover.
4. Refer to the WEGO manual for further assembly information.

#### MAINTENANCE:

Very little care is required for the bladder or cover.

- You may clean your towable using soap and water or mild detergent.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight.
- To deflate, simply unfasten the entire valve from the base.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towable may bleed or fade when initially wet. Protect all boat interiors and all other surfaces from possible staining.

#### TOW ROPE RECOMMENDATIONS FOR SPORTSSTUFF PRODUCTS:

- The watercraft owner/operator is responsible for informing all the persons riding or using tow ropes of the WSIA Recommendations for tow ropes. Improper use of your tube and rope could result in serious injury or death.
- Following are the WSIA (Water Sport Industry Association) Recommendations for tow ropes (Do not exceed recommended rider capacity for your tube):

Number of Riders	Combined Weight of Riders	Rope Tensile Strength
One	min 100lbs - max 200 lbs	1500 lbs

- A standard tow rope should not exceed 65 feet.
- The tow rope should be assembled in a manner appropriate for the watercraft and tow tube.
- Please check all rope connections for frays, cuts, sharp edges, knots and wear and tear before each use. Discard any ropes that appear to be worn. It is recommended that you replace each tow rope at the beginning of the boating season.
- Tow ropes are subject to stretching during use. Please warn riders and persons in the boat/watercraft of the danger of ropes recoiling.
- DO NOT place arms, legs or head in the handle section as serious injury may result.
- Ensure that the tow rope is free from all body parts prior to towing a rider and while the tube is in use.
- Do not use a tow rope with a bungee material to pull skiers or riders. This type of apparatus could also result in serious injury or death to the tube rider or passengers in the boat/watercraft.
- Ropes will deteriorate with direct sunlight exposure. Please store away from direct sunlight and discard any rope that is frayed, discolored or raveling.
- Do not add hardware to this product that is not supplied by Sportsstuff.
- Avoid the propeller and engine at all times. Should the rope become tangled in the propeller, shut off the engine and remove key from ignition before retrieving rope from propeller.

**▲ WARNING! GENERAL USE AND SAFETY: ▲**

- When using a Sportsstuff product, you are engaging in an exciting recreational activity with inherent risks. Act responsibly and only use your product with the awareness of and willingness to accept the risks involved.
- Read all instructions and warnings provided to you in this owner's manual and those printed on the product. Do not discard this manual.
- As in any recreational activity, reckless use, misuse, inexperience and/or neglect of the proper equipment used may result in serious injury or death.
- Visually inspect the towable and tow rope before each use. Do not use if product or tow rope is damaged in any way.
- This product is NOT for use by children under 12 years of age.
- Never leave children unattended. Use only under competent supervision.
- Sportsstuff products are NOT to be used for rental use.
- Do not consume alcohol or other drugs while using this product. Even small quantities of alcohol and other drugs can impair judgment, balance, and coordination which can greatly affect one's performance.
- Make sure all riders are wearing a U.S. Coast Guard Type III (PFD) approved life vest at all times.
- Be conscious of the weather conditions as weather changes can occur very quickly.
- Check with your state or local government to learn their specific legal requirements concerning towables and towing.
- Use tow ropes that are designed specifically for towables with WSIA (Water Sports Industry Association) break strength guidelines.

**▲ WARNING! BOAT DRIVERS NOTICE: ▲**

- The boat/watercraft driver has the ultimate responsibility for the safety of the riders.
- Carefully survey the water before you begin towing riders.

- Do Not pull a towable without a rider. A towable is designed to have a rider in order to balance the weight distribution of the product
- Be aware of water conditions along with changes in the weather. The condition of the water greatly influences the type of ride the rider will have. Please take into consideration the age and physical ability of your rider.
- It is the boat/watercraft driver's responsibility to instruct the riders how to ride a towable. The boat/watercraft driver should carefully instruct the riders of potential risks and possible injury that may occur if they partake in careless behavior.
- At the beginning of the ride, carefully take the slack out of the tow rope. Never jerk start a towable. After the rider has signaled that he/she is ready, the driver can slowly bring the towable to a planing point.
- Most towables will plane out at 10 to 20 mph, depending on the weight of the rider. It is important to keep the nose of the item up until the item is planing.
- The resistance of the product varies widely with these factors: boat speed, turns, water conditions, number of riders and their weight, towable size, shape and function. The boat/watercraft driver should adjust the boat speed to fit these situations to minimize resistance of the towable.
- Use in wide, open spaces. Stay at least 100 yards from shallow water, shore, rocks, boats, docks and buoys. Most accidents happen on turns and in congested areas.
- The boat/watercraft driver determines the speed and the action of the towable in turns and when crossing the boat/watercraft wake. In the straight-a-ways, the boat/watercraft towing speed is the same as the towable speed. The towable speed will increase when the boat/watercraft makes a 90 to 180 degrees turn without increasing the boat/watercraft speed. If the boat/watercraft speed is 20 mph, the towable speed can be 30-40 mph. The "slingshot effect" sends the user outward from the center of the towable. Be aware of the limitations of the rider.
- Large wakes combined with the wave action and speed can contribute to a rough ride. Use a safe speed that enables the towable to plane out. The boat/watercraft driver should adjust the boat/watercraft speed and turns to fit the water conditions and the age, experience, skill and physical strength of the rider.
- Excessive speed or sharp turns might cause the tube to flip over abruptly, possibly causing serious injury to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- Under normal conditions, the maximum safe speed for adults is 20 mph. Safe speeds for children are less than 15 mph, depending on the age and physical capability of the child.
- Please make sure your boat/watercraft is tow-worthy and has the appropriate horsepower to pull rider(s) and the tow tube. Do not exceed the boat/watercraft passenger capacity.
- Extreme drag forces can develop when pulling this tube. Please use towable in calm water. Heavy waves or choppy conditions can create more drag or even result in a submarine or anchor effect.
- Extreme drag forces may also result if: the rider(s) fall off, the tube noses in or tips over and water fills cockpit/seating area. The boat/watercraft operator should immediately slow or stop to eliminate this factor.
- Death or serious injury can result from the submarine or anchor effect causing more extreme drag forces on the tow rope and/or tow point. The tow rope might have too much stress and either break and snap back at the rider(s) or other occupants of the boat. It is the boat driver's responsibility to make sure this does not occur.

- Do not exceed the weight guidelines of your boat. Do not allow passengers to hang outside the boat or side on the gunwales (sides/edges of the boat) outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales (sides/edges of the boat) of the boat.

**▲ WARNING! BOAT OWNERS WITH HIGH TOWER AND PYLONS ▲**

- Tow/Ski towers are not designed for use with any inflatable tube towing.
- Use only lifting eyes/transoms or tournament-rated ski pylons for towing tubes.
- Consult your boat's manufacturer if you are unsure of its tournament rating.
- Do not tow any inflatable from a ski eye.
- Any tow pylon or ski pylon installed after market is not intended for inflatable tube towing.
- Death or serious injury may result if an unapproved ski/tow pylon is used.

**▲ WARNING! SPOTTERS NOTICE: ▲**

- Always use a spotter (observer) in the boat to communicate the needs of the rider to the driver.
- The spotter must be the eyes of the driver and the rider, always alert to recognize possible danger so proper action can be taken to avoid any risk to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- The spotter should hold up a safety flag cautioning all other boaters that riders are in the water.

**▲ WARNING! RIDERS NOTICE: ▲**

- Do not use this items as a personal flotation device.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not to exceed 65 feet.
- Only use this product with a responsible boat/watercraft operator who knows how to effectively operate the equipment.
- This product should be used in water only. Do not launch from dock or land.
- Do not use near piling, docks, shores or shallow water or other obstructions that could cause serious injury to the rider.
- Carefully instruct the other riders the proper way to attach rope and operate the towable.
- DO NOT strap or attach arms or legs to cover or tube. Never place hands or feet in between the tube or cover.
- This item has no braking or steering mechanism and can develop high speeds under certain towing conditions. Use at your own risk!
- This product is not a life saving device.
- Take necessary breaks when you are tired.
- Never get near the propeller with the engine running, even if it is in neutral.

**GENERAL TROUBLE SHOOTING GUIDE:**

**Symptom:** Product won't hold air.

**Solution:** Check to see that the valve is fastened properly. Re-fasten valve if needed. Check to see if the product was inflated fully from the beginning. If you suspect it wasn't inflated fully, add more air. PVC Repair Adhesive is available from Sportsstuff at [www.sportsstuff.com](http://www.sportsstuff.com) or 888-814-8833 for small hole or seam repairs.

**Symptom:** Valve is leaking

**Solution:** Listen closely to hear if air is leaking. Be sure the valve and cap are screwed in or fastened straight and are tight. Leakage can occur if the valve is not fastened correctly.

**Symptom:** Product inflates but doesn't become firm.

**Solution:** Please check to make sure it was inflated firmly with a high volume air pump. If you are sure you inflated it properly, fully assess it for a leak or re-fasten the valve. If a leak is detected, the bladder may be patched by using Sportsstuff PVC Adhesive which can be purchased directly from Sportsstuff.

**Symptom:** Cover is very loose (Applies only to products with covers).

**Solution:** Please check to make sure that your product is inflated fully and the tube is in place. The cover should fit snugly over the well-inflated tube. If the cover remains loose, add more air. See also the INFLATION section of this manual.

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

### **WATERSPORTS RESPONSIBILITY CODE**

Be aware that there are elements of risk in boating, skiing, and riding that common sense and personal awareness can help reduce. Know your ability level and stay within it.

To increase your enjoyment of the sport follow the "Watersports Responsibility Code".

It is your responsibility to:

- Familiarize yourself with all applicable laws, the risks inherent in the sport, and proper use of the equipment.
- Know the waterways where you will be skiing or riding. Do not ski or ride in shallow water, near shore, docks, pilings swimmers or other watercraft.
- Always have a person other than the boat driver as an observer and agree on hand signals before starting.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Read your owner's manual and inspect your equipment prior to use.
- Ski or ride within your limits. Always ski or ride in control and at speeds appropriate for your ability.
- Always turn Ignition off when anyone is near watercraft power drive unit.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Never "Platform Drag" or touch a swim platform while the engine is running.
- Not operate watercraft, ski or ride under the influence of alcohol or drugs.

Water Sports Industry Association

**Sportsstuff and Boating Life Magazine present the**



**Designer's Name** \_\_\_\_\_ **AGE** \_\_\_\_\_  
**Address** \_\_\_\_\_  
**City** \_\_\_\_\_ **State** \_\_\_\_\_  
**Zip Code** \_\_\_\_\_ **Phone Number ( )** \_\_\_\_\_  
**E-Mail Address** \_\_\_\_\_

**Design Release:**

In consideration of my engagement as a designer for the Boating Life/Sportsstuff Great Tube Challenge, and for other good and valuable consideration herein acknowledged as received, I hereby grant to SportsStuff, Inc., his/her heirs, legal representation and assigns, those for whom SportsStuff, Inc. is acting, and those acting with his/her authority and permission, the irrevocable and unrestricted right and permission to copyright, in whole or in part, or composite, or distorted in character or form, without restrictions as to changes or alterations, in conjunction with my own or a fictitious name, or reproductions thereof in color or otherwise, made through any medium at his/her studios or elsewhere, and in any and all media now or hereafter known for illustration, promotion, art, editorial, advertising, trade, production, or any other purpose whatsoever. I also consent to the use of any printed matter in conjunction there within.

I hereby waive the right that I may have to inspect or approve the finished product or products and the advertising copy or other matter that may be used in connection there within or the use to which it may be applied.

I hereby release, discharge and agree to save harmless SportsStuff, Inc., his/her heirs, legal representation and assigns, and all persons acting under his/her permission or authority or those for whom he/she is acting, from any liability by virtue of any distortion, alteration, or use in any form.

I hereby warrant that I am of full age and have the right to contract in my own name. I have read the above authorization, release, and agreement, prior to its execution, and I am fully familiar with the contents thereof. This release shall be binding upon me and my heirs, legal representation, and assigns.

**DESIGNER'S SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

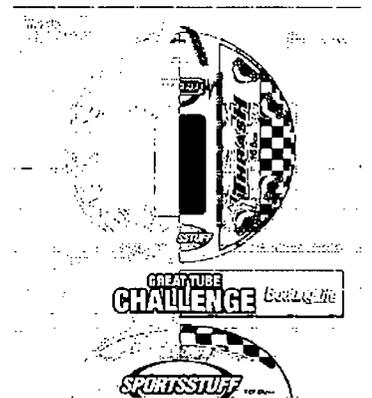
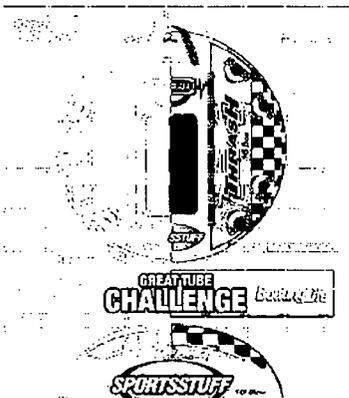
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**GREAT TUBE**  
**CHALLENGE** *BoatingLife*

**NAME:** \_\_\_\_\_

**AGE:** \_\_\_\_\_

**TUBE NAME:** \_\_\_\_\_



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KNBN-TV  
July 6

A popular water sport could be seeing its last days. The Consumer Product Safety Commission is now warning consumers about the possible dangers associated with a new type of water recreation known as tube kiting. Tube kites, which can fly up into the air several feet above the water, are larger than other tubes on the market and more difficult to control.

This year two people died from injuries they received while tube kiting and many others have suffered a long list of injuries including broken necks, ribs, and jaw fractures.

Scheels Sports has decided to pull the product from its shelves nationwide.

#### Ryan LaBarge, Scheels Assistant Manager

"What we did is a voluntary recall, so we decided that anyone who purchased a Wego here, no questions, you can return it here just because we feel it's unsafe."

For more information on the dangers of tube kiting you go to the

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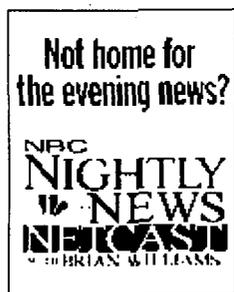
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## New Sportsstuff Wego Kite Towable Tube

Item number

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### Item has ended

Buyers, view the seller's Payment Instructions. You can [send](#) your shipping and payment information to the seller.

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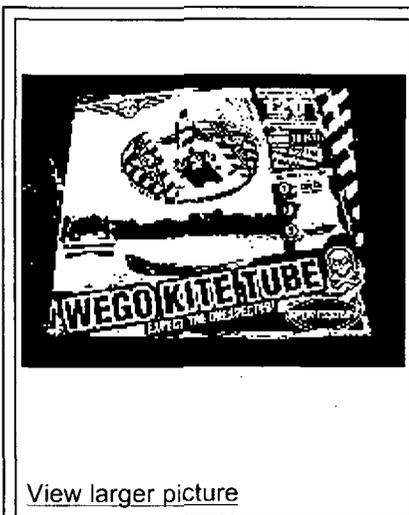
### Similar items from all eBay sellers

Item Name	Price	End Date
<a href="#">NEW WEGO KITE TUBE TOWABLE FLYING FLY SPORTSSTUFF WATER</a>	US \$359.95	Aug-06-06 14:57:28
<a href="#">SPORTSSTUFF WEGO KITE TUBE FLYING WATER TOWABLE &amp; FREE</a>	US \$399.99	Jul-21-06 08:36:08 F
<a href="#">WEGO Towable Kite Tube for Boating by Sportsstuff</a>	US \$50.00	Jul-18-06 07:12:52 F
<a href="#">Wego Kite tube Sportsstuff towable</a>	US \$300.00	Jul-17-06 15:16:18 F

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The seller ended this listing early because the item is no longer available for sale.



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~~Buy It Now~~ price: **US \$389.00**

Ended: **Jun-11-06 10:11:22 PDT**

Shipping costs: [Calculate](#)

Ships to: United States

Item location: Dundas, Illinois, United States

Quantity: 12 available

History: [Purchases](#)

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### Meet the seller

Seller: [speedy-supply](#)  
(private)

Feedback: **99.8% Positive**

Member: since May-10-0; United States

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Visit seller's Store:  
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**Buy safely**

1. Check the seller's reputation  
Score: Private | 99.8% Feedback  
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**Description**

Item Specifics - Item Condition

Condition: **New**

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**SPEEDY Supply** Fast shipping HUGE selection Great prices 

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**Brand New Factory Sealed Sportsstuff Product**  
**Wego Kite Tube**

Wego Kite Tube  
10ft diameter flying tube

Hottest water toy on the planet! Get yours before they are all gone because they are going fast. We have a deck tube or is capable of great flights with the proper setup. Experience tubing like you have never before! The Wego Kite tube. Supplies are limited.  
Model 53-5000 Sug. Retail: \$599.95

**Features:**

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
  - 840D full body nylon double skin cover with PU coating
    - Computerized double stitched sewing
  - Nylon zippered openings for bladder insertion and adjustment
    - Multiple mesh drain ports, bar-tacked
  - Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connect
  - Speed safety valves for fast easy inflation and deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, hand and back
  - 8 padded, non-slip handles with knuckle guard
  - Heavy-duty starting leash with easy grip sponge balls
- Reflective Safety piping on all handles and on the outside top tapping
  - Variable loops for detachable leash use
  - Panoramic see through double windows
- Adjustable length style 45-55-65 foot segmented tow rope included
- High visibility, billboard style, red and yellow water sports safety colors with checkerboard accent striping
  - **Instructional DVD, tow rope, and starting leash included**

Manufactures website [www.sportsstuff.com](http://www.sportsstuff.com) Phone **1-888-814-8833**

## **SHIPPING & HANDLING**

We always do our best to ship asap after payment is received. Orders received before 4:00 pm CST M-F usually ship same day. **DUE TO THIS ITEMS VALUE, WE WILL NOT SHIP TO UNCONFIRMED PAYPAL ADDRESS.**

## **PAYMENT**

Immediate payment through paypal is required to claim this item.



## **EXCHANGES/WARRANTY**

Our tubes are warranted against defects in materials and workmanship for a period of days from original date of purchase. Replacements are generally provided free of charge (including shipping) directly by the manufacturer. Please refer to the product's documentation for warranty details or contact us. If you need assistance in exchanging an item we will be glad to help.

## **RETURNS**

In order to provide the best possible prices to our customers and keep things simple we consider all sales final, no returns.

## **CONTACT**

Please contact us directly through the "ask seller a question" link at the top of this page for additional information. Messages are answered daily 9 AM to 10 PM CST M-F. If you do not receive a response log into your eBay home page and check "my messages".

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US Postal Service Parcel Post®

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**Service Transit Time\***

1 to 6 business days

Estimated delivery 2-9 days

Estimated delivery 2-3 days

**Available to**

United States only

United States only

United States only

\*Sellers are not responsible for service transit time. Transit times are provided by the carrier, exclude weekends and holidays, and may vary with package origin and destination, particularly during peak periods.

Will ship to United States.

**Calculate shipping**

Enter your US ZIP Code

[Learn more](#) calculate works.

**Shipping insurance**

Required

**Sales tax**

Seller charges sales tax for items shipped to: IL\* (6.750%).

\* Tax applies to subtotal + S&H for these states only

**Seller's return policy:**

Return Policy Details:

All sales final no returns.

**Seller's payment instructions**

Immediate payment is required to claim this item.

**Payment methods accepted**

 This seller, speedy-supply, prefers **PayPal**.



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Seller assumes all responsibility for listing this item.

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# NEW WEGO KITE TUBE TOWABLE FLYING FLY SPORTSSTUFF WATER

Item number: 270005667529

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*Buy It Now* price: **US \$359.95**

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Shipping costs: Check item description and payment instructions or contact seller for details

Ships to: **Worldwide**

Item location: **Broad Channel, United States**

Quantity: **14 available**

History: [Purchases](#)

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## Meet the seller

Seller: **bustersm**

(4042) ★

Feedback: **100% Pos**

Member: since Dec United States

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## Description

*Item Specifics - Item Condition*

Condition: **New**

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**Features:**

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- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for easy quick connection
- Speed safety valves for fast easy inflation and deflation

Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee  
8 padded, non-slip handles with knuckle guard  
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Reflective Safety piping on all handles and on the outside top taping  
Variable loops for detachable leash use  
Panoramic see through double windows  
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High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution  
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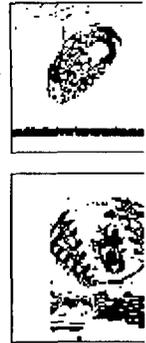
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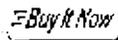
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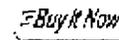
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N  
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DOG

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Will ship to Worldwide.

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U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

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YES

NO

PRIVATE



7/6/06  
(Date)



Andalusia IL  
US

Notes:

Introducing  
**Cloud Nine.**

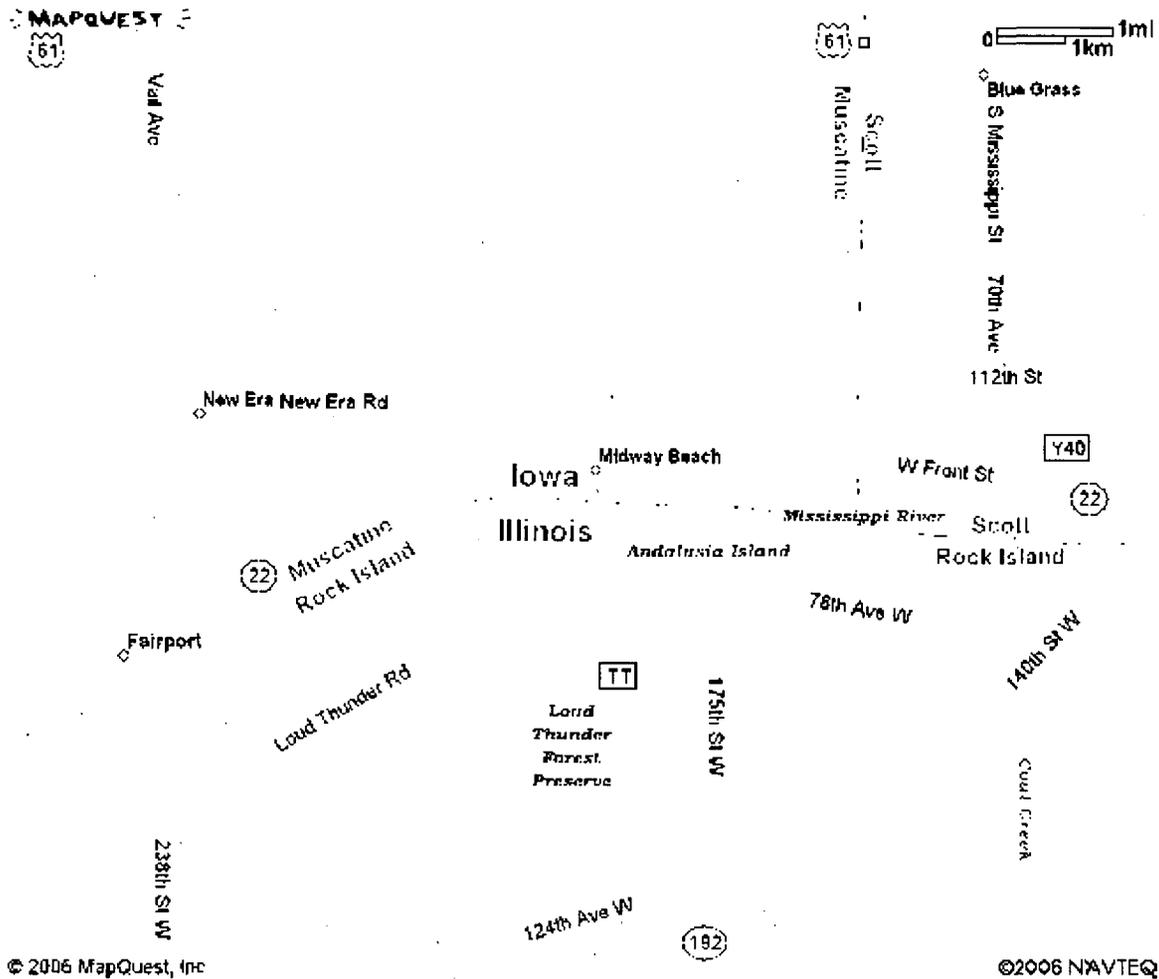
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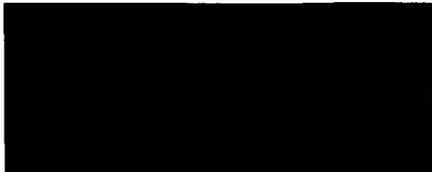
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060710HBB2669  
Exhibit 10

DESCRIPTION OF RESPONDENTS:

1.



Bettendorf, IA 52722

On-site visit on 7/6/2006

2.



Initially contacted on 7/5/2006

On-site visit on 7/6/2006

3.



On-site visit on 7/6/2006

4. Cheri Bustos, Senior Director of Communications  
Trinity Hospital, 2701 17<sup>th</sup> Street, Rock Island, IL  
61201, 309-779-2979, [bustosc@trinityqc.com](mailto:bustosc@trinityqc.com)

Initial contact on 7/5/2006

Task No: 060710HBB2669

Date: 7/6/2006

**STATUS OF MISSING DOCUMENT(S)**

The official records below were requested for this investigation report, but could not be obtained.

1. Medical Records EXHIBIT 11

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_



Regional Office: Western

Supervisor No: 8929

07/04/2006 22:51:21

Name = [REDACTED]  
Address = [REDACTED]  
City = Davenport  
State = Iowa  
Zip = 52806  
Email = [REDACTED]  
Telephone = [REDACTED]  
Name of Victim = [REDACTED]  
Victim's Address = [REDACTED]  
Victim's City = Bettendorf  
Victim's State = Iowa  
Victim's Zip = 52722  
Victim's Telephone = [REDACTED]

Incident Description: My brother in law, Scott Olderog, was using a tube kite at approximately 25 ft above water when he lost control (the tube turned in the air) and lost grip. He fell to the water and was knocked unconscious for several minutes. Luckily, two nurses were watching and helped (along with several others) to stabilize him while we attempted to contact the ambulance. He is currently in the intensive care unit for observation of a broken blood vessel in his brain.

Victim's age at time of incident = 30  
Victim's sex = Male  
Date of incident = 7/4/06  
Product involved = Tube kite  
Product brand name/manufacturer = Wego  
Manufacturer street address = unknown  
Place where manufactured (City and State or Country) = unknown  
Product involved still available = Yes  
Product model and serial number, manufacture date = unknown at this time  
Date product purchased = on ebay, June 2006  
Name Release = Release name to manufacturer only



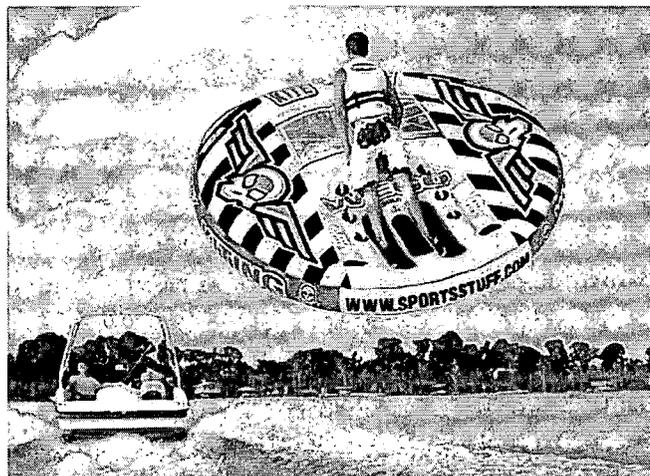
**IDI 060614HCC3602**

**INCIDENT REPORT**

The 45-year-old father of the 20 and 21-year old victims has been boating for over 30 years. Over the last ten years the father has taken his sons water skiing and tubing on the Missouri River which is on the Nebraska/Iowa border. The father and mother own a cabin on the river where they vacation on weekends in the summer. The father described his sons as sports and water enthusiasts but not high risk takers.

In January, 2006, the father began looking in boating catalogues at the new tubing products being offered. He saw a product called the kite tube which was ten feet in diameter. The father stated that until now his sons had ridden on tubes up to five feet in diameter. The picture showed the kite tube in the air about five to ten feet off the water while it was being towed by the boat. The father related that he thought the kite tube looked like fun and went on the Internet to check out the prices.

On April 4, 2006, the father went to an area marine center that sold boats and accessories. At the center he saw the kite tube on display and inquired about the product. The marine center sales staff related that they had sold 50 of them at a recent boat show and had a video of the kite tube showing how it performed being pulled behind a boat. The father viewed the video at the center and related that the kite tube appeared to be very stable in the air while being pulled by the boat. Based on this video, the father ordered one of the kite tubes for his sons to use in the upcoming summer. The kite tube arrived at the end of April, 2006 and the father picked it up on May 1, 2006. The regular cost of the kite tube was listed at \$499 but the marine center sold it to the father at the boat show reduced price of \$400. Following and attached as Exhibit "A" is a picture of this kite tube.



Accompanying the kite tube was a 60 foot tow rope, video on how to use the tube and some product literature. The father stated that he and his sons viewed the video and read the product literature prior to using the kite tube. He added that he did not read the warnings printed on the kite tube as he believed they were the same as those mentioned in

the video and printed in the literature. Attached as Exhibit "B" is a copy of the video, owner's manual and product literature.

On May 21, 2006, the father stated that he took his family to their cabin on the river and decided to use the kite tube for the first time. He recalls that it was a nice day with little or no wind. The father blew up the tube with the 12 volt pump that they had used with their other tubes and then attached one end of the new tow rope to his 1990 17 foot Well Craft Inboard/Outboard open bow sport boat with a 165 hp MerCruiser motor and the other end to the kite tube as instructed in the product literature. He added that the tow rope was 60 feet in length but could be shortened by ten foot increments. On this day, the father adjusted the length of the tow rope to 40 feet.

Both of his sons got into the kite tube separately with life jackets on, stood in the foot pockets and grabbed the handles on the kite tube. Neither son had any prior experience with this size of tube. The closest size they had ridden on was a five foot diameter tube. The father was driving the boat and the mother was riding in the boat. As they took off, the son would pull on a rope attached to the front middle of the tube to lift the front of the kite tube so that water would not get into the tube. After that, the rider would pull on the kite tube handles to lift the front of the tube up so that it could get air to lift off the water. The father related that he tried various speeds up to 40 mph but each time the tube would start to lift off the water, it would buckle in the middle. He added that the tube was also bending as it moved side to side in the water.

A few days after this experience, the father went back to the marine center and reported the trouble they were having getting the kite tube off of the water. The marine staff advised that the kite tube was under inflated and showed the father a tube that was inflated to a solid state. The marine staff recommended using a larger pump and showed the father one with 110V, 3 psi for \$70 which he purchased.

The next weekend, May 28<sup>th</sup>, the father took his wife and 20-year-old son out to the cabin. He blew up the kite tube with the new pump to a solid state. The father attached the tow rope to the boat at a 40 foot length and then later extended the rope length to 60 feet. He added that his son got into the kite tube, stood in the foot pockets and grabbed the handles on the tube. The father was driving the boat and the mother was video taping her son on the tube. The father stated that as the driver, he was constantly adjusting the speed of the boat to get the kite tube in the air. As his son pulled on the handles which lifted the front of the tube in the air, the tube would catch some air and lift off the water. When it was about five to ten feet off the water, the father would try to maintain the speed of the boat and as the tube started to descend to the water, the father would increase the speed. He added that he was always adjusting the speed and it was a constant learning experience. The father related that while the tube was in the air, he was unable to see his son on the tube. He added that the tube has a plastic window that in theory allows the driver to see the rider and vice versa. However, the plastic window is cloudy and the angle of the tube in the air does not allow either party to see each other.

The father noted that the breeze dramatically affected the height of the kite tube off of the water. A small gust of wind would easily lift the tube higher in the air as well as send it diving to the water. The father also noted that the cold water would cause the tube to deflate and they would have to go back to shore sporadically to add air to the tube. On this weekend, the mother video taped several of her 20-year-old son's rides on the tube which show the kite tube in the air as well as crashing down into the water and throwing her son off. No injuries occurred this weekend. Attached as Exhibit "C" is a copy of this video. The first four chapters of the tape are footage from May 28<sup>th</sup>.

On June 3, 2006, the father again went out to their cabin with his wife and sons. He inflated the kite tube to maximum and attached the tow rope at the 60 foot length. On this day there was a slight breeze and the first to ride on the tube was his 20-year-old son. His 21-year-old son rode on a skee-doo along side the boat. Also present in the boat was the mother who was video taping. The father stated that during this ride, they were able to get the kite tube off of the water on several occasions without incident. The ride lasted about 10-15 minutes as it was hard for the rider to hold onto the handles of the kite tube much longer and the tube needed to be somewhat re-inflated from the cold water. Attached as Exhibit "C" is a copy of this video. Chapters 5-7 are of the 20-year-old son earlier in the day and not of the injury incident.

After this first ride and at about 1:00 PM, the 21-year-old son got on the kite tube with a life jacket and the 20-year-old rode the skee-doo along side. The father related that during this ride they hit speeds of up to 30 mph and were able to get the kite tube off of the water on several occasions without incident. After about five minutes of riding, the kite tube was up in the air when it tipped to the side and came down hard into the water knocking off his son. Attached as Exhibit "C" in chapter 8 of the home video is footage of this injury incident.

From the 21-year-old who is 5'9" and 170# perspective, he stated that he got on the kite tube in the middle of the river and put his feet in the middle pockets and his hands on the middle handles. As they started off, the son pulled on the middle rope to lift the front of the tube out of the water so that water would not get on top of the tube.

As they got going, the son held onto the tube handles and pulled back on them to lift the front of the tube so that it could get air to lift off the water. The son related that for about five minutes, they were able to get the kite tube to lift off the water and then go back down and touch the water. He added that at times he would reach 30 feet in the air before the tube would come back down. On the final lift off, the tube made a 'swoop' in the air at 25 feet and then came down hard on its side to the water. When the tube hit the water the son was knocked off. The son stated that he was a running back in high school football and never received a hit as hard as the one when he hit the water. He added that the wind was knocked out of him and he was coughing up blood. At this point, the 21-year-old son decided he was finished for the day, rode the skee-doo back to the cabin and

drove back home. The son related he continued to cough up blood for several hours before it stopped that evening. He added that his whole body hurt from the impact.

The 21-year-old son reported that there is a window on the kite tube which is there to allow the rider and driver of the boat to see and signal each other; however, you cannot see through the window as it is cloudy. He added that when you are up in the air on the kite tube, there is nothing you can do to change the direction of the tube or make it come back down. The son related that he thought he would have more control as he had on the five foot tube. He added that when the kite tube is in the air, everything happens within a matter of seconds and you are merely along for the ride and have no control.

Later in the day, the 20-year-old son decided to go for another ride on the kite tube. The father drove the boat as he had in prior rides, speeding up to get the kite tube off the water and slowing down a little when it went too high. The son's girl friend was in the boat as well as the mother. The father related that during this ride they hit speeds of up to 30 mph and were able to get the kite tube off of the water on several occasions without incident. After a few minutes of riding, the kite tube was up in the air about five feet and then suddenly went up to 25 feet. It swooped, tipped upside down and came down hard into the water knocking off his son. There is no video tape of this incident.

After the tube hit the water, the father saw his son floating face down and unconscious in the water. He immediately drove the boat over close to his son, jumped into the water and picked up his son. As they were lifting him into the boat, his son started to come around. At this point, they towed the kite tube back to shore and discontinued use. The father reported that there was no evident damage to the kite tube from the incidents.

From the 20-year-old who is 5'11" and 160# perspective, this was his third ride of the day and he was having fun on the kite tube. He put his feet in the middle pockets and his hands on the middle handles. As they started off, the son pulled on the middle rope to lift the front of the tube out of the water so that water would not get on top of the tube. As they got going, the son held onto the tube handles and pulled back on them to lift the front of the tube so that it could get air to lift off the water. The son related that for a few minutes, they were able to get the kite tube to lift off the water and then go back down and touch the water. He added that on one lift off he was about five feet in the air when suddenly the tube went up several more feet, made a circle in the air and then came down hard to the water upside down. The son hit his back and head on the water and was knocked unconscious. The son recalls getting into the boat and not too much more about the incident.

The 20-year-old reiterated what his brother had said about the kite tube having a window to allow the rider and driver of the boat to see and signal each other; however, you cannot see through the window as it is cloudy. He added that when you are up in the air on the kite tube, there is nothing you can do to change the direction of the tube or make it come back down. The 20-year-old also related that he thought he would have more control as

he had on the five foot tube. He added that when the kite tube is in the air, everything happens within a matter of seconds and you are merely along for the ride and have no control.

The father stated that they stayed at the cabin into the evening. He added that they checked on their 20-year-old son often as they noticed that he was staring a lot. When they asked him how he was doing, he continued to repeat himself with the same answer that his ear was plugged. After talking with the victim's girlfriend who was a nursing student and contacting friends, the father and mother decided to take their son to the emergency room of a nearby hospital to be checked out.

### Injuries

On June 3<sup>rd</sup> at 11:00 PM, the son arrived at the emergency room. The staff asked him questions about his age, what day it was, where he lived and the 20-year-old did not give the right answers to the questions. The victim then had a CAT scan which came back showing no bleeding or swelling. The hospital diagnosed a second degree concussion, prescribed ibuprofen and recommended the victim see his regular doctor on June 5<sup>th</sup>. They further noted that the victim's memory should start coming back in the next few days.

On June 4<sup>th</sup>, the mother talked with her 21-year-old son who said that he had found a bump on his side and still hurt all over. The mother mentioned that they were taking his brother to the doctor the next day and the 21-year-old decided to come along.

On June 5<sup>th</sup>, they went to their family doctor and the memory of the 20-year-old son was checked and appeared to be getting better but he still did not remember the details of the incident. The 21-year-old had a chest x-ray that showed some cartilage between his ribs was out of place and swollen. The doctor stated that nothing was broken and the swelling should go down in the next few days.

During the evening of June 5<sup>th</sup>, the 20-year-old noticed blood in his urine. The mother called the doctor and he said to bring the son in the next day. On June 6<sup>th</sup> the 20-year-old son went to the doctor and after running some tests, diagnosed that he had kidney stones. The doctor referred the son to an urologist for examination.

On June 7<sup>th</sup>, the son went to the urologist, an x-ray was taken and he went home. That evening, the 20-year-old son started to complain side and back pain. The father and mother took him to the emergency room for evaluation. When they got to the emergency room, the pain was starting to subside. The doctor speculated that the kidney stone was starting to move which was causing the pain. He gave the son some pain medication and sent him home. The doctor related that the kidney stone was probably present prior to the kite tube incident but was jarred loose from the impact when the son hit the water.

Since that time, the 20-year-old continues to have side and back pain off and on. The family consulted with their physician and decided to have a dye test performed on their son to locate the kidney stone. This test is scheduled for June 23<sup>rd</sup>. Attached as Exhibit "D" are copies of both sons' medical records noting the injuries, diagnosis and treatment.

On June 5, 2006, the father called the marine center where he purchased the kite tube and reported the incidents. He added that they were not doing anything impractical with the kite tube, only trying like everyone else to get it to fly. The father reported that the kite tube was too unpredictable and unstable in how it performed. He added that the kite tube reacts to changes in tube inflation, speed of the boat and wind which is the most uncontrollable factor. The marine center told the father to bring the kite tube back and that they have had other returns too. The marine center offered a partial refund which was 80% less of purchase price or \$320. The father took part of the refund in merchandise and part in cash.

These injury incidents were brought to the attention of the U.S. Consumer Product Safety Commission through a television news article. In this article the girl friend of the 20-year-old son reports the kite tube injury incident. This investigator received this assignment on June 15, 2006 and contacted a number of law enforcement authorities before locating the girl friend of the 20-year-old male victim. On June 20<sup>th</sup>, this investigator conducted an on-site interview with the girl friend and 20-year-old victim and on June 21<sup>st</sup> this investigator conducted an on-site interview with the 21-year-old victim and his parents. During the interview with the parents, the father reported that he believes the kite tube is not safe as it is too unpredictable and unstable in how it performs. He added that the kite tube reacts to changes in tube inflation, speed of the boat, rider experience (including age, weight & height) and wind, which is the most uncontrollable factor.

On June 20<sup>th</sup> and June 21<sup>st</sup>, this investigator went to the marine center where the kite tube had been purchased to obtain product information on the kite tube. The sales staff stated that they began selling the kite tube the second week of January, 2006 and estimated that to date they have sold about 38 of the kite tubes. The staff related that they have only had one return and have not received any other complaints. In regards to the one return which was from the consumer in this report, the staff had seen the video clip showed on the television news. They related that the kite tube was under inflated and that it appeared the consumer was going too fast (40-50 mph) and should not have gone faster than 25 mph which caused the incident. The sales staff allowed this investigator to take photographs of a kite tube on display that was inflated and hanging from the ceiling. The sales staff also provided copies of the instructional video, product literature, catalog advertising and the 2006 catalog of products sold by the manufacturer of the kite tube. However, the kite tube was not featured in this catalog. Copies of this product information are included in Exhibit "B".

**PRODUCT IDENTIFICATION**

The product involved is a Wego Kite Tube, Model 53-5000 that is 10 feet in diameter x 18" H when inflated and yellow, orange and black in color. The kite tube is pulled behind a motor boat and the rider holds onto handles on the top side of the tube and puts his feet into foot pockets. As the rider pulls on the handles, the front of the tube is lifted in the air. The air goes underneath the tube causing it to lift off the water. The tube may raise straight up or act like a kite swiveling, swooping and turning in the air. The kite tube has been known to reach heights of up to 30 feet in the air before coming back down to the water. It has a UPC 0 29808 00518 5 and is manufactured in China for:

**SPORTSSTUFF, INC.**  
**11213 E CIRCLE STREET, #A**  
**OMAHA, NE 68137**  
**(402) 592-9085**  
**(888) 814-8833**  
**www.sportsstuff.com**

The father first saw the kite tube advertised in a catalogue called Overton's. In this catalogue the kite tube was described as follows:

**Wego Kite Tube**

**Whip across the water like a deck tube or fly through the air like a bird! Experience the thrill of this ride as you rise above the water to incredible heights, leaving nothing but adrenaline in your wake. Designed with 840-denier nylon double skin cover with PU-coating, double stitching, two heavy-duty PVC bladders, speed safety valves, reinforced towing system, 9 padded handles with knuckle guards, neoprene padding for comfortable knees and legs, and double panel panoramic see thru window. 120" diameter. Not recommended for anyone under 12 yrs. of age, less than 100 lbs., or under 5'tall. Max. weight 200 lbs.**

**12063 Wego Kite Tube**

**Overton's**  
**499.99**

The kite tube is advertised on the Internet and described as follows:

**Wego Kite Tube**

**10ft diameter flying tube.**

**Take flight with the WEGO KITE TUBE! The next generation of action towable to here, taking you to a whole new level of excitement! Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water, reaching incredible heights, leaving nothing but adrenaline in your wake! The level of extreme sport has been raised with the WEGO KIT TUBE. Anything else is beneath it.....**

**Model 53-5000 Sug. Retail: \$599.95**

The kite tube has the following features:

- 120 inch inflated diameter (10 feet) with slanted saucer configuration.
- 840D full body nylon double skin cover with PU coating.
- Computerized double stitched sewing.
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked.
- Two heavy-duty PVC bladders-outer ring and slotting cockpit.
- Reinforced towing system with molded aluminum connector for easy quick connection.
- Speed safety valves for fast easy inflation and deflation.
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use.
- 8 padded, non-slip handles with knuckle guard.
- Heavy-duty starting leash with easy grip sponge balls.
- Reflective Safety Piping on all handles and on the outside top taping.
- Variable loops for detachable leash use.
- Panoramic see through double windows.
- Adjustable length style 45-55-65 foot segmented tow rope included.
- High visibility, billboard style, red and yellow watersports safety colors with checkerboard and caution accent striping
- Instructional DVD, tow rope and starting leash included.
- 90 day warranty

### Warnings

The kite tube has warnings noted in its instructional DVD, product literature and printed directly on the kite tube top surface. The warnings on the kite tube are reiterated as follows:

#### **WARNING**

**To lessen your risk of serious injury or death, follow these rules:**

- **Not a Lifesaving Device.**
- **Never Leave Children Unattended.**
- **Use Only Under Competent Supervision.**
- **Read the owner's manual carefully before using your Sportsstuff towable.**
- **Not for use by children under twelve (12) years of age.**
- **The watercraft driver is responsible for the towable and rider(s) since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.**
- **Always have an experienced operator (driver) at the helm of the watercraft.**
- **Always have three or more people present for safe tubing: one to drive, one to observe, and one or more to ride.**

- Observer in the boat should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other watercraft, boats, swimmers, towables, and other obstructions in the water.
- Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water, and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Do not use at speeds that exceed the skills of the rider. Never exceed 20 mph when towing adults or 15 mph when towing children.
- Use a tow rope specifically designed for towables.
- Never operate the watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness. Ensure that the tow rope is clear of all body parts prior to or during use.
- Riders should keep arms and feet out of the water.
- Always wear a U.S. Coast Guard (USCG) approved type III (PFD) ski vest or as recommended by proper government authorities.
- Do not exceed the manufacturer's recommended number of riders for this tube.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.
- Use a tow rope of at least 1500 lbs. average tensile strength for pulling a single person, 2375 lbs. average tensile strength for pulling two people, 3350 lbs. average tensile strength for pulling three people, and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.
- The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller liable for any loss, damage, injury, or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear, and deterioration from the use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

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ITEM NO.: 53-5000

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#### **KITE TUBE BOAT DRIVER**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.

- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite tube and its performance.
- Adjust boat speed to reduce the height of the Kite tube.
- The Kite Tube is unlike any other towable tube. It can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight, and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.
- Avoid excessive boat speed at all times.
- Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
- Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
- Give-way to all other watercraft, especially sailboats.
- The Kite tube can sustain flight with steady head wind and boat speed. Head into the wind.
- Be aware of cross winds and wind gusts.
- Use the large, panoramic window to monitor and communicate with the rider.
- Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
- Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out. As the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
- Most boating accidents happen in less than 2 seconds.
- Reaction time varies from 120 to 255 feet of boat length.
- Do not be in-attentive. Do not let your mind wander. Focus on what you are doing.
- Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
- Don't Kite in electrical storms.
- The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
- Instruct all riders of rules and warnings, plus how to ride.
- In riding position, the rider and tube are at a 45° angle to the water's surface.
- Avoid floating objects and all immovable objects.
- All riders should be towed at speeds that allow for reasonable control.
- Avoid submarining the towable when first starting out or on spills.
- Slow boat down to 5 mph to turn around and pick up the rider.

- In many cases when the rider falls off, the Kite will continue to be airborne.
- Don't be a gunner, slamming the throttle forward and forgetting about the towable and your rider. Focus.
- In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite tube will Kite in, but remember the Kite tube is designed to Kite into the wind.
- Do not throw away your owner's manual. You must review periodically and especially when allowing others to use or borrow your Kite tube.
- Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
- Don't overload your boat with a lot of passengers.
- Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff until the boat reaches planing speed and lift occurs on the Kite tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately otherwise you will create too much drag on the boat and tube, causing something to break.
- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5 mph, otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

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#### **WARNING**

#### **KITE TUBE RIDER**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.

- **Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).**
- **Have pre-ride discussion with rider, driver and spotter.**
- **Never Kite higher than you're willing to fall.**
- **Into a steady wind, flight occurs more easily.**
- **With the wind, flight is not so easy.**
- **Based on rider weight, a lighter person will Kite easier than heavier person.**
- **Do not over-estimate your ability. Kiting takes a practiced level of skill.**
- **Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planning speed.**
- **Rider safety is in the hands of the boat driver and spotter.**
- **Stay 100 yards from shore, avoid other boat traffic, power lines, and other immoveable objects.**
- **Be aware of natural wind breaks and barriers that change the wind flow.**
- **Use rear transom tow point. Using higher tow point means the Kite can Kite higher.**
- **Maximum 1 rider capacity.**
- **Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.**
- **Balance to minimize movement while airborne. Too much movement can cause the Kite tube to become wobbly and over turn. Maintain a good center of gravity.**
- **10 and 2 o'clock are the best control hand positions.**
- **Hang time, Kite time, can be 1 second to many minutes.**
- **Length of hang time depends on the wind, boat speed and rider weight.**
- **A straight boat heading into the wind creates the optimum Kiting performance.**
- **Ballet performance is what you are looking for (up and down).**
- **Use the large panoramic window to see the boat and to view rider height.**
- **Force the tube down by pushing your weight down with a swift motion.**
- **Use your position within the slotting system cockpit to adjust pitch or the angle by which the nose of the tube is inclined up or down from the horizontal.**
- **Use the handles to adjust left to right balance.**
- **Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.**
- **Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.**
- **Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.**
- **A rider that falls or is ejected should try to fall away from the Kite tube.**
- **Experience safe Kiting.**

**WARNING****KITE TUBE USE****Release of Liability:**

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks or injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty, including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.

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**ATTACHMENTS**

Exhibit "A" – Pictures and photographs of kite tube, product information and warnings on the tube as well as the boat used to pull the kite tube.

Exhibit "B" – Copies of the instructional video, product literature, catalog advertising of the kite tube and the 2006 catalog of products sold by the manufacturer of the kite tube. (The video, all of this product literature and advertising will be sent directly to the Compliance Officer.)

Exhibit "C" – Copy of the home video taken by the mother on May 27, 2006 and June 3<sup>rd</sup> of her 21-year-old son's injury incident. (Video will be sent directly to Compliance Officer.

Exhibit "D" – Copies of the medical records of the 20-year-old son and 21-year-old son.

Exhibit "E" - Authorization to Release Name forms.

Father – No

Mother – Yes

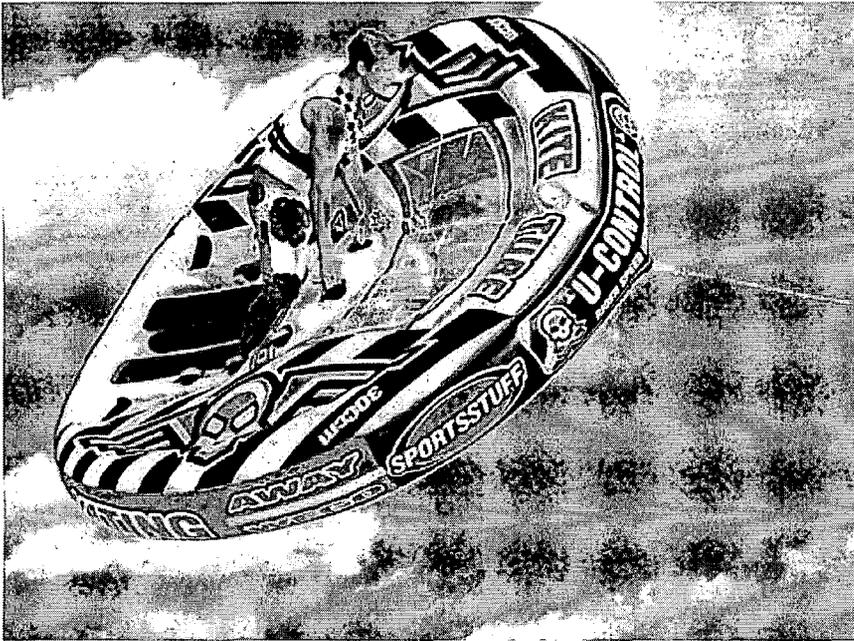
20-year-old son – Yes

21-year-old son - Yes

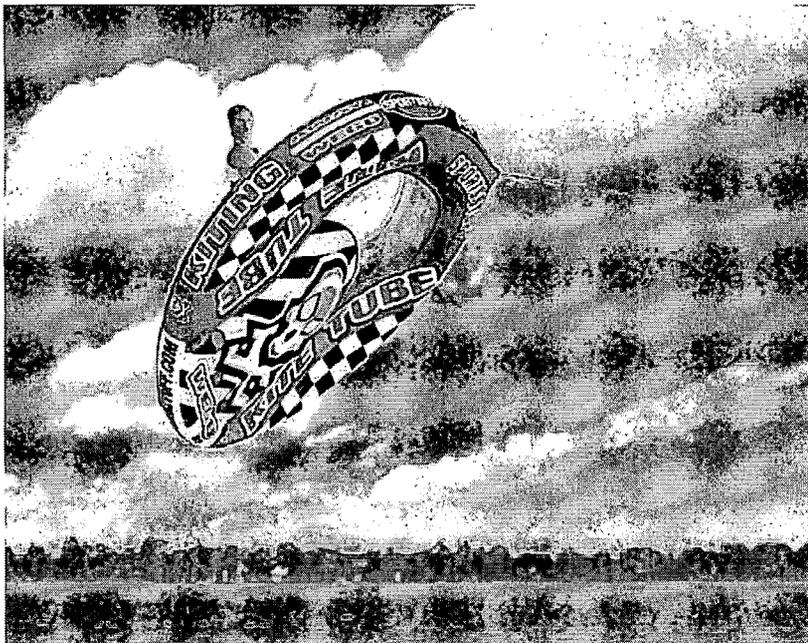
Exhibit "F" – Contact List



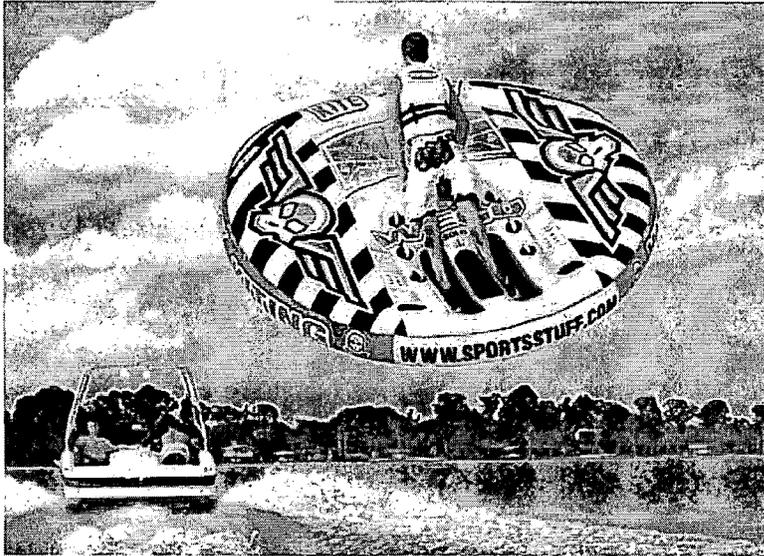
IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



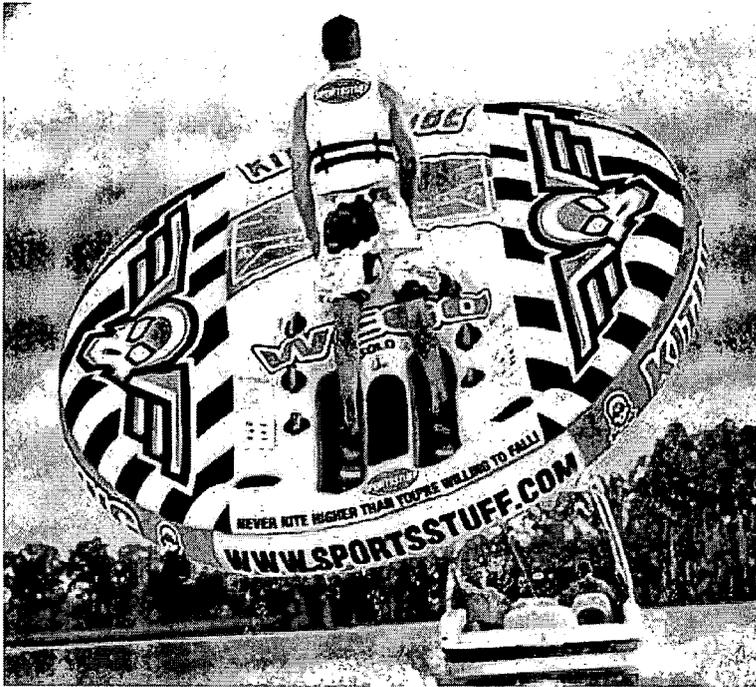
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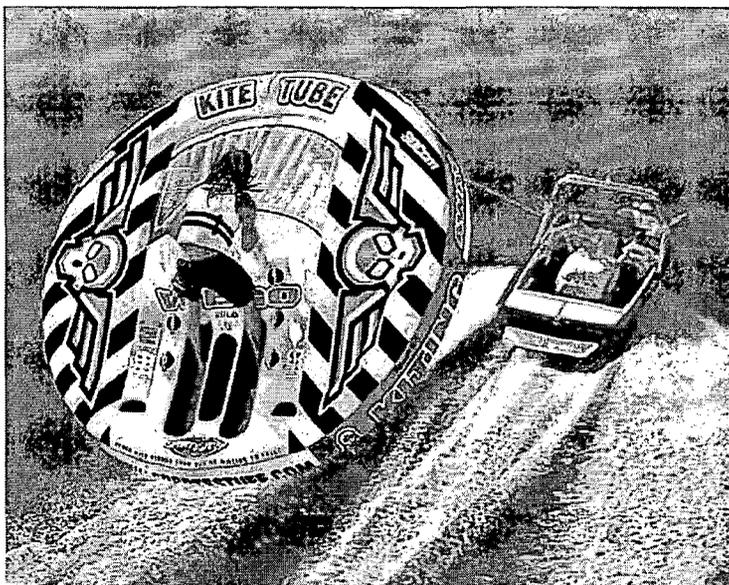
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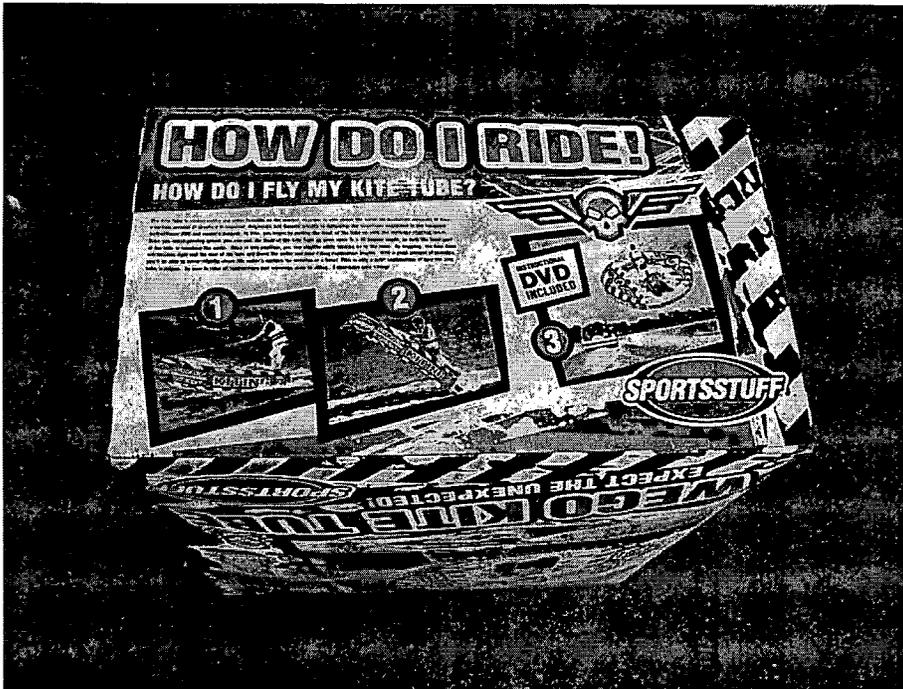
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IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Picture off Sportsstuff, Inc. Internet site.



IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Packaging and product information.



IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Packaging and product information.



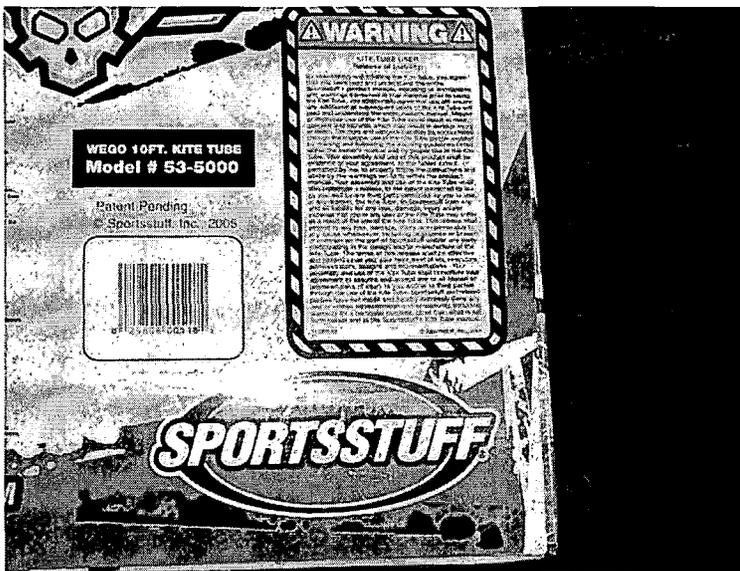
IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Packaging and product information.



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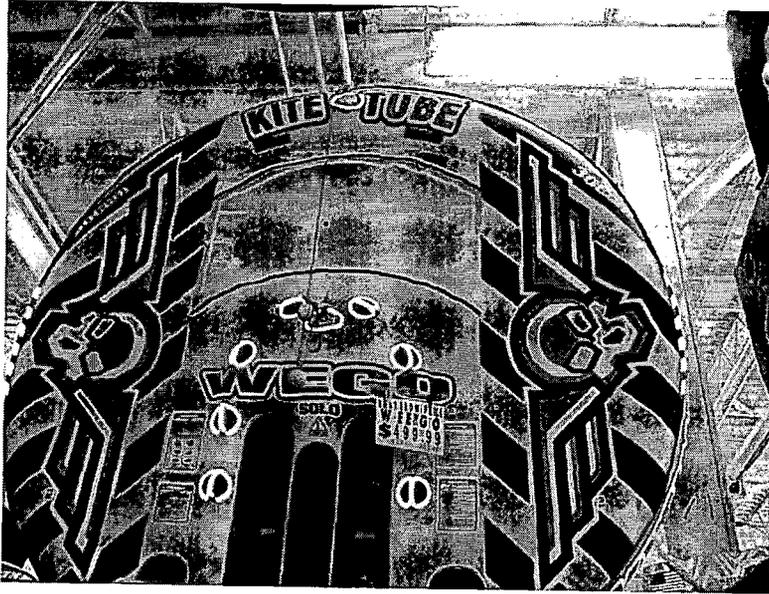
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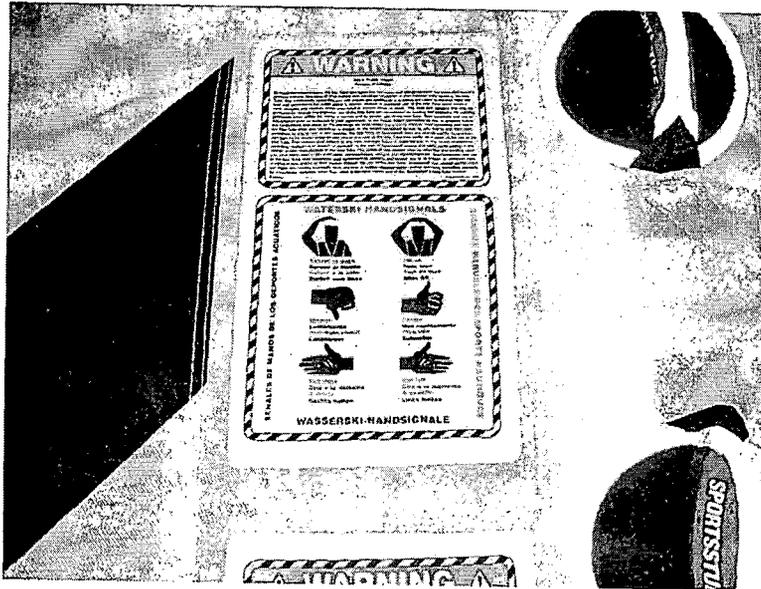
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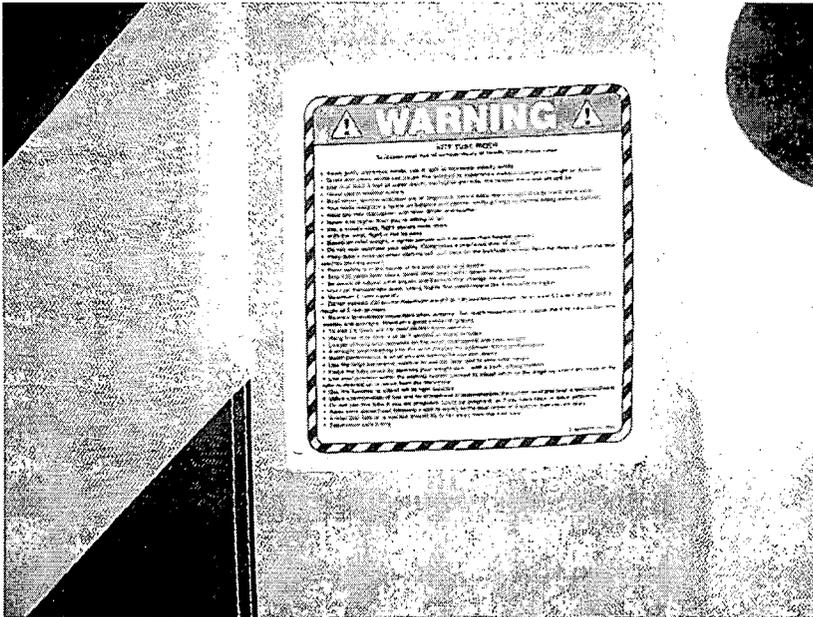
IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – On display at retail store.



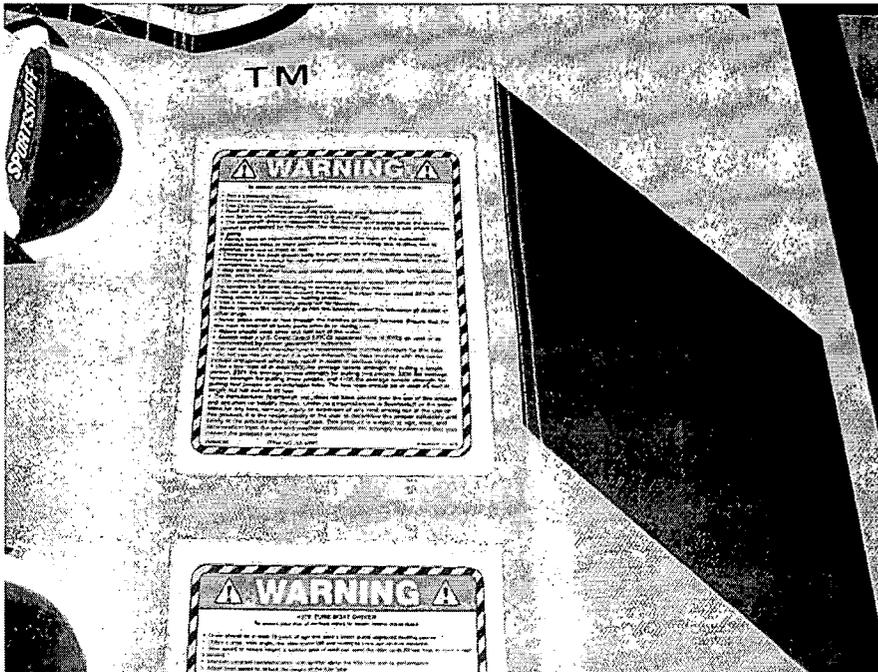
IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – On display at retail store. The white box near the top is a see-through window. The rope with the tennis balls hanging from it is for the rider to pull on causing the front end to rise and lift off the water.



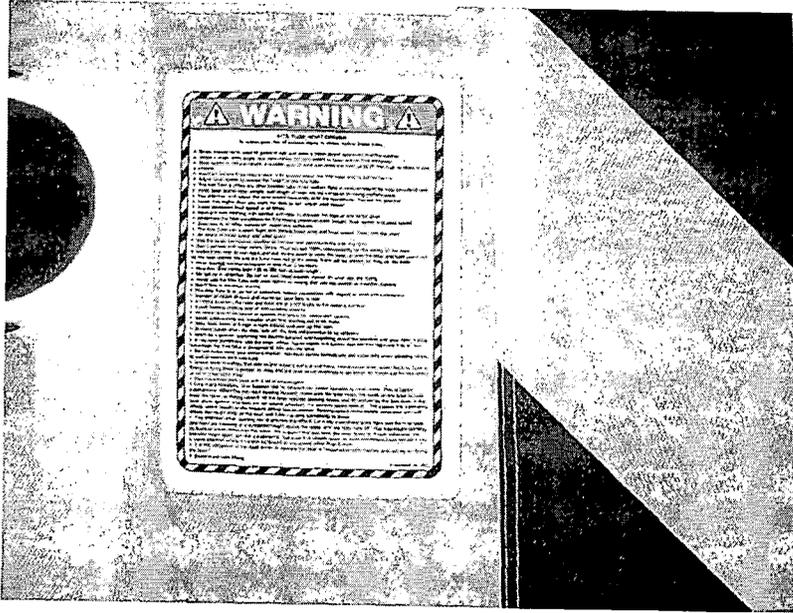
IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Warnings



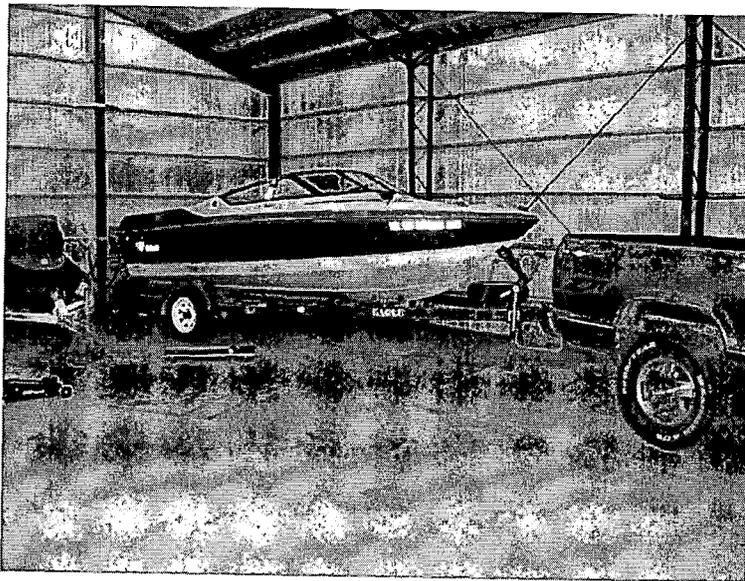
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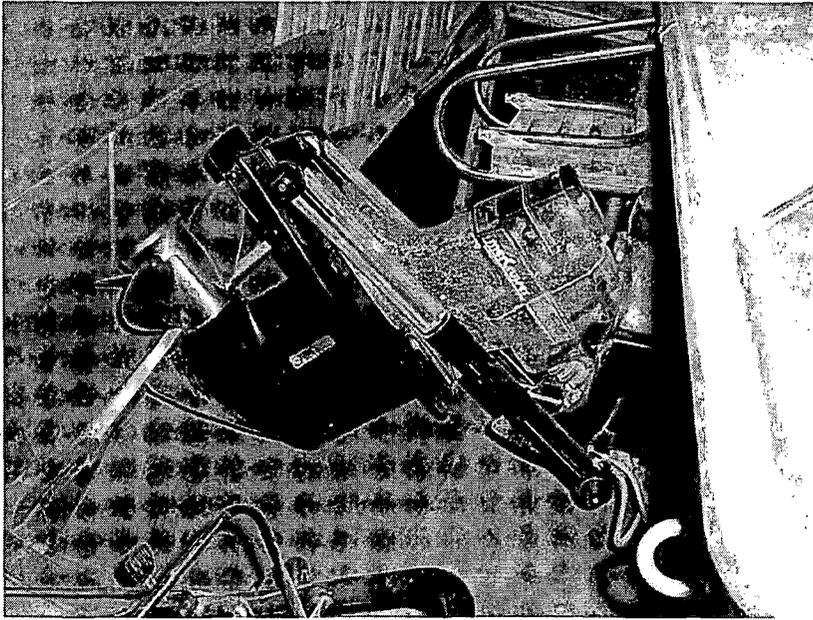
IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Warnings



**IDI 060614HCC3602 – Exhibit “A” – Wego Kite Tube – Warnings**



**IDI 060614HCC3602 – Exhibit “A” – 1990 17 foot Well Craft Inboard/Outboard open bow sport boat.**



**IDI 060614HCC3602 – Exhibit “A” – 165 hp MerCruiser motor on the 1990 17-foot Well Craft Inboard/Outboard open bow sport boat**



# SPORTSSTUFF

## Patriots

Show your allegiance and stand for freedom with the brand new winged Patriot Series. These heavy-duty nylon covers feature multiple handles, cockpit seating, air-winged sides that allow riders to get awesome wake action. Durable designs provide stability through fast whips. Reflective safety tape is easily noticed on the water.

- A. 12051 Patriot Single, 68" L x 63" W
- B. 12052 Patriot Double, 77" L x 89" W
- C. 12054 Patriot Triple, 84" L x 116" W

## Motopods

With the Motopods you and your friends can get on the water with a great ride at a great price. The air-cushion inflatable floors make this exciting ride just as comfortable. Heavy-gauge PVC bladder, double-stitched nylon partition cover, and single-chamber inflation. Motopods also offer double-webbing foam handles with knuckle pads, safety valve, and reinforced tow system.

- D. 11603 Motopod F1, 65" x 48"
- E. 11604 Motopod F2, 66" x 80"
- F. 11605 Motopod F3, 84" x 104"

## G. Chariot Excursion

Big enough for three riders, this huge chariot is ready for action. Ride it standing, kneeling, or sitting, either way will be a ride to remember. Constructed with heavy-gauge PVC bladder, two chambers, and a full nylon cover with zipper. Features double-webbing foam handles with knuckle pads, protective knee pad, multi-speed valve, reinforced tow system, and offshore boarding handles. 72" dia. x 36" H.

Overton's 18663 Chariot Excursion 329.99 199.99

## Wild Wild Wild

In an effort to help you choose the towable which best fits your needs, the towables throughout this section have been rated. Whether you are looking for a mild ride or a wild ride, Overton's has a towable for you. Remember the greatest feature is how it

INSTRUMENTAL TOW!  
3-SEGMENT TOW!  
ROPE & STARTING  
LEASH!!!



## Patriot Towables

Grab your friends and get ready for more fun than you can handle on these unique patriotic towables. Reclined seating with inflated backrests and air-cushioned inflatable floor provide an extra comfortable ride. Multi-speed valve for easy inflation/deflation.

- H. 17729 Duo Patriot, 66" x 80"
- I. 18603 Trio Patriot, 79" x 115"

## Overton's J. Mega-Bowl

The Rock-N-Roll 1-person Mega Bowl is filled to the brim with action-packed enjoyment! The first ever bowl-shaped towable can be rocked back and forth and rolled side to side as you barrel your way across the water. Or just kick back, inside its spacious and comfortable interior. Attach up to 4 Mega-Bowls together so everyone can join in on the fun! 58" L x 58" W x 26" H.

- K. Crazy 8

This 2-person towable will bring out the kid in anyone. Overton's 12994 Mega-Bowl 199.99

## INFLATING TOWABLES

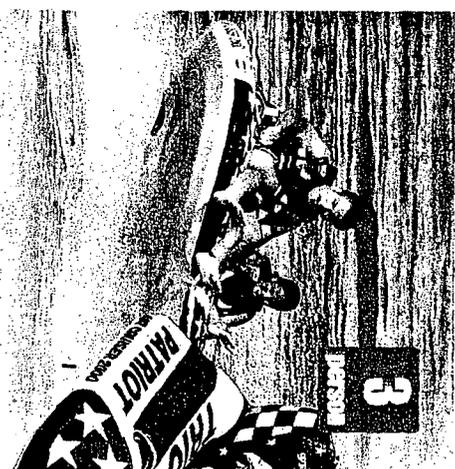
Proper inflation of towables is important for providing the best performance as well as preventing excessive stress on seams. To get just the right amount of air, pay close attention when inflating. In general, the tube is full when it is very firm. Covered tubes should be free of wrinkles. When an adult stands on the tube, it should only sink a couple of inches. To achieve this level of inflation, the PVC must stretch. However, just as under-inflation is a problem, over-inflation will cause undue stress on seams. Watch carefully when inflating, and stop as soon as the tube is firm and the cover is smooth.

Don't forget your pump.

## 1 MEGO KITE TUBE

Wing across the water like a deck tube or fly through the air like a bird! Experience the thrill of this ride as you rise above the water to incredible heights, leaving nothing but adrenaline in your wake. Designed with 840-denier nylon double skin cover with PU coating, double stitching, two heavy-duty PVC bladders, speed safety valves, reinforced towing system, 8 padded handles with knuckle guards, neoprene padding for comfortable knees and legs, and double panel panoramic see-thru window. 120" diameter. Not recommended for anyone under 12 yrs. of age, less than 100 lbs., or under 5' tall. Max. weight: 200 lbs.

Overton's 12063 Mego Kite Tube 499.99



## 3 PATRIOT DOUBLE



## 2 PATRIOT TRIPLE



## 1 MEGO BOWL



## 1 MEGO BOWL



## 1 MEGO BOWL



## 1 MEGO BOWL



## WEGO KITE TUBE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. DO NOT RETURN this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.



# WARNING

▲ RELEASE OF LIABILITY ▲

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture

### A KITE TUBE DESCRIPTION A

Away Wego! "Kite Tubing", the mystery of flying, becomes a reality. The Kite Tube creates an air pocket on the under carriage bottom that enables lift via ground effect and the aerodynamic shape. Be prepared to reach new heights! Spend the summer gaining experience riding the Kite Tube. The Kite Tube is designed to glide, soar, and fly. You can use it like a regular deck tube in the whips, figure eights, and circles. It "kites" the best in a straight boat pattern into the wind and will rise out of the water slowly or quickly based on the rider weight, wind and boat speed. Expect the unexpected! The basic idea behind the Kite Tube is simple: The Kite rider kneels or stands on the tube that is tethered to the tow boat. As the boat moves forward into the wind, the Kite and the rider rise up from the water's surface to perform a water ballet in the air with the rider balancing on top. Kite Tubing is not as dangerous as some extreme sports, however it can be more dangerous than regular tubing with the added dimension of height. In Kite Tubing, safety has to be taken seriously. EVERYONE is a beginner, regardless of previous experience. Read all instruction and warnings before using the Kite Tube. Start slow and begin by using the 45 foot section of the included tow rope.

### A KITE TUBE SPECIFICATIONS A

- 120 inch inflated diameter (10 foot) with slanted saucer configuration.
- 840D nylon double cover with pu coating (full body cover).
- Reinforced towing system with molded aluminum connector for easy tow rope connection.
- Computerized double-stitched sewing.
- Multiple mesh bar-tacked drain ports.
- Nylon zippered openings for bladder insertion and adjustment.
- Parallel slotting system with footsteps and neoprene padding for comfort.
- Reflective piping on all handles and on the outside top tapping.
- Various loops for use of detachable leash(s).
- Panoramic see-through double windows.
- High visibility red and yellow watersports safety colors with checkerboard and caution accent striping.
- Easily seen bold, billboard-style graphics.
- Skull graphics is a reminder to pay attention and not to fool around, take nothing for granted.
- Two heavy duty pvc bladders, one supports the outer ring and the other is the slotting system cockpit for the rider. Both have speed safety valves for easy inflation/deflation.
- Leash with two sponge balls is included.
- Segmented tow rope is included. Adjustable length style in 45, 55, and 65 foot lengths.

### A KITE TUBE ASSEMBLY AND INFLATION A

Proper inflation is key to the optimum performance of this towable. The tube is designed to fit snugly in the cover, and there should be no wrinkles in the cover when the tube is properly inflated.

IMPROPER INFLATION



PROPER INFLATION



Photo "A" shows a severely underinflated tube. Note how the adult sinks in when standing on the tube. Under-inflation causes the towable to sit low in the water. Additional stress is applied to the tube, cover, rope and boat/watercraft, by being dragged through the water instead of pulled across it. This stress causes the air in tubes to be displaced and the tube may rupture. The same stress causes nylon covers to tear and ropes to stretch. The boat/watercraft cannot plane off and extra gas is consumed.

Photo "B" shows a properly inflated tube. Note how the cover is taut with few wrinkles, and how the adult barely sinks in when standing on the tube. This tube would ride high on the water, providing you with an exciting ride - less stress on the tube, cover, rope, and boat/watercraft. Proper inflation will insure a longer life-span for your product.

#### Inflation Maintenance:

Finally, it is not enough to simply fill it up and go! It is important to monitor the amount of air in this product as heat will cause the bladder to expand, possibly causing damage to the seams or l-beams. Don't let it sit on the beach, dock, or boat/watercraft full of air! If it is stored out of the sun in a cool place, you may need to add air. Check and adjust inflation levels each time you use your tube. You'll have more fun, and your toys will last longer.

The best air pumps to use are:

- 110v electric: 2.5 psi (model #57-1504A) or 3.0 psi (model #57-1508)
- Hand/foot pump specifically for towables: LP1 (model #57-1003)
- 12v pumps (model #57-1510) can also be used but a their maximum output is only .8 psi so a secondary pump such as the Sportstuff LP1 hand pump (model #57-1003) will need to be used.
- Leaf Blower
- Vacuum with two-way switch

Your WEGO towable is equipped with the Speed Safety Valve pictured below:



**Speed Safety Valve** - A hybrid valve utilizing the best of both the Over-sized Safety Valve and the Speed Valve. Pulls out for fast inflation/deflation, then can be pushed in flush with the tube. For use with standard electric pumps, shop vac, wet vac, leaf blowers, and vacuums with a 2-way switch for fast inflation/deflation.

Secure the valve by firmly inserting the bottom portion of the valve into the base. To inflate, open only the top portion of the valve. Using the hose from your inflator, inflate through the top opening of the valve.

The optimal inflator is a 2.5 psi or higher electric pump. You may also use a 1.1 or 3.0 psi pump. Using the 12v pump (model #57-1510) followed by the LP1 hand pump (model #57-1003) to top off the unit takes about 3.5 minutes. The 1.1 psi 110v pump followed by using the LP1 hand pump (model #57-1003) to top off the unit will inflate the WEGO in a few minutes. The 2.5 electric pump (model #57-1504A) will inflate the WEGO in just over 3 minutes. The 3.0 pump (model #57-1508) will inflate the WEGO in as little as 2 minutes.

Please call Sportsstuff at 1-888-814-8833 to order directly.

1. Open the box and locate Owner's manual information and instructional DVD.
2. Review owner's manual and instructional DVD first and share the information with all other users and or spotters.
3. Locate a flat, wide-open, clean and clear area to open and assemble the product.
4. Unfold the nylon cover so the yellow cover with winged skulls is completely unfolded along with slotting system cockpit.
5. Please notice the bladders have already been assembled in the cover. There are two valves total. One on the slotting portion and another on the outside ring.
6. Locate and open the padded valve cover on the slotting portion (cockpit area). Open the valve and inflate until firm and the cover is wrinkle free and taut. It may be necessary to adjust the cover to fit the inflation holes. Use the zippered openings in the cover to adjust bladder position if necessary.
7. Close valve completely and secure valve cover.
8. Locate the valve on the outer ring and repeat steps 6-7.
9. Please note that the window panels are not supported by an internal bladder, so stay off of this portion of the cover.
10. With assistance, carefully lift the unit into water.
11. Do not drag across harsh surfaces, as this will damage the unit.
12. Once at the water entry point attach tow rope to unit and hook up to the boat. Make sure leash is attached to the nose loop.
13. Enjoy your Kiting experience.

**PLEASE NOTE OVER INFLATION WILL CAUSE THE BLADDER TO HAVE A CONCAVE EFFECT ON THE UNDERSIDE, CAUSING THE KITE TUBE TO SUBMARINE.**

**PLEASE NOTE UNDER INFLATION WILL CAUSE KITE TUBE TO NOT PERFORM AS DESIGNED. WHEN KITING, YOU CAN TELL VISUALLY IF YOU ARE CORRECTLY INFLATED**

Proper inflation means you'll have a wonderful flight experience, so follow the above instructions closely.

#### **A KITE TUBE CARE AND MAINTENANCE A**

- You may clean your towable using a soap and water or mild detergent.
- You should inspect your unit frequently for wear and tear. If you need parts replacement please contact Sportsstuff 1-888-814-8833.
- Before each use always check inflation, tow connection and boat connection.
- After using the Kite Tube do not leave out in direct sunlight, but keep it a shaded area.
- When the unit is not in use NEVER leave this unit in direct Sunlight at any time.
- The strong UV rays will quickly destroy and downgrade the nylon cover and age the materials prematurely.
- Monitor and adjust bladder pressure on warm days.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight. (In between uses and at the end of the boating season.)
- To deflate, simply open red valve.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towables may bleed or fade when initially wet. Protect all boat interiors, docks and car interiors from possible staining.

#### **A KITE TUBE TETHER TOW ROPE A**

We have included a new style tether tow rope for use with the Kite Tube. Overall the tow rope is 65 foot length, but can be adjusted to 55 foot length and 45 foot length. Since the Kite Tube is unlike any previous towable tube with the added dimension of sustained height. We believe that the boat driver, rider and spotter are all beginners. We recommend the following to get the hang of Kiting, how the Kite reacts being towed by the boat, how the wind affects the flight while being ridden by different size riders. Experience is the best teacher.

#### **Step one: BEGINNER LEVEL**

All beginners start with 45 foot tow rope to get some experience. Use at least 12 times for a minimum of 20 minutes per use.

### Step two: INTERMEDIATE LEVEL

All intermediates can increase rope length to 55 foot to get more experience. Use at least 24 times for a minimum of 20 minutes per use.

### Step three: MASTER LEVEL.

All masters can increase length to 65 foot to get more experience.

You can spend all summer gaining experience Kiting and really still not have experienced all things, wind speed, rider weight and boat speed create many variables (different kinds of watercraft, lack of wind) etc.

Attach the Kite Tube Tether tow rope to the aluminum connector on the tube and to a towable hook on the rear of the boat. We recommend you use a low tow point on the rear transom of the boat or tow hook.

### **A KITE TUBE HEIGHT INSTRUCTION A**

#### **NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL**

Just think of the fall, in normal tubing you can get thrown off and go up to 15 to 20 foot high, but in Kiting you are already at a certain height above the water and can get thrown higher. At a boat speed of 10 and 20 mph the water gets harder the faster and higher you go so control the boat speed and tube height and watch out for gusty and cross winds. Many bodies of water have natural barriers or wind breaks, be aware of these situations. Due to the height factor, you must use the Kite Tube in waters at least 6 feet deep (a guideline could be 1 foot of water depth for every foot of tube height). For best Kiting use against the wind in straight-line runs.

### **A RIDER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control Kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Into a steady wind, flight occurs more easily.
- With the wind, flight is not so easy.
- Based on rider weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability. Kiting takes a practiced level of skill.
- Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planing speed.
- Rider safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines and

other immovable objects.

• Be aware of natural wind breaks and barriers that change the wind flow.

• Use rear transom tow point. Using higher tow point means the Kite can Kite higher.

• Maximum 1 rider capacity

• Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.

• Balance to minimize movement while airborne. Too much movement can cause the Kite Tube to become wobbly and overturn. Maintain a good center of gravity.

• 10 and 2 o'clock are the best control hand positions.

• Hang time, Kite time, can be 1 second or many minutes.

• Length of hang time depends on the wind, boat speed and rider weight.

• A straight boat heading into the wind creates the optimum Kiting performance.

• Ballet performance is what you are looking for (up and down).

• Use the large panoramic window to see the boat and to view rider height.

• Force the tube down by pushing your weight down with a swift, sitting motion.

• Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.

• Use the handles to adjust left to right balance.

• Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.

• Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.

• Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.

• A rider that falls or is ejected should try to fall away from the Kite Tube.

• Experience safe Kiting.

### **A BOAT DRIVER INSTRUCTIONS AND WARNING A**

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite Tube and its performance.
- Adjust boat speed to reduce the height of the Kite Tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.

- Avoid excessive boat speed at all times.
- Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
- Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
- Give-way to all other watercraft, especially sailboats.
- The Kite Tube can sustain flight with steady head wind and boat speed. Head into the wind
- Be aware of cross winds and wind gusts.
- Use the large, panoramic window to monitor and communicate with the rider.
- Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
- Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
- Most boating accidents happen in less than 2 seconds.
- Reaction time varies from 120 to 255 feet of boat length.
- Do not be in-attentive. Do not let your mind wander. Focus on what you are doing
- Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
- Don't Kite in electrical storms.
- The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
- Instruct all riders of rules and warnings, plus how to ride.
- In riding position, the rider and tube are at a 45° angle to the water's surface.
- Avoid floating objects and all immovable objects.
- All riders should be towed at speeds that allow for reasonable control.
- Avoid submarining the towable when first starting out or on spills.
- Slow boat down to 5 mph to turn around and pick up the rider.
- In many cases when the rider falls off, the Kite will continue to be airborne
- Don't be a gunner; slamming the throttle forward and forgetting about the towable and your rider. Focus
  - In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite Tube will Kite in, but remember the Kite Tube is designed to Kite into the wind.
  - Do not throw away your owners manual or DVD. You must review periodically and especially when allowing others to use or borrow your Kite Tube.
- Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
- Don't overload your boat with a lot of passengers.
- Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff, till the boat reaches planning speed and lift occurs on the Kite Tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.

- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite Tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph, otherwise the towable might act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

#### **A SUBMARINE EFFECT WARNING ▲**

LIKE MANY TOWABLES, A RIDER'S BALANCE TOO FAR FORWARD CAN CAUSE TOWABLE TO NOSE UNDER. THIS WE CALL SUBMARINING. WHEN THE BOAT DRIVER STARTS FORWARD, HE OR SHE SHOULD MAKE SURE THE RIDER HOLDS THE LEASH TO HELP KEEP THE NOSE UP DURING TAKEOFF TILL THE BOAT REACHES PLANNING SPEED AND LIFT OCCURS ON THE KITE TUBE. IF THE BOAT DRIVER, SPOTTER AND RIDER ARE NOT PAYING ATTENTION THE TOWABLE COULD NOSE IN. THIS CAUSES THE SUBMARINE EFFECT, WHICH RESULTS IN THE TOWABLE ACTING LIKE AN ANCHOR. REDUCE SPEED IMMEDIATELY, OTHERWISE YOU WILL CREATE TOO MUCH DRAG ON THE BOAT AND TUBE CAUSING THE SOMETHING TO BREAK. PAY ATTENTION, WHEN STARTING OUT TO PREVENT THIS EFFECT.

LET'S SAY, EVERYTHING GOES RIGHT AND THE KITE TUBE AND RIDER ARE TRAVELING A SUSTAINED HEIGHT ABOVE THE WATER AND THE RIDER FALLS OFF. THE KITE MIGHT CONTINUE ITS FLIGHT OR CRASH DOWN INTO THE WATER. WE SUGGEST YOU SLOW THE BOAT DOWN TO 5MPH, OTHERWISE THE TOWABLE MIGHT ACT LIKE A SUBMARINE BECAUSE IT IS UPSIDE DOWN OR WIND CONDITIONS HAVE FORCED IT INTO A WEIRD POSITION WHERE IT CANNOT BE TOWED AT ANY SPEED OTHER THAN 5 MPH. BOAT DRIVER SHOULD TURN TO PICK UP RIDER AND START ALL OVER AGAIN.

IT IS THE OBLIGATION OF THE BOAT DRIVER TO OPERATE THE BOAT IN RESPONSIBLE SAFE MANNER AND NOT TRY TO "DUMP THE RIDER". THE KITE TUBE IS DESIGNED TO BE RIDDEN AT SAFE LEVEL WITHOUT HAVING TO HAVE SOME CRAZY BOAT DRIVER TRYING TO CREATE PROBLEMS. EXPERIENCE SAFE KITING.

#### **A SPOTTER OR OBSERVER INSTRUCTION ▲**

- Have watersports safety flag
- Keep driver aware of other boating traffic, obstacles, etc
- Keep driver aware of towable state and rider conditions and how the towable is doing
- Keep tow ropes from getting caught on protrusion from the boat
- We have found that small megaphone helps to communicate with rider prior to takeoff and give last minute instructions

**A WIND SPEED AND EFFECT A**

We are providing you with the following information to help you evaluate your current conditions before Kite tubing.

Wind speed(mph)	Wind effect
0-1	smoke rises vertically
2-3	direction of the wind shown by smoke drift, but not by wind vanes
4-7	wind felt on face: leaves rustle: ordinary wind vane moved by wind
8-12	leaves and twigs in constant motion: wind extends a light flag
13-18	raises dust, loose paper: small branches are moved
19-24	small trees in leaf begin to sway: crested wavelets form on inland waters
25-33	large branches in motion; whistling heard in power lines; umbrella difficult to use
34-40	gale
41-47	strong gale
48-55	storm
56-63	violent storm
64+	hurricane

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customer-care@sportsstuff.com](mailto:customer-care@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)



## TOWABLE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. **DO NOT RETURN** this product to the store!

Contact us **TOLL FREE: 888-814-8833 (USA)** (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.

# WARNING

To lessen your risk of serious injury or death, follow these rules:

- Not a lifesaving device. Never leave children unattended. Use only under competent supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under six (12) years of age.
- The watercraft driver is responsible for the towable and riders since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced watercraft driver at the helm and always have three or more people present for safe tubing-one to drive the watercraft, one to observe and one or more to ride.
- Observer in the boat/watercraft should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other boats/watercrafts, swimmers, towables, and other obstructions in the water. Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Never exceed 20 mph when towing adults or 15 mph with children.
- Use a tow rope specifically designed for the WEGO
- Never operate the boat/watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness.
- Riders should keep arms and feet out of the water.
- Do not exceed the manufacturer's recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average

- tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.
- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.
  - Always wear a U.S. Coast Guard approved Type III (PFD) ski vest or as recommended by proper government authorities.
  - Use this product only on water.
  - Know your limits. Stop when you're tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable.
  - Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.

The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller liable for any loss, damage, injury or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear and deterioration from use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

#### REPLACING PRODUCT PARTS:

If a leak or problem is suspected with your tube, locate the valves, deflate the item and remove the inflatable PVC bladder to inspect possible problem areas. Contact Sportsstuff warranty department for prompt parts replacement if a problem is located. For non-warranty parts replacement, follow the same procedure. When a replacement is received, follow the steps below:

1. Unfold the cover and lay the bladder out.
2. Locate the bladder and the inflation valve. Carefully place the PVC bladder inside the cover of the product in the appropriate location.
3. Line up the valve with the valve opening in the cover.
4. Refer to the WEGO manual for further assembly information.

#### MAINTENANCE:

Very little care is required for the bladder or cover.

- You may clean your towable using soap and water or mild detergent.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight.
- To deflate, simply unfasten the entire valve from the base.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towable may bleed or fade when initially wet. Protect all boat interiors and all other surfaces from possible staining.

#### TOW ROPE RECOMMENDATIONS FOR SPORTSSTUFF PRODUCTS:

- The watercraft owner/operator is responsible for informing all the persons riding or using tow ropes of the WSIA Recommendations for tow ropes. Improper use of your tube and rope could result in serious injury or death.
- Following are the WSIA (Water Sport Industry Association) Recommendations for tow ropes (Do not exceed recommended rider capacity for your tube):

Number of Riders	Combined Weight of Riders	Rope Tensile Strength
One	min 100lbs - max 200 lbs	1500 lbs

- A standard tow rope should not exceed 65 feet.
- The tow rope should be assembled in a manner appropriate for the watercraft and tow tube.
- Please check all rope connections for frays, cuts, sharp edges, knots and wear and tear before each use. Discard any ropes that appear to be worn. It is recommended that you replace each tow rope at the beginning of the boating season.
- Tow ropes are subject to stretching during use. Please warn riders and persons in the boat/watercraft of the danger of ropes recoiling.
- DO NOT place arms, legs or head in the handle section as serious injury may result
- Ensure that the tow rope is free from all body parts prior to towing a rider and while the tube is in use.
- Do not use a tow rope with a bungee material to pull skiers or riders. This type of apparatus could also result in serious injury or death to the tube rider or passengers in the boat/watercraft.
- Ropes will deteriorate with direct sunlight exposure. Please store away from direct sunlight and discard any rope that is frayed, discolored or ravelling.
- Do not add hardware to this product that is not supplied by Sportsstuff.
- Avoid the propeller and engine at all times. Should the rope become tangled in the propeller, shut off the engine and remove key from ignition before retrieving rope from propeller.

#### ▲ WARNING! GENERAL USE AND SAFETY: ▲

- When using a Sportsstuff product, you are engaging in an exciting recreational activity with inherent risks. Act responsibly and only use your product with the awareness of and willingness to accept the risks involved.
- Read all instructions and warnings provided to you in this owner's manual and those printed on the product. Do not discard this manual.
- As in any recreational activity, reckless use, misuse, inexperience and/or neglect of the proper equipment used may result in serious injury or death.
- Visually inspect the towable and tow rope before each use. Do not use if product or tow rope is damaged in any way.
- This product is NOT for use by children under 12 years of age.
- Never leave children unattended. Use only under competent supervision.
- Sportsstuff products are NOT to be used for rental use.
- Do not consume alcohol or other drugs while using this product. Even small quantities of alcohol and other drugs can impair judgment, balance, and coordination which can greatly affect one's performance.
- Make sure all riders are wearing a U.S. Coast Guard Type III (PFD) approved life vest at all times.
- Be conscious of the weather conditions as weather changes can occur very quickly.
- Check with your state or local government to learn their specific legal requirements concerning towables and towing.
- Use tow ropes that are designed specifically for towables with WSIA (Water Sports Industry Association) break strength guidelines.

#### ▲ WARNING! BOAT DRIVERS NOTICE: ▲

- The boat/watercraft driver has the ultimate responsibility for the safety of the riders.
- Carefully survey the water before you begin towing riders.

- Do Not pull a towable without a rider. A towable is designed to have a rider in order to balance the weight distribution of the product
- Be aware of water conditions along with changes in the weather. The condition of the water greatly influences the type of ride the rider will have. Please take into consideration the age and physical ability of your rider.
- It is the boat/watercraft driver's responsibility to instruct the riders how to ride a towable. The boat/watercraft driver should carefully instruct the riders of potential risks and possible injury that may occur if they partake in careless behavior.
- At the beginning of the ride, carefully take the slack out of the tow rope. Never jerk start a towable. After the rider has signaled that he/she is ready, the driver can slowly bring the towable to a planing point.
- Most towables will plane out at 10 to 20 mph, depending on the weight of the rider. It is important to keep the nose of the item up until the item is planing.
- The resistance of the product varies widely with these factors: boat speed, turns, water conditions, number of riders and their weight, towable size, shape and function. The boat/watercraft driver should adjust the boat speed to fit these situations to minimize resistance of the towable.
- Use in wide, open spaces. Stay at least 100 yards from shallow water, shore, rocks, boats, docks and buoys. Most accidents happen on turns and in congested areas.
- The boat/watercraft driver determines the speed and the action of the towable in turns and when crossing the boat/watercraft wake. In the straight-a-ways, the boat/watercraft towing speed is the same as the towable speed. The towable speed will increase when the boat/watercraft makes a 90 to 180 degrees turn without increasing the boat/watercraft speed. If the boat/watercraft speed is 20 mph, the towable speed can be 30-40 mph. The "slingshot effect" sends the user outward from the center of the towable. Be aware of the limitations of the rider.
- Large wakes combined with the wave action and speed can contribute to a rough ride. Use a safe speed that enables the towable to plane out. The boat/watercraft driver should adjust the boat/watercraft speed and turns to fit the water conditions and the age, experience, skill and physical strength of the rider.
- Excessive speed or sharp turns might cause the tube to flip over abruptly, possibly causing serious injury to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- Under normal conditions, the maximum safe speed for adults is 20 mph. Safe speeds for children are less than 15 mph, depending on the age and physical capability of the child.
- Please make sure your boat/watercraft is tow-worthy and has the appropriate horsepower to pull rider(s) and the tow tube. Do not exceed the boat/watercraft passenger capacity.
- Extreme drag forces can develop when pulling this tube. Please use towable in calm water. Heavy waves or choppy conditions can create more drag or even result in a submarine or anchor effect.
- Extreme drag forces may also result in: the rider(s) fall off, the tube noses in or tips over and water fills cockpit/seating area. The boat/watercraft operator should immediately slow or stop to eliminate this factor.
- Death or serious injury can result from the submarine or anchor effect causing more extreme drag forces on the tow rope and/or tow point. The tow rope might have too much stress and either break and snap back at the rider(s) or other occupants of the boat. It is the boat driver's responsibility to make sure this does not occur.

- Do not exceed the weight guidelines of your boat. Do not allow passengers to hang outside the boat or slide on the gunwales (sides/edges of the boat) outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales (sides/edges of the boat) of the boat.

#### **A WARNING! BOAT OWNERS WITH HIGH TOWER AND PYLONS A**

- Tow/Ski towers are not designed for use with any inflatable tube towing.
- Use only lifting eyes/transoms or tournament-rated ski pylons for towing tubes.
- Consult your boat's manufacturer if you are unsure of it's tournament rating.
- Do not tow any inflatable from a ski eye.
- Any tow pylon or ski pylon installed after market is not intended for inflatable tube towing.
- Death or serious injury may result if an unapproved ski/tow pylon is used.

#### **A WARNING! SPOTTERS NOTICE: A**

- Always use a spotter (observer) in the boat to communicate the needs of the rider to the driver.
- The spotter must be the eyes of the driver and the rider, always alert to recognize possible danger so proper action can be taken to avoid any risk to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- The spotter should hold up a safety flag cautioning all other boaters that riders are in the water.

#### **A WARNING! RIDERS NOTICE: A**

- Do not use this items as a personal flotation device.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not to exceed 65 feet.
- Only use this product with a responsible boat/watercraft operator who knows how to effectively operate the equipment.
- This product should be used in water only. Do not launch from dock or land.
- Do not use near piling, docks, shores or shallow water or other obstructions that could cause serious injury to the rider.
- Carefully instruct the other riders the proper way to attach rope and operate the towable.
- DO NOT strap or attach arms or legs to cover or tube. Never place hands or feet in between the tube or cover.
- This item has no braking or steering mechanism and can develop high speeds under certain towing conditions. Use at your own risk!
- This product is not a life saving device.
- Take necessary breaks when you are tired.
- Never get near the propeller with the engine running, even if it is in neutral.

## GENERAL TROUBLE SHOOTING GUIDE:

**Symptom:** Product won't hold air.

**Solution:** Check to see that the valve is fastened properly. Re-fasten valve if needed. Check to see if the product was inflated fully from the beginning. If you suspect it wasn't inflated fully, add more air. PVC Repair Adhesive is available from Sportsstuff at [www.sportsstuff.com](http://www.sportsstuff.com) or 888-814-8833 for small hole or seam repairs.

**Symptom:** Valve is leaking

**Solution:** Listen closely to hear if air is leaking. Be sure the valve and cap are screwed in or fastened straight and are tight. Leakage can occur if the valve is not fastened correctly.

**Symptom:** Product inflates but doesn't become firm.

**Solution:** Please check to make sure it was inflated firmly with a high volume air pump. If you are sure you inflated it properly, fully assess it for a leak or re-fasten the valve. If a leak is detected, the bladder may be patched by using Sportsstuff PVC Adhesive which can be purchased directly from Sportsstuff.

**Symptom:** Cover is very loose (Applies only to products with covers).

**Solution:** Please check to make sure that your product is inflated fully and the tube is in place. The cover should fit snugly over the well-inflated tube. If the cover remains loose, add more air. See also the INFLATION section of this manual.

## WARRANTY POLICY:

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customer-care@sportsstuff.com](mailto:customer-care@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

## WATERSPORTS RESPONSIBILITY CODE

Be aware that there are elements or risk in boating, skiing, and riding that common sense and personal awareness can help reduce. Know your ability level and stay within it.

To increase your enjoyment of the sport follow the "Watersports Responsibility Code". It is your responsibility to:

- Familiarize yourself with all applicable laws, the risks inherent in the sport, and proper use of the equipment.
- Know the waterways where you will be skiing or riding. Do not ski or ride in shallow water, near shore, docks, pilings swimmers or other watercraft.
- Always have a person other than the boat driver as an observer and agree on hand signals before starting.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Read your owner's manual and inspect your equipment prior to use.
- Ski or ride within your limits. Always ski or ride in control and at speeds appropriate for your ability.
- Always turn ignition off when anyone is near watercraft power drive unit.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Never "Platform Drag" or touch a swim platform while the engine is running.
- Not operate watercraft, ski or ride under the influence of alcohol or drugs.

Water Sports Industry Association

Place  
Postage  
Here

**SPORTSSTUFF, INC.**  
**11213 "E" CIRCLE**  
**SUITE A**  
**OMAHA, NEBRASKA 68137 - USA**

Sportsstuff, Inc. garantiert dem Endkäufer für eine  
Garanzzeit von 90 Tagen ab Kaufdatum, daß ihre  
Hochleistungsprodukte bei normalem Freizeitgebrauch frei von  
Material- und Verarbeitungsfehlern sind. Stillschweigende  
Garantien sind ebenfalls auf eine Garanzzeit von 90 Tagen ab  
dem Datum des ersten Kaufs beschränkt. In manchen Staaten oder  
Ländern sind Beschreibungen stillschweigender Garantien auf  
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Schadenersatz für Aufwendungen bei der Vertragsverletzung oder  
für Folgeschäden. In manchen Ländern ist der Ausschluß oder die  
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Sportsstuff, Inc. prüft alle Garantieansprüche und repariert  
oder ersetzt im Falle eines Mangels nach eigenem Ermessen das  
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Rücksendung der Ware kann nur mit einer von Sportsstuff zuver-  
lässigen oder schriftlich unter der unten angegebenen  
Telefonnummer bzw. Adresse erhalten. Die Ware muß vorfrankiert  
mit Kaufaktweis an die unten angegebene Adresse zurück-  
geschickt werden. Die Bestellungsnummer muß frei gedruckt  
auch auf das Paket geschrieben werden.

Diese Garantie gewährt Ihnen bestimmte Rechte. Darüber  
hinaus, können Ihnen, je nach Land, weitere Rechte zustehen.  
Diese Garantie findet KEINE Anwendung auf Produkte, die  
Gegenstand einer Miete sind; Benutzung zu anderen Zwecken, die  
nicht als normale Freizeitverwecke angesehen werden, auf  
Einsätze, Schmutz, Abschürfungen und Verlassen von Flächen als  
Folge normalem Gebrauch, auf Geräte, die infolge eines Unfalls  
beschädigt wurden und auf andere unangemessene  
Verwendungszwecke oder auf Schäden infolge unsachgemäßer  
Lagerung, Leuchtfarben und Neonfarben verblasen, wenn sie für  
längere Zeit, der Sonne ausgesetzt sind, Textilien mit heißen Flächen  
können beim ersten Kontakt mit Wasser auslaufen. Schäden Sie  
daher die Innenumstattung und alle anderen Oberflächen vor  
Verschmutzung durch Flecken.

Um diese Garantie in Kraft zu setzen, muß der Käufer die  
belegte Garantierestrukturkarte ausfüllen und mit dem  
Kaufaktweis innerhalb von 10 Tagen ab Kaufdatum an  
Sportsstuff, Inc. zurückbleiben. Ausreichung ist auch an  
www.sportsstuff.com vorhanden.

Nach Ablauf der Garanzzeit ersetzt Sportsstuff Teile oder  
Komponenten mit identischen oder gleichwertigen Teilen bzw.  
Komponenten zu einem Preis, der 50% unter dem zu diesem  
Zeitpunkt gültigen empfohlenen Ladenpreis liegt; zusätzlich  
Panno- und Versandkosten. Bestellungen nimmt unser  
Kundendienst unter der gebührenfreien Rufnummer 888-814-  
8833 entgegen.

Zur Wahrung der Garantie die beigefügte  
Garantierestrukturkarte mit dem Kaufaktweis innerhalb von  
10 Tagen ab Kaufdatum an SPORTSSTUFF, INC. einreichen.  
ACHTUNG: Nicht zur Benutzung durch Kinder unter 6 Jahren.  
ACHTUNG: Diese Garantie ist nur in den USA gültig!



**WARRANTY  
INFORMATION**

The Distributor and Warrantor of the  
product is:

**SPORTSSTUFF, INC.**  
**11213 E Circle, Suite A**  
**Omaha, NE 68137 - USA**  
**Tel: 402.592.9085**  
**Fax: 402.592.1354**

Website: <http://www.sportsstuff.com>

**Customer Service:**  
**888.814.8833**  
**USA ONLY**

*The following information should be filled  
in and kept for your records.*

**Date of Purchase:** \_\_\_\_\_  
**Model:** \_\_\_\_\_  
**Purchased From:** \_\_\_\_\_  
**City:** \_\_\_\_\_, **State:** \_\_\_\_\_  
**Zip Code:** \_\_\_\_\_, **Country:** \_\_\_\_\_  
**Tel:** \_\_\_\_\_



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**LIMITED WARRANTY**

Sportsstuff, Inc. warrants to the original purchaser only, that their high performance products when used for normal recreational purposes are free from defects in material and workmanship for a period of ninety (90) days from date of purchase. Any implied warranties are also limited to the 90 day period from original purchase date. Some states do not allow limitations on how long an implied warranty lasts, so the above limitation may not apply to you.

There are no warranties which extend beyond the description on the face hereof. Sportsstuff, Inc. shall not be held liable for incidental or consequential damages. Some states do not allow the exclusion or limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you.

Sportsstuff, Inc. shall inspect all warranty claims, and in the event of a defect, repair or replace the defective part or entire item at its option. A return authorization number must be obtained prior to return by calling the number listed below or by writing to the address on the front of this brochure. Merchandise must be returned, freight prepaid along with proof of purchase, to the address below with the return authorization number in bold on outside of package.

This warranty gives you specific legal rights, and you may also have other rights which may vary from state to state.

This warranty does NOT cover: Products for rental; for hire and other uses not intended for normal recreational purposes; and products that are damaged, altered, modified, repaired, or misused. Products that are damaged, altered, modified, repaired, or misused are not covered by this warranty. Products that are damaged, altered, modified, repaired, or misused are not covered by this warranty. Products that are damaged, altered, modified, repaired, or misused are not covered by this warranty.

To calculate this warranty, the purchaser must fill out and mail the attached Warranty Registration Card along with proof of purchase within ten (10) days from the date of purchase. Registration is also available online at [www.sportsstuff.com](http://www.sportsstuff.com).

Upon completion of the warranty, Sportsstuff will replace parts or components with an identical or reasonably equivalent part or component for fifty percent (50%) of the then-current suggested retail price plus shipping and handling. To order call customer service's toll free number: 888-841-8833.

To insure product warranty, complete and mail the attached Warranty Registration Card, along with proof of purchase to: SPORTSSTUFF, INC., c/o register, via Sportsstuff's internet site, within 10 (ten) days of purchase.

WARNING: Not for use by children under six years of age. PLEASE NOTE: This warranty is valid in the USA only.

**GARANZIA LIMITADA**

Sportsstuff, Inc. garantiza al comprador original solamente, que sus productos de alto rendimiento cuando se usan para fines recreativos normales, se encuentran exentos de defectos de materiales y mano de obra por un periodo de noventa (90) días a partir de la fecha de compra. Cualquier garantía implícita también está limitada en duración al periodo de 90 días a partir de la fecha de compra original. Algunos estados no permiten limitaciones a la vigencia de las garantías implícitas, así que la limitación anterior quizá no sea aplicable a usted.

No hay garantías que se extiendan más allá de lo descrito en la portada de este documento. Sportsstuff, Inc. no será responsable por daños incidentales o consecuentes. Algunos estados no permiten la exclusión o limitación de daños incidentales o consecuentes, así que la limitación anterior quizá no sea aplicable a usted.

Sportsstuff, Inc. deberá inspeccionar todos los reclamos en virtud de esta garantía y en el caso de cumplir algún requisito, la reparación o el reemplazo de la pieza dañada se realizará a la sola discreción de Sportsstuff. Es preciso obtener un número de autorización antes de devolver el producto para lo cual debe llenar o escribir al teléfono o a la dirección siguiente. La mercancía debe devolverse, con flete prepagado, junto con el recibo de compra, a la dirección que aparece a continuación, junto con el número de autorización en regla empalmada en el exterior del empaque. Para garantizar el envío seguro, todos los productos deben ser embalados en cajas rígidas que estén selladas y etiquetadas con el número de autorización que aparece en el exterior del empaque.

Esta garantía NO cubre: Los productos para alquiler, renta, alquiler y otros usos que no se consideran como propósitos recreativos normales; los productos que han sido alterados, modificados o que han sido reparados; y otros usos no autorizados o el abuso intencional. Los colores brillantes y de mala calidad se desvanecerán al exponerse prolongadamente a la luz solar. Las telas de colores brillantes se desdibujarán inevitablemente al lavarse. Proteja los zapatos nuevos y cualquier otra superficie contra productos químicos.

Para calcular esta garantía, el comprador debe completar y enviar el formulario de registro de garantía adjunto con el recibo de compra en un periodo no mayor de diez (10) días a partir de la fecha de compra. El registro está también disponible en [www.sportsstuff.com](http://www.sportsstuff.com). Al solicitar la garantía, Sportsstuff reemplazará las piezas o componentes con piezas o componentes idénticos o razonablemente equivalentes por un cincuenta (50 %) del precio sugerido de venta al detalle vigente más los costos de envío y manejo. Para hacer pedidos llame al número sin costo para servicio al cliente al: 888-841-8833.

Para asegurar esta garantía, complete y envíe el formulario de garantía adjunto con el recibo de compra a SPORTSSTUFF, INC. en un plazo no mayor de 10 (diez) días después de la fecha de compra.

ADVERTENCIA: Este producto no debe ser utilizado por niños menores de seis años de edad. AVISO IMPORTANTE: Esta garantía es válida en los EE.UU. solamente!

**GARANTEE LIMITED**

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WARNING: Not for use by children under six years of age. PLEASE NOTE: This warranty is valid in the USA only.

**WARRANTY REGISTRATION CARD**

T06- 0095529

\*Warranty valid only in the U.S.

Purchaser Name: \_\_\_\_\_ Date of Purchase: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Country: \_\_\_\_\_

Date of Purchase: \_\_\_\_\_ Dealer's Name: \_\_\_\_\_

Model: \_\_\_\_\_

Warranty registration also available online at [www.sportsstuff.com](http://www.sportsstuff.com)

IDI 060614HCC3602

EXHIBIT "C"

Copy of the home video  
taken by the mother on May  
27, 2006 and June 3, 2006 of  
her 20 and 21-year-old sons  
kite tubing.

(Video will be sent directly to  
Compliance Officer.)

Emergency Department Record

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR#:</b>	038803
<b>Examining Provider:</b>	WALTER S. WOOD, MD	<b>Date:</b>	06/03/2006

**Chief Complaint:** Loss of consciousness after falling into water 2 hours ago. Jonathan Hunter is a 20-year-old white male who was out on the Missouri river today being dragged behind a motor boat in a large inner tube that, when it gets fast enough, does get into the air. Apparently he was at least 20 feet in the air according to eye-witnesses when it spun out of the air and crashed into the water at a high rate of speed. There was immediate loss of consciousness and he was found floating face-first in the water. He also notes being dizzy, positive memory loss. He denies any visual symptoms such as blurry vision, loss of peripheral vision or double vision. He does note nausea without vomiting. He feels sluggish and his thought processes are slow. He does have a severe headache. Apparently he had positive loss of consciousness for about 30 seconds. They immediately brought him to shore. They did watch him at home for at least an hour. He was not getting any better. The amnesia was not improving. He did not remember what day it was; he knew who he was and where he was at. He knew who his girlfriend was. He denies neck pain, denies chest pain or difficulty breathing. According to bystanders which include his mom and dad, he did not inhale water. There was no gagging episode.

Nurses' notes were reviewed.

**Review of Systems:** No fever or chills. Positive confusion. No visual changes, no sore throat, positive headache. No neck stiffness or neck injury. He denies abrasions or lacerations. No chest pain or difficulty breathing.

The remainder of the review of systems was reviewed and negative as it pertains to the chief complaint.

**Past Medical History:** History of childhood asthma.

**Past Surgical History:** Sinus surgery.

**Current Medications:** None.

**Allergies:** None.

**Immunizations:** Not pertinent.

**Social History:** He is in college in Oklahoma. He is currently back home visiting mom, dad, and girlfriend. Denies smoking or alcohol.

**Family History:** Not pertinent.

**Physical Examination:** Vital signs: Blood pressure 121/77. Pulse 79. Respirations 16. Temperature 98.3°. O<sub>2</sub> saturations of 98% on room air. The patient is alert and oriented x2. He does not know the correct date. He does know the President of the United States. He does not know any events that occurred today. He does have retrograde amnesia. HEENT: Pupils are equal and responsive to light. Extraocular muscles are intact. No scleral injections. Tympanic membranes – Right TM - normal cone of light. No erythema. Left TM – external auditory canal is cerumen impacted. Nasal mucosa normal and pink in color.

Emergency Department Record

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR#:</b>	038803
<b>Examining Provider:</b>	WALTER S. WOOD, MD	<b>Date:</b>	06/03/2006

Mouth: Mucus membranes moist. No erythema. No exudate. Tonsils not enlarged. Neck: Trachea midline. No lymph nodes palpable. Heart: Regular rate and rhythm. No murmurs, gallops, or rubs. Lungs: Bilaterally clear to auscultation. No wheezes or rhonchi. No chest wall tenderness. Abdomen: Bowel sounds are positive, soft, nontender, nondistended. Extremities: No clubbing, cyanosis, or edema. Neuro: Cranial nerves 2-12 grossly intact. Strength 5/5 in intensity in bilateral upper and lower extremities. Deep tendon reflexes bilateral biceps 2+, bilateral patella tendons 2+.

**Diagnostic Studies:** CT scan of the head without contrast shows no intracranial pathology, no evidence of skull fracture.

**Emergency Dept. Course:** His memory remained an issue here in the Emergency Room. His memory did not come back during his ER stay. He did know events that had occurred a month ago, did not know what he had for lunch or dinner. He did know where he was, did not know the exact date. He did recognize familiar faces but continued to be confused though never somnolent or difficult to arouse. He was always very alert.

**Consultations:** None.

**Critical Care:** None.

**Procedures:** None.

**Medical Decision Making:** Patient has a concussion with positive loss of consciousness for less than 30 seconds. Currently, he is still having retrograde amnesia, dizziness, and nausea. At this time, we will send him home with a head injury sheet. He is to return to the Emergency Room for worsening symptoms.

**Impression:** Concussion.

**Plan:** Return to Emergency Room for difficulty arousing, walking, or multiple episodes of vomiting. I told him to follow up with his physician on Monday secondary to the severity of the symptoms.

---

WALTER S. WOOD, MD

WSW:jmd  
D: 06/03/2006 0012  
T: 06/04/2006 1841

COPY

MCH Health System

Diagnostic Imaging Department

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR-Episode#:</b>	038803-0018 ER
<b>Ordering Provider:</b>	WALTER S. WOOD, MD	<b>Date:</b>	06/03/2006
<b>Supervising Physician: (if PA ordering)</b>		<b>Date of Birth:</b>	02/21/1986
<b>Radiologist:</b>	DEREK A. BURDENY, MD		

**CT BRAIN UNENHANCED:**

**HISTORY:**

HIT HEAD, LOSS OF CONSCIOUSNESS.

**TECHNIQUE:**

Axial images foramen magnum to vertex without intravenous contrast.

**FINDINGS:**

lesion or hemorrhage.

No significant abnormalities visualized. No evidence of intracranial mass

**IMPRESSION:**

- 1) NORMAL CT BRAIN.

DAB:mla

D: 06/03/2006 2310

T: 06/04/2006 1909

DEREK A. BURDENY, MD

COPY

## MCH Health System

## Diagnostic Imaging Department

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR-Episode#:</b>	038803-0021
<b>Ordering Provider:</b>	LISA M. ISEMINER, PA-C	<b>Date:</b>	06/06/2006
<b>Supervising Physician: (if PA ordering)</b>	JOHN K. SIMONSON, MD	<b>Date of Birth:</b>	02/21/1986
<b>Radiologist:</b>	SUZANNE L. HRUZA, MD		

**CLINICAL INDICATION:** HEMATURIA, BOATING ACCIDENT.

**CT OF THE ABDOMEN AND PELVIS WITH AND WITHOUT CONTRAST.**

**DISCUSSION:** Axial images of the abdomen and pelvis were obtained prior to IV contrast administration. The patient then received 125 cc of Optiray 320 intravenously and axial images of the abdomen and pelvis were acquired.

There is bilateral nephrolithiasis. Multiple stones are present within both kidneys. The largest in the left kidney measures about 4 mm in diameter and lies at the midpole. Smaller stones are noted at the upper and lower poles. There are multiple small calculi within the right kidney and right renal pelvis, the largest measuring about 3 mm in diameter. There is no hydronephrosis and no ureterolithiasis is identified.

The liver is intact. The visualized portions of the lung bases are clear.

The spleen is upper normal in size but shows no evidence for laceration. There are no calcified gall stones. The pancreas is unremarkable. No adrenal masses are present. There is no evidence for renal fracture or perinephric hematoma. The abdominal aorta is normal in caliber. No significant free intraperitoneal fluid is present. The urinary bladder, seminal vesicles, and prostate appear normal.

**IMPRESSION:**

- 1) **BILATERAL NEPHROLITHIASIS.**

SLH: meb

D: 06/06/2006 1220

T: 06/06/2006 1252

---

SUZANNE L. HRUZA, MD

Emergency Department Record

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR#:</b>	038803
<b>Examining Provider:</b>	CAMERON J. OURADA, PA-C	<b>Date:</b>	06/07/2006
<b>Supervising Physician:</b>	JAMES C. JORDAN, MD		

**History of Present Illness:** This is a 20-year-old gentleman who presents to the emergency department with complaints of right flank pain. On 06/03/2006 the patient was involved in a water sporting accident. He was knocked unconscious at that time and sustained a concussion. On Monday of this week, 06/05/2006 he was at home and developed some bloody urination. That blood was painless. He was seen in the clinic the next day and did have a CT scan of the abdomen and pelvis with and without contrast done. He was found to have bilateral nephrolithiasis. He was pain free at that time. Tonight, he started to have some right flank pain that radiated around and down to the right lower quadrant of his abdomen. This started about 1530 today. He states he has taken some ibuprofen, but that only helped a little bit. Pain continued and he therefore came to the emergency department for evaluation. Review of his CT scan of his head and his abdomen and pelvis were performed. He also saw Dr. Frank today in the Outpatient Clinic. At that time he had a CMP drawn. That was unremarkable. His BUN was 10, his creatinine was 1.1. Patient had a little bit of nausea, did not have any vomiting. Denies sweats.

**Past Medical History:** History of asthma as a child.

**Past Surgical History:** He had some nasal polyps removed and sinus surgery.

**Current Medications:** Ibuprofen p.r.n.

**Allergies:** None.

**Social History:** The patient is single and currently staying with his family in Mondamin, Iowa. He is attending some flight school in Oklahoma. He does not use alcohol or tobacco.

**Review of Systems:** Noncontributory.

**Physical Examination:** Vital signs: Temperature 97.5°. Pulse 58. Respirations 16. Blood pressure 118/59. O<sub>2</sub> saturations 98% on room air. General: This is a well-developed, well-nourished 20-year-old male who is currently in a mild amount of distress secondary to right flank pain. HEENT: Conjunctivae and sclerae are clear. Tympanic membranes are pearly with good light reflexes bilaterally. Nose is patent with no bleeding or drainage. Pharynx is pink and moist with no redness or exudates. Neck: Supple. No adenopathy or masses appreciated. No JVD. Chest: Lung sounds are clear to auscultation in all fields with no wheezes or crackles appreciated. Heart is a regular, S1, S2 with no murmurs appreciated. Abdomen: Flat, soft with bowel sounds present throughout. He has some mild tenderness in the right lower quadrant. No rebound or guard. Extremities: Intact. No edema or cyanosis present. Neurological: The patient is alert and oriented x 3 with no focal neurological findings.

**Assessment:**

- 1) Right renal colic.
- 2) Right renal lithiasis.

COPY

MCH Health System  
Blair, Nebraska

Emergency Department Record

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR#:</b>	038803
<b>Examining Provider:</b>	CAMERON J. OURADA, PA-C	<b>Date:</b>	06/07/2006
<b>Supervising Physician:</b>	JAMES C. JORDAN, MD		

**Plan:** Patient was given a prescription for Percocet 5/325 one to two p.o. q. four to six hours p.r.n. pain. He is encouraged to drink lots of fluids and strain his urine. He is to return for any new or worsening symptoms. Follow up with the clinic if no improvement in the next three to five days.

\_\_\_\_\_  
JAMES C. JORDAN, MD

\_\_\_\_\_  
CAMERON J. OURADA, PA-C

CJO:cmm

D: 06/07/2006 1814

T: 06/08/2006 0715

cc: James K. Simonson, MD

COPY

Revised Header		MCH Health System	
Diagnostic Imaging Department			
Patient Name:	HUNTER, JONATHAN R.	MR-Episode#:	038803-0022 OC
Ordering Provider:	CARL T. FRANK, MD	Date:	06/07/2006
Supervising Physician: (if PA ordering)		Date of Birth:	02/21/1986
Radiologist:	SUZANNE L. HRUZA, MD		

CLINICAL INDICATION: GROSS HEMATURIA. STONES SEEN ON CT.

KUB:

DISCUSSION: A supine abdominal film shows a calculus measuring about 2 x 5 mm at the lower aspect of the midportion of the left kidney. There is questionable visualization of two smaller opacities toward the lower pole, which could also reflect calculi. Gas and stool overly the right kidney, making it difficult to identify definite calculus. A definite stone along the course of either ureter is not appreciated. The intestinal gas pattern is nonspecific.

IMPRESSION: LEFT NEPHROLITHIASIS.

SLH:srw

D: 06/08/2006 0820

T: 06/08/2006 0905

R: 06/15/2006 1100 meb

---

SUZANNE L. HRUZA, MD

MCH Health System  
Blair, Nebraska

## Outpatient Clinic

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR#:</b>	038803
<b>Examining Physician:</b>	CARL T. FRANK, MD	<b>Date:</b>	06/07/2006

**Chief Complaint:** Gross hematuria.

**Drug Allergies:** None.

**Medications:** Ibuprofen 600 mg t.i.d. PRN headache and other pain.

**Summary of History:** Patient is a healthy-appearing 20-year-old male, height 5'11", weight 163 pounds, blood pressure 110/70. Four days ago, he was involved in a boating accident while riding a tube kite behind a boat, which fell from some 25 feet, and he impacted the water. He sustained a concussion and was unconscious for a time and in connection with the evaluation through the emergency room, had noncontrast and contrast CT of the abdomen and pelvis as well as CT study of the head. Approximately a day and a half thereafter, he had visible total painless hematuria, which has been intermittent and persisted to a lesser extent and voided urine at this time is very faintly positive as far as visible hematuria and a dip stick strongly positive Hematest positive. Urinalysis otherwise shows negative nitrite, negative leukocytes, negative carbohydrate, trace protein, specific gravity 1.020, pH 5, micro examination – many RBC's with no WBC's or visible casts or bacteria.

**Physical Examination:** Shows an alert, cooperative 20-year-old male with no evidence of anterior abdominal tenderness or organ enlargement on palpation. No flank tenderness. No tenderness over the rib cage on either side, normal external genitalia with a circumcised phallus, no tenderness over the bladder, testicles normal bilaterally.

Review of noncontrast CT from yesterday does show bilateral nephrocalcinosis with the largest stone perhaps 4 mm in diameter occupying a mid polar position in the periphery of his left kidney. On CT, there are smaller peripheral stones in the upper and lower poles of the right kidney; however, on a KUB today, I can only see the left-sided stone. I cannot definitely visualize the right-sided calculi. The kidneys are otherwise normal on CT and show prompt excretion of contrast following ejection, with no hydronephrosis extravasation or evidence of perinephric hematoma. The bladder and ureters visualized on CT also appeared normal. In questioning when the patient did have visible hematuria, it seemed to be consistently concentrated throughout voiding from beginning to end, thus suggesting upper tract rather than lower tract origin. Family history is negative for renal disease or calculi. Both parents are living and well, and both sets of grandparents are still living. The patient has two brothers, who are living and well.

**Comment:** Basic metabolic profile in addition to serum phosphorus and uric acid were obtained this date. My best guess is that his bleeding may represent a mild renal contusion, although, there is not much in the way of clinical evidence to further enforce this believe. It is also possible that his tiny renal calculi may be causing the hematuria, although why the hematuria started following his fall is unclear. If today's lab tests show hypercalcemia or hypercalcuria. I will probably want to do further tests (i.e. 24-hour urine collection for creatinine clearance, phosphorus, calcium, and uric acid excretions as well as citrate). If all screening tests are within normal range, I have recommended that he at least get a follow-up urinalysis in a week or so and certainly if visible hematuria recurs or persists, I would go ahead with cystoscopy in an attempt to document it's origin, although, at this point either kidney could be suspect with the bilateral renal calculi, and I do not feel that it is coming from the bladder or urethra by virtue of it's nature and his history. Certainly nothing serious such as a renal laceration or obstruction or perinephric hematoma is showing up on CT scan and physical exam, in fact, shows no tenderness today, and I do not think he has sustained an injury sufficient

COPY

MCH Health System  
Blair, Nebraska

Outpatient Clinic

<b>Patient Name:</b>	HUNTER, JONATHAN R.	<b>MR#:</b>	038803
<b>Examining Physician:</b>	CARL T. FRANK, MD	<b>Date:</b>	06/07/2006

to keep him at bed rest or restrict his activities. I did encourage him to stop the Ibuprofen 600 mg t.i.d. which conceivably might be adding to a bleeding tendency.

---

CARL T. FRANK, MD

CTF:dll

D: 06/07/2006 1423

T: 06/07/2006 2208

CC: JOHN K. SIMONSON, MD  
LISA M. ISEMINGER, PA-C

38803-0019 AC  
 HUNTER, JONATHAN R  
 02/21/1986 20 Yrs M NC  
 Admit: 6/5/06 9:45 AHC  
 Attend: ISEMINGER PA-C, LISA  
 Admit:

Address: \_\_\_\_\_

**PROGRESS NOTE**  
 Walk-In Clinic Short Form

Phone: 717-646-258

H: \_\_\_\_\_ W: 1160 T: \_\_\_\_\_ P: 80 O2: \_\_\_\_\_ BP: 110/80 R: 16

Nurse's Note: Follow up on Concussion

initials JS

HPI			ROS			Exam			ALLERGIES	
Location, quality, severity, duration, timing, context, modifying factors, associated signs and symptoms.			Const	<input type="checkbox"/>	<input type="checkbox"/>	Const	<input type="checkbox"/>	<input type="checkbox"/>		
PFSH Past Medical <input type="checkbox"/> No chng <input type="checkbox"/> See note <input type="checkbox"/> Family <input type="checkbox"/> Social <input type="checkbox"/> Meds <input type="checkbox"/>			Eyes	<input type="checkbox"/>	<input type="checkbox"/>	Eyes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
			ENT/mouth	<input type="checkbox"/>	<input type="checkbox"/>	ENT/Mouth	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
			CV	<input type="checkbox"/>	<input type="checkbox"/>	Neck	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
			Resp	<input type="checkbox"/>	<input type="checkbox"/>	Resp	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
			GI	<input type="checkbox"/>	<input type="checkbox"/>	CV	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
No noteworthy changes since last visit. See note dated: <u>7/1/06</u>			GU	<input type="checkbox"/>	<input type="checkbox"/>	Chest (breasts)	<input type="checkbox"/>	<input type="checkbox"/>		
			Musc	<input type="checkbox"/>	<input type="checkbox"/>	GI (abdomen)	<input type="checkbox"/>	<input type="checkbox"/>		
			Skin/breasts	<input type="checkbox"/>	<input type="checkbox"/>	Lymph	<input type="checkbox"/>	<input type="checkbox"/>		
			Neuro	<input type="checkbox"/>	<input type="checkbox"/>	GU	<input type="checkbox"/>	<input type="checkbox"/>		
			Psych	<input type="checkbox"/>	<input type="checkbox"/>	Musc	<input type="checkbox"/>	<input type="checkbox"/>		
IMMUNIZATIONS <input type="checkbox"/> Up to date <input type="checkbox"/> Needs:			Endo	<input type="checkbox"/>	<input type="checkbox"/>	Skin	<input type="checkbox"/>	<input type="checkbox"/>		
			Hem/lymph	<input type="checkbox"/>	<input type="checkbox"/>	Neuro	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
			Allerg/immun	<input type="checkbox"/>	<input type="checkbox"/>	Psych	<input type="checkbox"/>	<input type="checkbox"/>		
No noteworthy changes since last visit. See note dated: <u>7/1/06</u>			No ✓: no review/exam			PATIENT EDUCATION Verbal <input checked="" type="checkbox"/> Written <input type="checkbox"/>				
			Topic(s): <u>CONCUSSIONS</u>							

CC: CT- mild concussion

HPI: No headache, lethargy, Nausea, vomiting, blurry vision, weakness

Current Medications  
 Med Sheet Updated \_\_\_\_\_  
 initials

1. Ø
2. IB
- 3.
- 4.
- 5.
- 6.

Memory "coming back" -  
Knocked off "kite tube", flew up w air and knocked unconscious when he hit the water

No prior head injuries

Counseling/coordination > 50%   
 Total time: \_\_\_\_\_ min.  
 Counseling/coordination time: \_\_\_\_\_ min.

Physician's Signature: \_\_\_\_\_

- CONSTITUTIONAL
  - o Appears healthy, NAD
  - o VS noted
  - o III
  - o In distress, 2° to:
- EYES
  - o PERRL
  - o A
  - o EOMI
  - o Hemorrhages L/R, Exudates L/R, Xing changes L/R
  - o Nystagmus
  - o Cataract L/R
  - o Lid edema L/R, lesions L/R, lag L/R
  - o Conjunctiva injected L/R, discharge L/R, icteric L/R
  - o Fundus
  - o Disc blurred L/R, Absent venous pulsations L/R
- ENT
  - o Hearing Decreased L/R
  - o Sinuses Tender maxillary, frontal, ethmoid
  - o Meatus: Impacted L/R, red L/R, discharge L/R
  - o TM's: Red L/R, bulging L/R, perforated L/R, retracted L/R
  - o Nose: Rhinorrhea, flaring
  - o Turbinates boggy L/R, red L/R, pale L/R
  - o Pharynx: Red mucosa
  - o Tonsils absent, enlarged L/R, exudates L/R, vesicles L/R
  - o Stiff
  - o Mass
  - o Lymphadenopathy, anterior L/R, posterior L/R
  - o Thyroid: Enlarged, Asymmetric, nodules L/R
  - o Trachea deviated L/R
  - o Carotid bruit L/R
- NECK
- LUNGS
  - o Percussion: Dullness L/R, o Hyperresonant L/R
  - o Auscultation: Rales L/R, o wheezes, L/R, o rhonchi L/R, o egophony L/R, o ↓ breath sounds L/R
  - o Palpation: ↑↓ Fremitus L/R
- HEART
  - o Palpation: PMI displaced
  - o Thrills present
  - o Auscultation: Irregular rhythm
  - o Friction rub
  - o Murmur (grade \_\_\_\_/VI) describe →
- BREAST
- GI
  - o Nipple discharge L/R
  - o tender L/R, o Axillary nodes L/R
  - o Assymetric
  - o Mass L/R, location (describe →)
  - o Anus - hemorrhoid, sphincter tone, mass
  - o Hernia (location →)
  - o Firm, distended
  - o Hemacult Pos/Neg.
  - o Masses (location/size →)
  - o Rebound, guarding
  - o Tender (location →)
  - o Hepato/splenomegaly
  - o Abnormal bowel sounds (describe →)
  - o Anus - hemorrhoid, sphincter tone, mass
  - o Hernia (location →)
- GU Male
  - o Penis: lesion, discharge
  - o Abn external genitalia (describe)
  - o Scrotal mass, hydrocele, spermatocele
  - o Prostate: tender, boggy, mass, enlarged \_\_\_\_ +
- GU Female
  - o Adenexa: mass L/R, tenderness L/R
  - o Abn. external genitalia (describe →)
  - o Bladder prolapse, cystocele, rectocele
  - o Uterus: mass, tenderness, prolapse, size (describe →)
  - o Vagina: discharge, abn. mucosa, mass
- LYMPH
- MUSCULOSKELETAL
  - o Lymphadenopathy: axilla L/R, groin L/R, other:
  - o Abnormal gait and station
  - o Joint \_\_\_\_\_ L/R, warmth, crepitus, tender, effusion, ↓ ROM, subluxation, laxity, cogwheeling
  - o Muscle \_\_\_\_\_ L/R, tender, ↓ strength, spastic, flaccid, atrophic
  - o Back \_\_\_\_\_ Vertebra(e), SI joint, L/R, stiff, tender, muscle spasm, scoliosis, kyphosis, +SLR, L/R, \_\_\_\_ °
- EXTREMITIES
- SKIN
  - o clubbing
  - o edema L/R, Upper, Lower
  - o Rash (describe, location →)
  - o Cyanotic, icteric, ↓ turgor
  - o Cap Ref < 2 sec
  - o Normal turgor
  - o Hair: alopecia, infestation
  - o Lesion (describe, size, location →)
  - o Pulse: R/L, bruit, ↑↓ amplitude
- NEURO
  - o CN II - XII (describe →)
  - o Sensation: \_\_\_\_\_ dermatome L/R, glove/stocking L/R, fine touch, proprioception, vibration, pinprick
  - o Weakness: L/R, upper, lower extremity
  - o DTRs + L/R, biceps, triceps, knee, ankle
  - o Babinski
  - o Romberg
  - o Cerebellar
- PSYCH
  - o Disoriented
  - o Mood/Affect: Depressed, agitated,
  - o Judgment/Insight
  - o Memory loss: Recent, remote, anxious

- ASSESSMENT:
1. CONCUSSION
  - 2.
  - 3.
  - 4.
  - 5.

- PLAN:
1. head injury instructions
  2. flx if worsening Sx's
  - 3.
  - 4.
  - 5.

Pharmacy:

o RTC if Sx worsen, F> \_\_\_\_\_  
or

Kisa Isminger PAC  
Signature

Pt Ed:  
F/U:  
6-5-06  
Date

38803-0020 AC  
 HUNTER, JONATHAN R  
 02/21/1986 20 Yrs M NC  
 Admit: 6/6/06 9:05 AHC  
 Attend: ISEMINGER PA-C, LISA  
 Admit:

11:30

Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_

**PROGRESS NOTE**  
 Walk-In Clinic Short Form

H: \_\_\_\_\_ W: 159 T: \_\_\_\_\_ P: 72 OZ: \_\_\_\_\_ BP: 112/72 R: 160

Nurse's Note: blood in urine

initials J1

**HPI**  
 Location, quality, severity, duration, timing, context, modifying factors, associated signs and symptoms.

PFSH	No change	See note
Past Medical	<input type="checkbox"/>	<input type="checkbox"/>
Family	<input type="checkbox"/>	<input type="checkbox"/>
Social	<input type="checkbox"/>	<input type="checkbox"/>
Meds.	<input type="checkbox"/>	<input type="checkbox"/>

No noteworthy changes since last visit. See note dated: 6/6/06

**IMMUNIZATIONS**

Up to date  
 Needs:

ROS	WNL	See note
Const	<input type="checkbox"/>	<input type="checkbox"/>
Eyes	<input type="checkbox"/>	<input type="checkbox"/>
ENT/mouth	<input type="checkbox"/>	<input type="checkbox"/>
CV	<input type="checkbox"/>	<input type="checkbox"/>
Resp	<input type="checkbox"/>	<input type="checkbox"/>
GI	<input type="checkbox"/>	<input type="checkbox"/>
GU	<input type="checkbox"/>	<input type="checkbox"/>
Musc	<input type="checkbox"/>	<input type="checkbox"/>
Skin/breasts	<input type="checkbox"/>	<input type="checkbox"/>
Neuro	<input type="checkbox"/>	<input type="checkbox"/>
Psych	<input type="checkbox"/>	<input type="checkbox"/>
Endo	<input type="checkbox"/>	<input type="checkbox"/>
Hem/lymph	<input type="checkbox"/>	<input type="checkbox"/>
Allerg/immun	<input type="checkbox"/>	<input type="checkbox"/>

No noteworthy changes since last visit. See note dated: 6/6/06

Exam	WNL	See note
Const	<input type="checkbox"/>	<input type="checkbox"/>
Eyes	<input type="checkbox"/>	<input type="checkbox"/>
ENT/Mouth	<input type="checkbox"/>	<input type="checkbox"/>
Neck	<input type="checkbox"/>	<input type="checkbox"/>
Resp	<input type="checkbox"/>	<input type="checkbox"/>
CV	<input type="checkbox"/>	<input type="checkbox"/>
Chest (breasts)	<input type="checkbox"/>	<input type="checkbox"/>
GI (abdomen)	<input type="checkbox"/>	<input type="checkbox"/>
Lymph	<input type="checkbox"/>	<input type="checkbox"/>
GU	<input type="checkbox"/>	<input type="checkbox"/>
Musc	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Skin	<input type="checkbox"/>	<input type="checkbox"/>
Neuro	<input type="checkbox"/>	<input type="checkbox"/>
Psych	<input type="checkbox"/>	<input type="checkbox"/>

No ✓: no review/exam

**ALLERGIES**

φ

**PATIENT EDUCATION**

Verbal   
 Written

Topic(s): hematuria

CC:

HPI:  
 IN tubing accident over weekend - sustained concussion, now having blood in his urine - NO pain, NO dysuria, slept OK last eve

38803-0020 AC  
 HUNTER, JONATHAN R  
 02/21/1986 20 Yrs M NC  
 Admit: 6/6/06 9:05 AHC  
 Attend: ISEMINGER PA-C, LISA  
 Admit:

Current Medications  
 Med Sheet Updated \_\_\_\_\_  
 initials

012 06-06-06 9:16AM  
 CLARITY: \_\_\_\_\_  
 COLOR: DK. BROWN  
 GLU NEGATIVE  
 BIL\* SMALL  
 KET\* TRACE  
 SG 1.025  
 BLO\* LARGE  
 PH 5.0  
 PRO\* 100 mg/dL  
 URD 0.2 E.U./dL  
 NIT NEGATIVE  
 LEU NEGATIVE

- 
- 
- 
- 
- 
- 

AI

Physician's Signature: \_\_\_\_\_

Counseling/coordination > 50%   
 Total time: \_\_\_\_\_ min.  
 Counseling/coordination time: \_\_\_\_\_ min.

- CONSTITUTIONAL**    o Appears healthy, NAD    o VS noted    o III    o In distress, 2<sup>o</sup> to:
- EYES**    o PERRL o A o EOMI    o Hemorrhages L/R, Exudates L/R, Xing changes L/R
- o Nystagnus o Cataract L/R o Lid edema L/R, lesions L/R, lag L/R
- o Conjunctiva injected L/R, discharge L/R, icteric L/R
- o Fundus o Disc blurred L/R, Absent venous pulsations L/R
- ENT**    o Hearing Decreased L/R
- o Sinuses Tender maxillary, frontal, ethmoid
- o Meatus: Impacted L/R, red L/R, discharge L/R
- o TM's: Red L/R, bulging L/R, perforated L/R, retracted L/R
- o Nose: Rhinorrhea, flaring o Turbinates boggy L/R, red L/R, pale L/R
- o Pharynx: Red mucosa o Tonsils absent, enlarged L/R, exudates L/R, vesicles L/R
- NECK**    o Stiff o Mass o Lymphadenopathy, anterior L/R, posterior L/R
- o Thyroid: Enlarged, Asymmetric, nodules L/R o Trachea deviated L/R o Carotid bruit L/R
- LUNGS**    o Percussion: Dullness L/R, o Hyperresonant L/R
- o Auscultation: Rales L/R, o wheezes, L/R, o rhonchi L/R, o egophony L/R, o ↓ breath sounds L/R
- o Palpation: ↑↓ Fremitus L/R
- HEART**    o Palpation: PMI displaced o Thrills present
- o Auscultation: Irregular rhythm o Friction rub o Murmur (grade \_\_\_\_/VI) describe →
- BREAST**    o Nipple discharge L/R o tender L/R, o Axillary nodes L/R o Assymetric o Mass L/R, location (describe →
- GI**    o Anus - hemorrhoid, sphincter tone, mass    o Hernia (location →
- o Firm, distended o Hemacult Pos/Neg.    o Masses (location/size →
- o Rebound, guarding    o Tender (location →
- o Hepato/splenomegaly    o Abnormal bowel sounds (describe →
- GU Male**    o Anus - hemorrhoid, sphincter tone, mass    o Hernia (location →
- o Penis: lesion, discharge    o Abn external genitalia (describe
- o Scrotal mass, hydrocele, spermatocele    o Prostate: tender, boggy, mass, enlarged \_\_\_\_ +
- GU Female**    o Adenexa: mass L/R, tenderness L/R
- o Bladder prolapse, cystocele, rectocele    o Abn. external genitalia (describe →
- o Vagina: discharge, abn. mucosa, mass    o Uterus: mass, tenderness, prolapse, size (describe →
- LYMPH**    o Lymphadenopathy: axilla L/R, groin L/R, other:
- MUSCULOSKELETAL**    o Abnormal gait and station
- o Joint \_\_\_\_\_ L/R, warmth, crepitus, tender, effusion, ↓ ROM, subluxation, laxity, cogwheeling
- o Muscle \_\_\_\_\_ L/R, tender, ↓ strength, spastic, flaccid, atrophic
- o Back \_\_\_\_\_ Vertebra(e), SI joint, L/R, stiff, tender, muscle spasm, scoliosis, kyphosis, +SLR, L/R, \_\_\_\_ °
- EXTREMITIES**    o clubbing o edema L/R, Upper, Lower    o Pulse: R/L, bruit, ↑↓ amplitude
- SKIN**    o Rash (describe, location →
- o Cyanotic, icteric, ↓ turgor    o Cap Ref < 2 sec o Normal turgor
- o Hair: alopecia, infestation    o Lesion (describe, size, location →
- NEURO**    o CN II - XII (describe →
- o Sensation: \_\_\_\_\_ dermatome L/R, glove/stocking L/R, fine touch, proprioception, vibration, pinprick
- o Weakness: L/R, upper, lower extremity
- o DTRs + L/R, biceps, triceps, knee,    o Babinski o Romberg o Cerebellar ankle
- PSYCH**    o Disoriented o Mood/Affect: Depressed, agitated,    o Judgment/Insight    o Memory loss: Recent, remote anxious

**ASSESSMENT:**

1. painless hematuria
- 2.
- 3.
- 4.
- 5.

**PLAN:**

1. CT abd/pelvis today
2. will confer w urologist p radiologist overread
- 3.
- 4.
- 5.

Pharmacy:

o RTC if Sx worsen, F> \_\_\_\_\_  
or

Kira Isenberger PA-C  
Signature

Pt Ed:  
F/U:

6-6-06  
Date

MCH Health System

Diagnostic Imaging Department

<b>Patient Name:</b>	HUNTER, STEWART A.	<b>MR-Episode#:</b>	039266-0012 AC
<b>Ordering Provider:</b>	LISA ISEMINGER, PA-C	<b>Date:</b>	06/05/2006
<b>Supervising Physician: (if PA ordering)</b>	JOHN K. SIMONSON, MD	<b>Date of Birth:</b>	09/04/1984
<b>Radiologist:</b>	THOMAS S. FORREST, MD		

CHEST PA AND LATERAL:

REASON FOR EXAMINATION: CHEST PAIN, TUBING ACCIDENT, HYPOXIA, AND HEMOPTYSIS

DISCUSSION: PA and lateral views of the chest show normal heart size. Lung fields are clear. There is no evidence of any pneumothorax or a plural effusion.

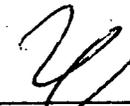
**IMPRESSION:**

- 1) NORMAL PA AND LATERAL CHEST X-RAY. IF PATIENT HAS CONTINUED HEMOPTYSIS, CT COULD BE DONE FOR FURTHER EVALUATION.

TSF:adb

D: 06/07/2006 0950

T: 06/07/2006 1048

  
THOMAS S. FORREST, MD



CONSTITUTIONAL EYES

- o Appears healthy, NAD
- o VS noted
- o Ill
- o In distress, 2° to:
- o PERRL o A o EOMI
- o Hemorrhages L/R, Exudates L/R, Xing changes L/R
- o Nystagmus o Cataract L/R o Lid edema L/R, lesions L/R, lag L/R
- o Conjunctiva injected L/R, discharge L/R, icteric L/R
- o Fundus o Disc blurred L/R, Absent venous pulsations L/R

ENT

- o Hearing Decreased L/R
- o Sinuses Tender maxillary, frontal, ethmoid
- o Meatus: Impacted L/R, red L/R, discharge L/R
- o TM's: Red L/R, bulging L/R, perforated L/R, retracted L/R
- o Nose: Rhinorrhea, flaring o Turbinates boggy L/R, red L/R, pale L/R
- o Pharynx: Red mucosa o Tonsils absent, enlarged L/R, exudates L/R, vesicles L/R
- o Stiff o Mass o Lymphadenopathy, anterior L/R, posterior L/R
- o Thyroid: Enlarged, Asymmetric, nodules L/R o Trachea deviated L/R o Carotid bruit L/R

NECK

LUNGS

- o Percussion: Dullness L/R, o Hyperresonant L/R
- o Auscultation: Rates L/R, o wheezes, L/R, o rhonchi L/R, o egophony L/R, o ↓ breath sounds L/R
- o Palpation: ↑↓ Fremitus L/R

HEART

- o Palpation: PMI displaced o Thrills present
- o Auscultation: Irregular rhythm o Friction rub o Murmur (grade \_\_\_\_/VI) describe →

BREAST GI

- o Nipple discharge L/R o tender L/R, o Axillary nodes L/R o Assymetric o Mass L/R, location (describe →)
- o Anus - hemorrhoid, sphincter tone, mass o Hernia (location →)
- o Firm, distended o Hemacult Pos/Neg. o Masses (location/size →)
- o Rebound, guarding o Tender (location →)
- o Hepato/splenomegaly o Abnormal bowel sounds (describe →)

GU Male

- o Anus - hemorrhoid, sphincter tone, mass o Hernia (location →)
- o Penis: lesion, discharge o Abn external genitalia (describe)
- o Scrotal mass, hydrocele, spermatocele o Prostate: tender, boggy, mass, enlarged \_\_\_\_ +

GU Female

- o Adnexa: mass L/R, tenderness L/R
- o Bladder prolapse, cystocele, rectocele o Abn. external genitalia (describe →)
- o Vagina: discharge, abn. mucosa, mass o Uterus: mass, tenderness, prolapse, size (describe →)

LYMPH MUSCULOSKELETAL

- o Lymphadenopathy: axilla L/R, groin L/R, other: Rt. lower ub pain - mid clavicular area - cartilagenous area, nodularity over 10th rib
- o Abnormal gait and station
- o Joint \_\_\_\_\_ L/R, warmth, crepitus, tender, effusion, ↓ ROM, subluxation, laxity, cogwheeling
- o Muscle \_\_\_\_\_ L/R, tender, ↓ strength, spastic, flaccid, atrophic
- o Back \_\_\_\_\_ Vertebra(e), SI joint, L/R, stiff, tender, muscle spasm, scoliosis, kyphosis, +SLR, L/R, back-

EXTREMITIES SKIN

- o clubbing o edema L/R, Upper, Lower o Pulse: R/L, bruit, ↑↓ amplitude
- o Rash (describe, location →)
- o Cyanotic, icteric, ↓ turgor o Cap Ref < 2 sec o Normal turgor
- o Hair: alopecia, infestation o Lesion (describe, size, location →)

NO point tenderness

NEURO

- o CN II - XII (describe →)
- o Sensation: \_\_\_\_\_ dermatome L/R, glove/stocking L/R, fine touch, proprioception, vibration, pinprick
- o Weakness: L/R, upper, lower extremity
- o DTRs + L/R, biceps, triceps, knee, o Babinski o Romberg o Cerebellar ankle

PSYCH

- o Disoriented o Mood/Affect: Depressed, agitated, o Judgment/Insight o Memory loss: Recent, remote anxious

ASSESSMENT:

1. Cardiomegaly
2. ub contusion
3. Separation
- 4.
- 5.

PLAN:

1. Stop supplements
  2. consult 2 cardiologist in AM - May
  3. need echo
  4. Advil 400mg tid 5-7 days
  5. ice/heat to ub area
- NO weight lifting x 1-2 weeks

Pharmacy:

o RTC if Sx worsen, F> or

Pt Ed: FU:

no strenuous exercise

Signature Lisa Keminger PA-C

Date 6-5-06

flu if & better p 2 weeks

6/6/06 echo set up for Friday 6-9-06



U. S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The U. S. Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and distributors to inform them of the involvement of their product in an incident situation. We also give the information to others requesting information about specific products or hazards. Manufacturers may need the individual's name so that they can obtain additional information on the product or incident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

YES

NO

Rodney Hunter  
(Signature)

06-21-06  
(Date)



U. S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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---

YES                       NO

Susan Hunter  
(Signature)

6-21-06  
(Date)



U. S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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U. S. CONSUMER PRODUCT SAFETY COMMISSION

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YES

NO

*Jonathan Hunte*  
(Signature)

06-21-06  
(Date)



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

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---

YES                       NO

Steve Hunter  
(Signature)

6/21/06  
(Date)

## CONTACT LIST

Rodney Hunter – 48-year-old father  
Susan Hunter – 43-year-old mother  
1861 Highway 127  
Mondamin, IA  
(402) 212-8985

Victims: Jonathan Hunter – 20-year-old son  
Stewart Hunter – 21-year-old son  
(Same address)

Colleen York – 21-year-old girl friend of victim (Jonathan)  
1937 Kameo Drive  
Omaha, NE 68122

Mark Rosenthal – Parts & Sales Manager  
Kyle Moore – Manager of Pro Shop (Where kite tubes are sold)  
Joe Liss – Salesman in Pro Shop  
Paul Davis – Owner (Not available)  
9610 L Street  
Omaha, NE 68127  
(402) 339-9600

Omaha Fire Department – No report  
1516 Jackson Street  
Omaha, NE 68102  
(402) 444-5700

Omaha Police Department – No report  
505 S. 15<sup>th</sup> Street  
Omaha, NE 68102  
(402) 444-5638

Terrell Odom, Supervisor – No report  
Shore Side Detachment (SSD)  
U.S. Coast Guard  
9800 J.J. Pershing Drive  
Omaha, NE 68112  
(402) 453-4333

Douglas County Sheriff – No report  
1905 Harney St.  
Lt. Kevin Conlon – 444-6131  
Omaha, NE  
(402) 444-7028

Douglas County Treasurer – Boat Registration – (No listing under Colleen York – Cannot search by last name only. Would not give out address if found.)  
4701 S. 24<sup>th</sup> Street  
Omaha, NE 68107  
(402) 444-7103

Herb Angell, Stating Boating Law Administrator – No report (but should have had one from boater.)  
Nebraska Game & Parks (Member of NASBLA)  
Law Enforcement Division  
2200 N. 33<sup>rd</sup> St.  
Lincoln, NE 68503  
(402) 471-0641

Lt. Mike Fields  
Phyllis Dudgeon, Administrative Specialist  
Kentucky Department of Fish & Wild Life  
1 Sportsman Lane  
Lexington, KY (Frankfort, KY 40601)  
(502) 564-3176

Ron Sarber, Director  
National Association of State Boating Law Administrators  
1500 Leestown Road, Suite 330  
Lexington, KY 40511  
(859) 225-9487  
[www.nasbla.org](http://www.nasbla.org)



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ISSUE

37

## Kite Tubing Read The Rules



A fun day of boating on the Missouri River turned frightening for a family and their friends when a new water toy became too much to handle.

Colleen York had a queasy feeling as she watched.

"I'm thinking to myself something is going to happen. He's going way too high," she recalls. □

A friend riding a newly purchased water toy called the kite tube made a hard landing.

Colleen says, "We turned around and he was unconscious in the water and we're all freaking out. So his dad jumps in and rescues him. He started coughing. I was glad."

Watching the tape of the episode, Nebraska Medical Center emergency room Dr. Richard Walker said water doesn't guarantee a soft landing."

He says, "If you are jerked around quickly in the air you can injure your neck or your back; your spine."

But Paul Davis of Omaha Marine Center says the kite tube comes with written and video instructions to make it a safe and exciting ride.

He says the instructions are, "very specific to the speed you can go, the rope length to use. If you continue to accelerate, about the 30 mile-per-hour range you increase your chances of getting hurt."

The cockpit of the kite tube also comes with instructions on communicating with the boat with instructions to speed up or slow down.

Dan Wiley is a kite tube rider who doesn't think of himself as a daredevil.

He says, "If you go too fast, yes, it's going to be a dangerous situation but it's a very calm, relaxing, fun ride."

Though the kite tube initially made a splash with her friends, Colleen York says they've since returned it.

"It looks fun," she says. "You might think you have control but one gust of wind and they now know better."

Sports Stuff, the manufacturer, says no other towable, inflatable on the market has such an extensive system of warnings and instruction. Markings on the tube are specifically designed to warn the riders of possible dangers in misusing the tube. It's produced by a company in Omaha that conducted numerous safety tests on Lake Manawa before putting the tube on the market.

### Find this article at:

<http://www.wowt.com/news/headlines/3006146.html>

Check the box to include the list of links referenced in the article.



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The following information was obtained through a telephone interview with the victim's wife who observed the incident and with the consumer/boat operator. The victim could not be interviewed due to his current medical condition (halo brace). Additional information was obtained through official reports. The investigation was generated by a report submitted by local officials. The involved product is a circular tube kite. There were a total of three separate, but related incidents involving the same product during the two-day period, though only one incident resulted in medical treatment.

The primary victim (hereafter, "victim") is a 29 year-old male, who weighs approximately 190lbs and stands approximately 6'2. The victim has between 15-20 years of experience with similar products and activities, which includes wakeboarding and water skiing. The victim did not incur any injuries while participating in previous water-related activities. The victim had no prior experience with the product. The victim did not read any product-related documentation (e.g., owner's manual) and did not watch the instructional video that was provided to the consumer.

The victim's friend (hereafter, "consumer" or "boat operator"), who is 36 years old, was the owner of the product and the boat operator at the time of the incident. The product was newly purchased in late May 2006 through an online purchase with a major retailer. The consumer reported that the product has been difficult to locate in retail stores as the products have reportedly been selling quickly. Therefore, the consumer received no prior personal instruction from any sales staff on how to operate the product. The consumer recalls that the product included the tube kite, a three-segmented tow rope (i.e., can be used at the adjustable lengths of 45, 55, and 65 feet), and an instructional video (DVD). The consumer reported that his 32 year-old wife (hereafter, "wife"), 10 year-old son (hereafter, "son"), and he watched the instructional video before using the product. The consumer did not read the owner's manual and does not recall if an owner's manual was provided. The consumer did observe numerous warning and caution labels on the product.

Within a day or two after purchasing the product, the consumer began using the product on a four-day trip. It is unknown who inflated the product, or how much the product was inflated (i.e., PSI). There were a total of seven people on the trip/boat, which included five adults and two children. The boat that was used during each incident was a 21-foot, 280 horsepower, inboard runabout, and was operated solely by the consumer, who reported having significant boating experience. The victim reported that no alcohol was consumed by any of the participants at any time.

Prior to the victim sustaining his injuries, both the wife and son individually rode the product a total of three times each, and both were thrown off once while riding the product. All individuals were sole riders during their respective rides. The son's ride lasted a total of a few minutes, though it is unknown how long the wife was on the product before being thrown off. Various boat passengers acted as "spotters" and no one person was specifically designated. The length of the tow rope used during the wife and son's rides is unknown. The wife weighs approximately 115lbs and stands 5'4 while the son weighs approximately 75lbs and stands 4'5. It is unknown what the wife and son were wearing during the incident(s). During the wife's ride, the boat was traveling

approximately 25-30mph, and she maintained elevations between 5-10 feet. While airborne, the product flipped, and caused the wife to fall and land in the water, on her back. During the son's ride, the boat was traveling approximately 20mph while the son maintained elevations between 3-5 feet. During the son's ride the product flipped and with the son still in the product, landed in the water. The son reportedly injured his knees. It is unknown what exact position the son was in when he landed. Neither individual sought medical attention, though the wife reported "back soreness and spitting up blood" shortly thereafter.

On June 2, 2006 at approximately 3:15pm, the victim attempted his first ride on the product. The victim was wearing shorts and a life jacket. Neither the victim, nor the wife and son wore a helmet during their respective rides. The consumer (i.e., boat operator) tied/secured the tow rope to the product at its greatest length, which is 65 feet, and was included with the purchase of the product. The victim did not purposefully read any of the warning labels on the product before riding. The victim's 30 year-old wife acted as a "spotter" while the victim was riding the product. The visibility was good and the water was reportedly calm. The winds were listed as "moderate", and blowing from the southwest at 10mph. The boat was traveling west, into the wind, and at various speeds (a port side crosswind was reported). It is unknown if other vessels were in the waterway during the victim's ride.

While riding, the victim could not see the boat, therefore communication was impaired. Part of the product, near the front, is constructed of a clear plastic and serves as a window, but immediately became fogged up during the ride, thereby preventing the rider to see or communicate with the spotter or boat operator. The victim had planned on using hand signals, as previously learned while participating in other water sporting activities (e.g., water skiing), but was unable to as removal of either of his hands would have caused a weight shift within the product, thereby causing it to become unstable.

During the victim's ride, which lasted a total of 5-10 minutes, he had difficulty getting the product airborne due to the adult (heavier) weight. The boat operator thus increased the speed to approximately 35-40mph. It is unknown what the boat's actual speed was prior to the increase. It was reported that victim reached elevations of three feet or less, and then suddenly reached an elevation of between 15-25 feet when a gust of wind lifted the product further into the air. While at this peak elevation, the product began to wobble left to right and became unstable for approximately three seconds. The port side of the product then flipped up, thereby inverting and accelerating the product towards the water with the front of the product pointing downward. While the product was falling downward and approximately three feet above the water, the victim fell off the product, and landed headfirst in the water, in an angular, corkscrew motion.

The boat operator immediately turned the boat around when he observed the victim land in the water. With assistance from the passengers in the boat, the victim climbed back into the boat. The victim maintained consciousness, but complained of neck pain. The boat operator radioed for assistance and returned to the marina where the victim received initial emergency medical treatment from the responding medics. The victim was transported via ambulance to a local hospital where he received additional treatment and

was diagnosed with a C-2 (neck) vertebrae fracture. Although the victim was released from the hospital, he is to remain in a halo brace for three months and afterwards will retain limited mobility in his neck (90%). Medical records have been requested, but not received.

The victim and consumer both believe that the product is unsafe for various reasons, specifically due to the inability for rider and boat operator to effectively communicate and instability of product while airborne; therefore, should be removed from the market. The consumer contacted the manufacturer shortly after the incident and informed a representative of what occurred, specifically that three individuals were injured to varying degrees while riding the product. The manufacturer's representative reiterated to the consumer the safety information that accompanies the product (e.g., warning labels) and offered to exchange the product for a regular, non-aerial inner tube. The consumer has since repackaged the product, tow rope, and instructional video and returned them to the manufacturer. Neither the victim, nor the consumer reported any damage to the product after the incident. The consumer has had no further communication with the manufacturer. The victim made no attempt to contact the manufacturer.

Internet research revealed correspondence among consumers and operators of the product on various websites. A June 21, 2006 response (i.e., blog) was written (i.e., posted) to concerned consumers of the product by a manufacturer's spokesperson (Exhibit #9), which stated that the manufacturer "follows the guidelines set forth by the Water Sports Industry Association" (paragraph 7 of Exhibit #9). A phone call was placed to the executive director of the Water Sports Industry Association (WSIA) regarding any possible promulgation of standards or endorsement of the product. The director stated that while the WSIA warnings are intended as guidance for manufacturers of water-related products, the product manufacturer made no prior attempts to seek confirmation with WSIA regarding the product or any tow rope standards. The director stated that regarding tube kites, the WSIA has never "crafted any language" as related to tube kites or endorsed the product in anyway. Furthermore, the director stated that the tube rope standards and warnings promulgated by WSIA are not intended for tube kites tow ropes as pertinent factors, such as tensile strength and capacity may differ between regular (inner) tubes and tube kites. The tube and tow rope warnings and standards promulgated by WSIA have been attached as a reference (Exhibits #6-7). No attempt was made to contact the spokesperson for the manufacturer regarding the aforementioned statement as to WSIA guidelines.

On June 15, 2006, and after responding to numerous incidents involving serious injuries, the local officials of the recreational area implemented a ban all on tube kiting. This restriction was generated from the numerous incidents occurring in the recreational area and subsequent interviews with related parties and various agencies (see Exhibit #8 for restriction proposal and related correspondence). The law enforcement specialist also stated that the park rangers have generated approximately 10 additional reports regarding contact with individuals subsequently preparing to participate in tube kiting. All individuals were alerted to the newly imposed ban, and no additional reports of injuries were noted. In addition, the law enforcement specialist at the recreational park/area determined, after watching the product's instructional video (DVD) on numerous

occasions, that the video narrator discloses that the boat operator (and rider) should go only between 10-20mph, but the video consistently shows boat operators going between 30-40mph, enabling the rider to obtain flight.

On June 16, 2006, a local retailer stocking an exemplar product was visited. Exemplar photographs of the packaging were taken and are included as Exhibit #1.

**Product Identification:**

The product is a **Wego kite tube™**, and is a 120inch (10 foot) inflatable, circular tube kite that is designed for a single rider, and to be towed behind a boat via tow rope and achieve flight when a certain boat speed is attained. The model number for the product as listed on the manufacturer's website and exemplar packaging is: **53-5000**. The product indicates that a patent is pending and that it is made in China. The manufacturer is:

**SportsStuff, Inc.**  
**11213 E. Circle, Suite A**  
**Omaha, NE 68137**  
**(402) 592-9085—P**  
**(402) 592-1354—F**  
**www.sportsstuff.com**

The suggested retail price as listed on the manufacturer's website is \$599.95; however, the price paid by the consumer was \$499.00 with exemplar units located in retailers also listed as \$499.00. The product is largely yellow in color with wide black diagonal accent striping and a sectional red border with various product labeling and identification, which includes various skull graphics. The product maintains an "840D" nylon covering and panoramic, see-through double plastic windows that are located near the front of the product. Near the rear of the product is a parallel slotting system cockpit for the rider. A handle system is located underneath the nylon covering and is accessible via eight different circular slots that offer the rider eight different "non-slip" handle positions. The product is also equipped with a three-segmented tow rope that is adjustable to lengths of 45, 55, and 65 feet. The front of the product maintains a molded, aluminum connector for attachment to the tow rope.

The product was purchased through Wal-Mart's website: ([www.walmart.com](http://www.walmart.com)).

Various warnings are located on the product's packaging (exemplar), and include a lengthy "Release of Liability" warning (Exhibit #1, photo 8), which iterates that by assembling and inflating the product the consumer has implicitly agreed to have read and understands the owner's manual and releases the manufacturer of any responsibility as related to damage, loss, or injury. The exemplar packaging also retains warnings disclosing that the product is "Not A Lifesaving Device"... "Never Leave Children Unattended"... "Use Only Under Competent Supervision" (Exhibit #1, photo 7). Although the website shows the product with the warning, "NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL" (Exhibit #10), the exemplar packaging does not reveal such a warning on the product. However, the exemplar packaging also reads

060614HCC3606

that “Designs Featured In Photography Subject To Variations” (Exhibit #1, photo 7). Although two additional warning can be observed on either side of the product’s parallel slotting system, neither one is legible as observed as a photograph on the exemplar packaging or website.

Other relevant wording found on the exemplar packaging (Exhibit #1, photo 10) includes, “Whip across the water like a deck tube, or fly through the air like a bird! Experience the thrill of flight as you rise above the water reaching *incredible heights*, leaving nothing but adrenaline in your wake!” (Emphasis added). Instructional wording observed on the exemplar unit (Exhibit #1, photo 12) includes, “Beginners will benefit greatly by following the directions explained in the included instructional DVD and owner’s manual... With a good amount of practice, you’ll be able to *hover slightly* above the water’s surface for minutes at a time!” (Emphasis added).

No incident or exemplar sample was collected, and no incident product photographs could be obtained.

**Exhibits:**

- A. CPSC Photographs of Exemplar Packaging (10 pages)
  - 1. Front view of exemplar product packaging
  - 2. Manufacturer contact information--as viewed on top of exemplar packaging
  - 3. Exemplar product's model number and UPC
  - 4. UPC and retailer price of exemplar product
  - 5. Top view of exemplar product packaging
  - 6. Product's features--as listed on exemplar product's top (packaging)
  - 7. Guarantee and warning of top of exemplar product's packaging
  - 8. Warning label on exemplar product's top (packaging)
  - 9. Product information--labeling on front of exemplar product
  - 10. Wording on front of packaging of exemplar product
  - 11. Bottom view of packaging on exemplar product
  - 12. Riding instructions on exemplar product (packaging--bottom)
  - 13. Side view of exemplar product
  - 14. Product's features--as listed on exemplar product's packaging (side)
- B. Notice of Inspection to Retailer (1 page)
- C. Local Official Incident Report (8 pages)
- D. Owner's Manual for Product (11 pages)
- E. Owner's Manual for Tow Rope (7 pages)
- F. Water Sports Industry Association (WSIA) warning manual (13 pages)
- G. Photos of WSIA warning labels—tow ropes and tubes (1 page)
- H. Local Recreational Officials **Final Draft** Regarding Product Ban and Related Correspondence (70 pages)
- I. Internet Written Response (i.e., "blog") by Manufacturer Spokesman (1 page)
- J. Photo of Product as Seen on Manufacturer's Website (1 page)



Photo#1: Front view of exemplar product packaging

**SPORTSSTUFF, INC.**  
**11213 E Circle, Suite A**  
**Omaha, NE 68137 USA**  
**Tel: 402.592.9085**  
**Fax: 402.592.1354**

**MADE IN CHINA**

**Customer Service:**  
**888.814.8833**  
**Internet Address:**  
**<http://www.sportsstuff.com>**  
**E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)**

Photo #2: Manufacturer contact information--as viewed on top of exemplar packaging

**WEGO 10FT. KITE TUBE**  
**Model # 53-5000**

Patent Pending  
© Sportsstuff, Inc., 2005



Photo #3: Exemplar product's model number and UPC.

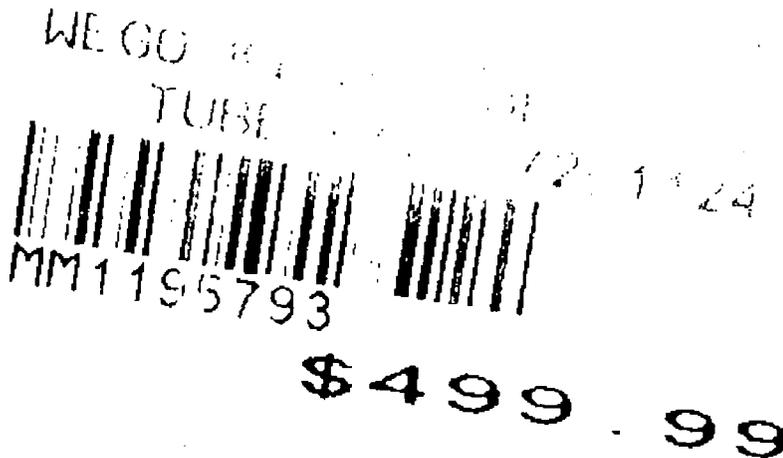


Photo #4: UPC and retailer price of exemplar product

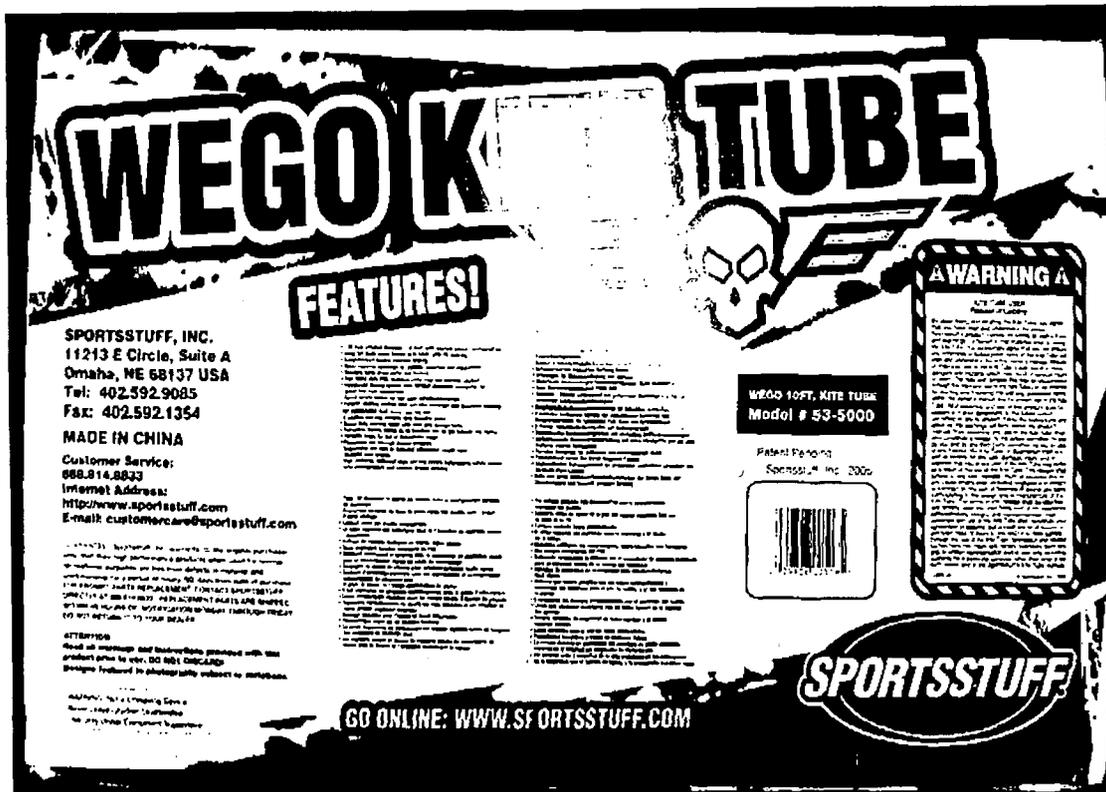


Photo #5: Top view of exemplar product packaging

# FEATURES!

- 120 inch inflated diameter (10 foot) with slanted saucer configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders-outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for quick tow rope connection
- Speed safety valves for fast easy inflation/deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls.
- Reflective Safety piping on all handles and on the outside top taping
- Variable loops for use of detachable leash
- Panoramic see through double windows
- Segmented tow rope is included adjustable length style 45/55/65 foot lengths
- High visibility, billboard style red and yellow watersports safety colors with checkerboard and caution accent striping

Photo #6: Product's features--as listed on exemplar product's top (packaging)

**GUARANTEE:** Sportsstuff, Inc. warrants, to the original purchaser only, that their high performance products when used for normal recreational purposes are free from defects in material and workmanship for a period of ninety (90) days from date of purchase. **FOR PROMPT PARTS REPLACEMENT, CONTACT SPORTSSTUFF DIRECTLY AT 888.814.8833. REPLACEMENT PARTS ARE SHIPPED WITHIN 48 HOURS OF NOTIFICATION MONDAY THROUGH FRIDAY. DO NOT RETURN IT TO YOUR DEALER.**

**ATTENTION:**

**Read all warnings and instructions provided with this product prior to use. DO NOT DISCARD!  
Designs featured in photography subject to variations.**

**WARNING: Not a Lifesaving Device.  
Never Leave Children Unattended.  
Use Only Under Competent Supervision.**

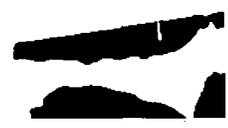


Photo #7: Guarantee and warning of top of exemplar product's packaging

# ! WARNING !

## KITE TUBE USER Release of Liability:

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks of injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty, including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.

110805.08

© Sportsstuff, Inc., 2008

Photo #8: Warning label on exemplar product's top (packaging)

APPROXIMATE INFLATED SIZE

**120"**

DIAMETER 300+CM

1-PERSON MAX. CAPACITY

**DO NOT FLY!**

The next generation  
is taking you to a whole new level  
of fun. It's not just a water like a beach tube,  
it's a whole new world. Experience the thrill!  
The water reaching incredible  
heights leaving nothing but adrenaline in your veins!  
The bank of extreme sport has been raised with the  
WING KITE TUBE. Anything else is beach fl...

**INCLUDES ALL THIS!**

**1**

INSTRUCTIONAL DVD

INSTRUCTIONAL  
**DVD**  
INCLUDED

**2**

STARTING LEASH

**3**

ADJUSTABLE SEGMENTS  
FOR MORE!



Photo #9: Product information--labeling on front of exemplar product

Photo #10: Wording on front of packaging of exemplar product

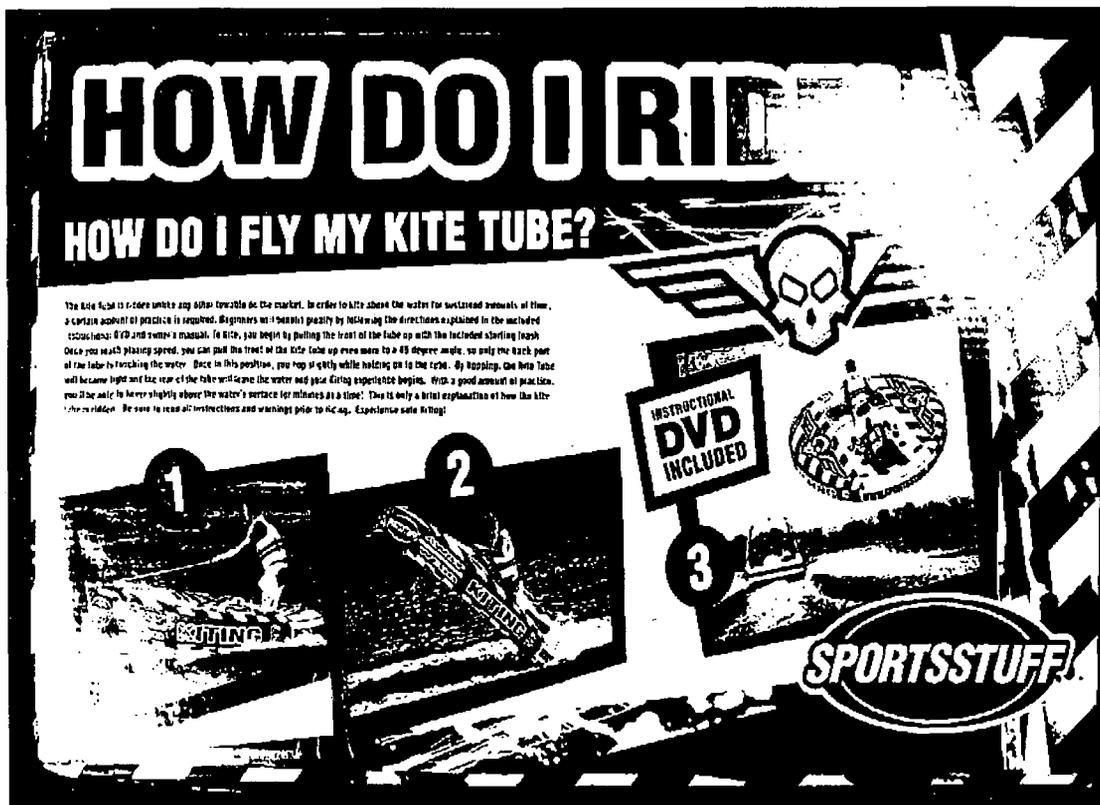


Photo #11: Bottom view of packaging on exemplar product

# HOW TO

## HOW DO I RIDE THE KITE TUBE

The Kite Tube is ridden unlike any other towable on the market. In order to kite above the water for sustained amounts of time, a certain amount of practice is required. Beginners will benefit greatly by following the directions explained in the included instructional DVD and owner's manual. To Kite, you begin by pulling the front of the tube up with the included starting leash. Once you reach planing speed, you can pull the front of the Kite Tube up even more to a 45 degree angle, so only the back part of the tube is touching the water. Once in this position, you hop slightly while holding on to the tube. By hopping, the Kite Tube will become light and the rear of the tube will leave the water and your Kiting experience begins. With a good amount of practice, you'll be able to hover slightly above the water's surface for minutes at a time! This is only a brief explanation of how the kite tube is ridden. Be sure to read all instructions and warnings prior to riding. Experience safe Kiting!

Photo #12: Riding instructions on exemplar product (packaging--bottom)



# FEATURES!

- 120 inch inflated diameter (10 foot) with slanted canopy configuration
- 840D full body nylon double skin cover with PU coating
- Computerized double stitched sewing
- Nylon zippered openings for bladder insertion and adjustment
- Multiple mesh drain ports, bar-tacked
- Two heavy-duty PVC bladders: outer ring and slotting cockpit
- Reinforced towing system with molded aluminum connector for quick tow rope connection
- Speed safety valves for fast easy inflation/deflation
- Parallel slotting system with non-slip footsteps and neoprene padding for comfortable foot, knee, and leg use
- 8 padded non-slip handles with knuckle guard
- Heavy-duty starting leash with easy grip sponge balls
- Reflective safety piping on all handles and on the outside top taping
- Variable loops for use of detachable leash
- Panoramic see-through double windows
- Segmented tow rope is included adjustable length style 45/55/65 foot lengths
- High visibility billboard style red and yellow watersports safety colors with checkerboard and caution accent striping

Photo #14: Product's features--as listed on exemplar product's packaging (side)

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
NOTICE OF INSPECTION

1. DATE 6/16/06	3. FROM (Area Office and Address) CPSC - CFIW (D)
2. TIME ____ A.M. 12 P.M.	
A. NAME AND TITLE OF INDIVIDUAL Vina Ramus, Parts Manager	
B. FIRM NAME Marinemax	
4. TO C. NUMBER AND STREET ADDRESS 1363 Embarcadero (1285)	
D. CITY, STATE AND ZIP CODE Oakland, CA 94606	

Notice of Inspection is hereby given pursuant to:

- Flammable Fabrics Act (15 U.S.C. 1191 *et seq.*);
- Federal Trade Commission Act (15 U.S.C. 41 *et seq.*);
- Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)
- Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 *et seq.*)] and/or
- Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).

Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.

5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED.

The purpose of this inspection is to obtain information; to review and obtain copies of items including but not limited to records, reports, books, documents; and labeling; and to obtain samples, in order to enforce or determine compliance with the Acts administered by the Consumer Product Safety Commission.

To inspect/review Wego Kite Tube, including photographs.

6. FREEDOM OF INFORMATION REQUIREMENTS

Those from whom information is requested should state whether any of the information submitted is believed to contain or relate to a trade secret or other matter which should be considered by the Commission to be confidential and whether any of the information is believed to be entitled to exemption from disclosure by the Commission under the provisions of the Freedom of Information Act (15 U.S.C. 552). Any statement asserting



060614HCC3606

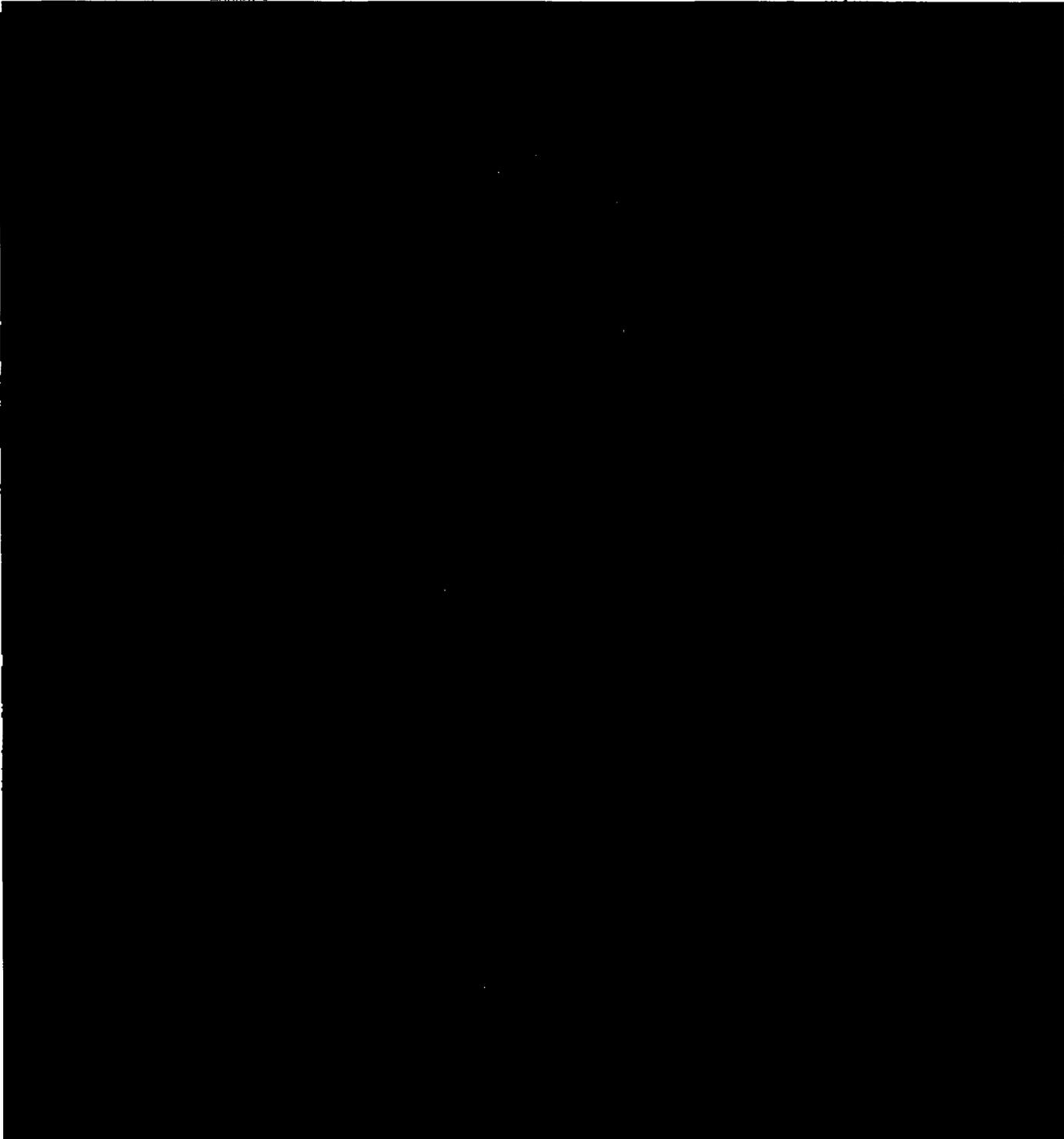
Exhibit C

# Boating Accident Report

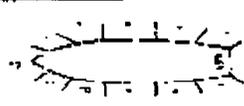
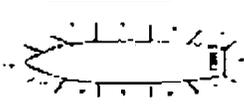
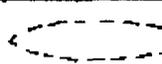
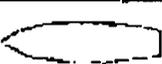
Glen Canyon National Recreation Area  
PO Box 1507, Page, Arizona 86040

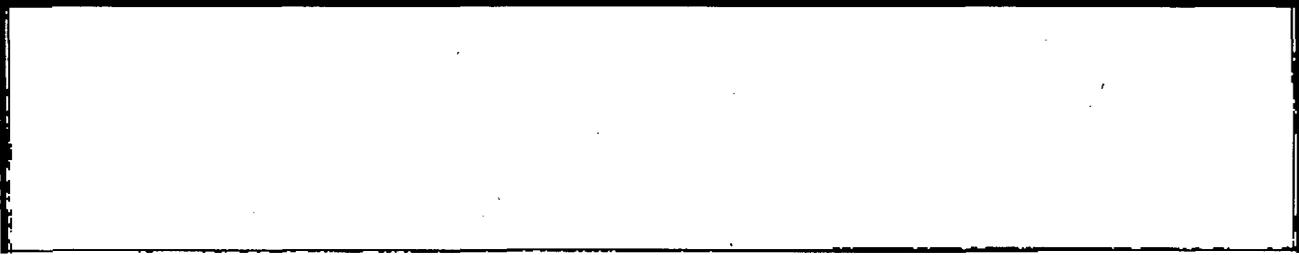
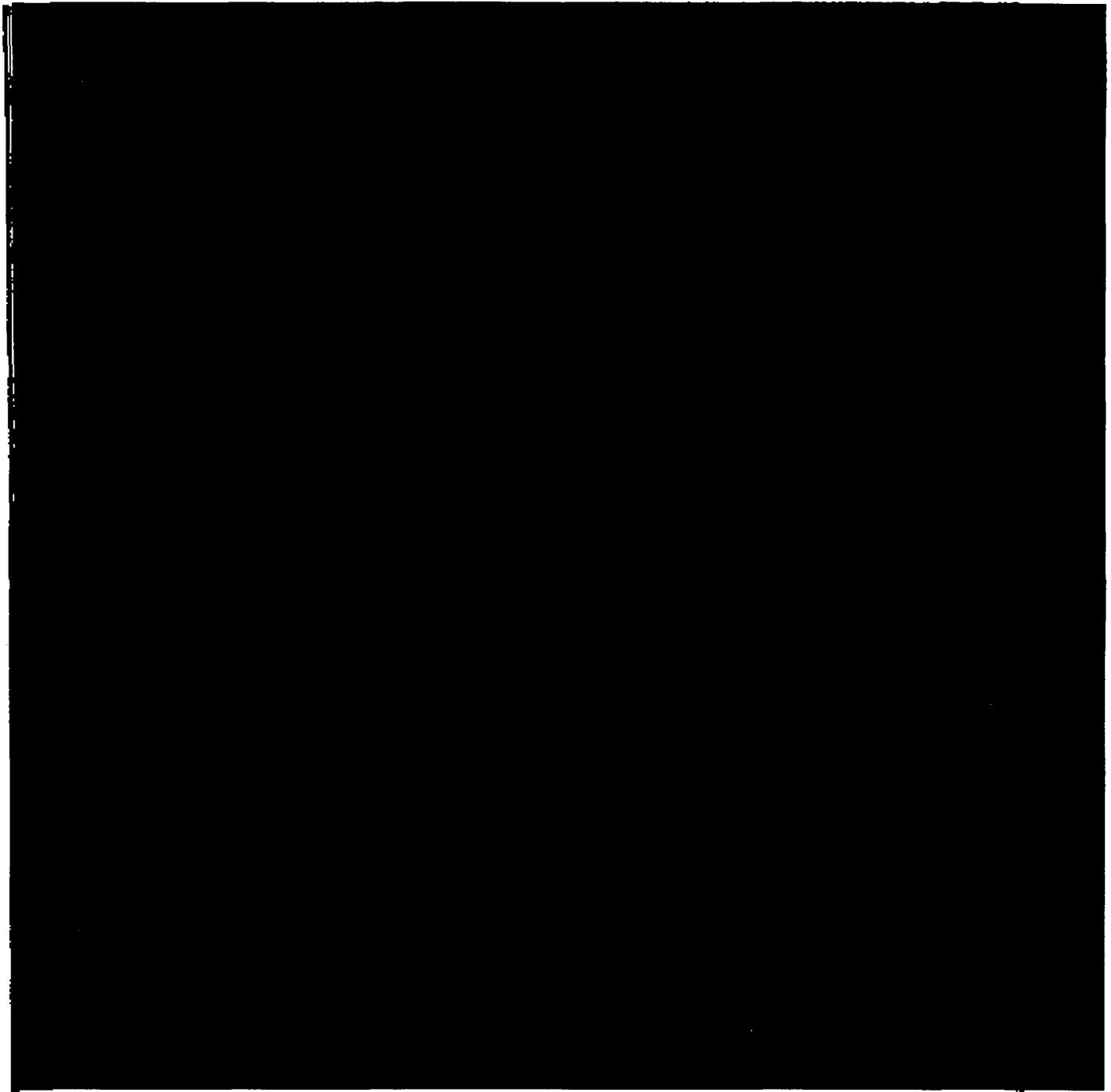
#3

BLAKE  
HARRISON



<b>WEATHER (CHECK AS APPROPRIATE)</b> <input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW <input type="checkbox"/> FOG <input type="checkbox"/> WINDY		<b>WATER CONDITIONS</b> <input type="checkbox"/> CALM (WAVES < 1') <input type="checkbox"/> CHOPPY (1' - 2') <input type="checkbox"/> ROUGH (2' - 4') <input type="checkbox"/> VERY ROUGH (> 4') <input type="checkbox"/> STRONG CURRENT		<b>TEMPERATURES</b> AIR    ° F WATER ° F		<b>WIND DIRECTION SW</b> <input type="checkbox"/> LIGHT (< 10 MPH) <input type="checkbox"/> MODERATE (11 - 19 MPH) <input type="checkbox"/> STRONG (20 - 29 MPH) <input type="checkbox"/> STRONG (30+ MPH) <input type="checkbox"/> NONE		<b>VISIBILITY</b> DAY <input type="checkbox"/> NIGHT <input type="checkbox"/> <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR	
<b>BOAT TYPE</b> <input type="checkbox"/> OPEN MOTORBOAT <input type="checkbox"/> BOMBAY <input type="checkbox"/> STEEL WATER TANK <input type="checkbox"/> AUTOMATIC SAIL <input type="checkbox"/> WIND SURFBOAT <input type="checkbox"/> CANOE MOTORBOAT <input type="checkbox"/> SAILBOAT <input type="checkbox"/> CANOE/KAYAK <input type="checkbox"/> PLYWOOD BOAT <input type="checkbox"/> OTHER (SPECIFY)		<b>HULL MATERIAL</b> <input type="checkbox"/> WOOD <input type="checkbox"/> STEEL <input type="checkbox"/> PLASTIC <input type="checkbox"/> FIBERGLASS <input type="checkbox"/> ALUMINUM <input type="checkbox"/> OTHER (SPECIFY)		<b>ENGINE</b> <input type="checkbox"/> OUTBOARD <input type="checkbox"/> INBOARD <input type="checkbox"/> STEERING MOTOR <input type="checkbox"/> AIRBLAST <input type="checkbox"/> ELECTRIC		<b>PROPELLSION</b> <input type="checkbox"/> PROPELLER <input type="checkbox"/> AIR THRUST <input type="checkbox"/> WAVELET <input type="checkbox"/> WATERJET <input type="checkbox"/> SAIL <input type="checkbox"/> OTHER		<b>RENTAL BOAT</b> YES <input type="checkbox"/> NO <input type="checkbox"/> VESSEL # <input type="checkbox"/> <input type="checkbox"/> VESSEL # <input type="checkbox"/> <input type="checkbox"/> <b>FUEL</b> <input type="checkbox"/> GASOLINE <input type="checkbox"/> DIESEL <input type="checkbox"/> OTHER	
<b>TYPE OF ACCIDENT</b> (NAME BY NUMBER IN ORDER OF OCCURRENCE (NO MORE THAN 1)) <input type="checkbox"/> 1. COLLISIONS <input type="checkbox"/> 2. CAPSIZING <input type="checkbox"/> 3. FLOODING OR SWAMPING <input type="checkbox"/> 4. SINKING <input type="checkbox"/> 5. FIRE/EXPLOSION (FUEL) <input type="checkbox"/> 6. SKIFF MISHAP <input type="checkbox"/> 7. COLLISION WITH VESSEL <input type="checkbox"/> 8. COLLISION WITH FIXED OBJECT <input type="checkbox"/> 9. COLLISION WITH FLOATING OBJECT <input type="checkbox"/> 10. FALLS OVERBOARD <input type="checkbox"/> 11. FALLS IN BOAT <input type="checkbox"/> 12. STRUCK BY BOAT <input type="checkbox"/> 13. STRUCK BY MOTOR/PROPELLER <input type="checkbox"/> 14. HIT AND RUN <input type="checkbox"/> 15. FIRE/EXPLOSION (OTHER THAN FUEL) <input type="checkbox"/> 16. OTHER		<b>CAUSE OF ACCIDENT</b> (NAME BY NUMBER IN ORDER OF IMPORTANCE (CALL THAT APPLIES - BUT NO MORE THAN 1)) <input type="checkbox"/> 1. WEATHER <input type="checkbox"/> 2. OVERLOADING <input type="checkbox"/> 3. ELECTRICAL FAILURE <input type="checkbox"/> 4. IMPROPER CANNING <input type="checkbox"/> 5. FAIL TO YIELD <input type="checkbox"/> 6. OPERATOR INTERFERENCE <input type="checkbox"/> 7. OPERATOR DISTRACTION OR <input type="checkbox"/> 8. INADEQUATE TRAINING <input type="checkbox"/> 9. RECKLESS OPERATION <input type="checkbox"/> 10. EXCESSIVE SPEED <input type="checkbox"/> 11. NO ONE OVERBOARD <input type="checkbox"/> 12. SEI ONE OVER NOT OBSERVING <input type="checkbox"/> 13. HAZARDOUS WATERS <input type="checkbox"/> 14. DREG USE <input type="checkbox"/> 15. EQUIPMENT FAILURE <input type="checkbox"/> 16. NAVIGATION LIGHTS OR PLAN <input type="checkbox"/> 17. CONGESTED WATERS <input type="checkbox"/> 18. HULL FAILURE <input type="checkbox"/> 19. CARBON MONOXIDE <input type="checkbox"/> 20. OTHER		<b>OPERATION AT TIME OF ACCIDENT</b> <input type="checkbox"/> 1. CRUISING <input type="checkbox"/> 2. CHANGING DIRECTION <input type="checkbox"/> 3. CHANGING SPEED <input type="checkbox"/> 4. GOING <input type="checkbox"/> 5. TOWING <input type="checkbox"/> 6. BEING TOWED <input type="checkbox"/> 7. ROWING/PADDLING <input type="checkbox"/> 8. SAILING <input type="checkbox"/> 9. LANCHING <input type="checkbox"/> 10. DOCKING/UNDOCKING <input type="checkbox"/> 11. AT ANCHOR <input type="checkbox"/> 12. PLED IN ONE MANDRED <input type="checkbox"/> 13. OTHER		<b>ACTIVITY AT TIME OF ACCIDENT</b> (CHECK ALL THAT APPLY) <input type="checkbox"/> 1. RECREATIONAL <input type="checkbox"/> 2. FISHING <input type="checkbox"/> 3. TOURISM <input type="checkbox"/> 4. SAILING <input type="checkbox"/> 5. SWIMMING/BOATING <input type="checkbox"/> 6. MAINT. REPAIRS <input type="checkbox"/> 7. WATER SKIING/TUBING ETC. <input type="checkbox"/> 8. TOWING OTHER VESSEL <input type="checkbox"/> 9. RACING <input type="checkbox"/> 10. WATER-SKI SPORTS <input type="checkbox"/> 11. FLEETING <input type="checkbox"/> 12. NON-RECREATIONAL <input type="checkbox"/> 13. OTHER			
<b>PERSONAL FLOATION DEVICES</b> WAS THE VESSEL ADGQ14 JELV EQUIPPED WITH COAST GUARD APPROVED FLOATION DEVICES? WERE THEY ACCESSIBLE? WERE THEY PROPERLY SIZED? WAS THROWABLE USED?				<b>EQUIPMENT</b> FIRE EXTINGUISHER ON BOARD? FIRE EXTINGUISHER USED? FLAME ARRESTOR/CONTROL? SWIMMING PROTECTIVE DEVICES? REGULATED AIR SUPPLY?		VESSEL #1    VESSEL #2 <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO			
NAME		ADDRESS		TELE #					
NAME		ADDRESS		TELE #					
NAME		ADDRESS		TELE #					
NAME		ADDRESS		TELE #					
NAME		ADDRESS		TELE #					

ALCOHOL or DRUG USE			
WERE LONG HAD DISPATCH BEEN ON THE WATER BEFORE THIS INCIDENT OCCURRED? VESSEL #1: _____ VESSEL #2: _____		WAS THERE ANY LIQUOR OR ALCOHOLIC BEVERAGES ON BOARD DURING OPERATION OF VESSEL #1? <input type="checkbox"/> NO <input type="checkbox"/> YES VESSEL #1 AMOUNT AND TYPE _____ VESSEL #2 AMOUNT AND TYPE _____	
DID ANY OF THE PASSENGERS CONSUME ANY ALCOHOL? YES <input type="checkbox"/> NO <input type="checkbox"/>	DID ANY OF THE PASSENGERS CONSUME ANY ALCOHOL? VESSEL #1: _____ VESSEL #2: _____ <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	OPERATING TEST RESULTS VESSEL #1: _____ VESSEL #2: _____ BLOOD _____ BREATH _____ URINE _____ OTHER _____ NONE _____	DID ANY OF THE PASSENGERS CONSUME ANY ALCOHOL? YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO
DID ANY ALCOHOL OR DRUGS APPEAR ON BOARD? YES <input type="checkbox"/> NO <input type="checkbox"/>			
DID ANY ALCOHOL OR DRUGS MAINTAIN TEST RESULTS?			
COULD THE ACTIONS OF THE PASSENGERS HAVE CONTRIBUTED TO THE ACCIDENT? IF YES DESCRIBE: _____			
VIOLATIONS AND CITATION DATA			
NAME VESSEL # _____		VIOLATION CODE(S) _____	
NAME VESSEL # _____		VIOLATION CODE(S) _____	
NAME VESSEL # _____		VIOLATION CODE(S) _____	
NAME VESSEL # _____		VIOLATION CODE(S) _____	
DAMAGED PROPERTY OTHER THAN VESSELS			
NAME OF OWNER OF DAMAGED PROPERTY: N/A	DESCRIBE OTHER PROPERTY AND EXTENT OF DAMAGE		ADDRESS
VESSEL DAMAGE			
VESSEL #1 DAMAGE ESTIMATE: \$ _____		VESSEL #2 DAMAGE ESTIMATE: \$ _____	
DENOTE INITIAL IMPACT POINT CIRCLE NUMBERS OF ALL OTHER DAMAGED AREAS DESCRIBE DAMAGE		DENOTE INITIAL IMPACT POINT CIRCLE NUMBERS OF ALL OTHER DAMAGED AREAS DESCRIBE DAMAGE	
DIAGRAM BELOW THE POSITION AND DIRECTION OF TRAVEL OF VESSEL(S) INVOLVED			
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">                       BEFORE IMPACT                 </div> <div style="text-align: center;">                       AT IMPACT                 </div> <div style="text-align: center;">                       AND AFTER IMPACT                 </div> </div> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">                       west                 </div> <div style="text-align: center;">  </div> <div style="text-align: center;">                     Kite Tube Flips up and over                 </div> </div> <div style="text-align: center;">                       SW Winds                 </div>			
NOT TO SCALE			

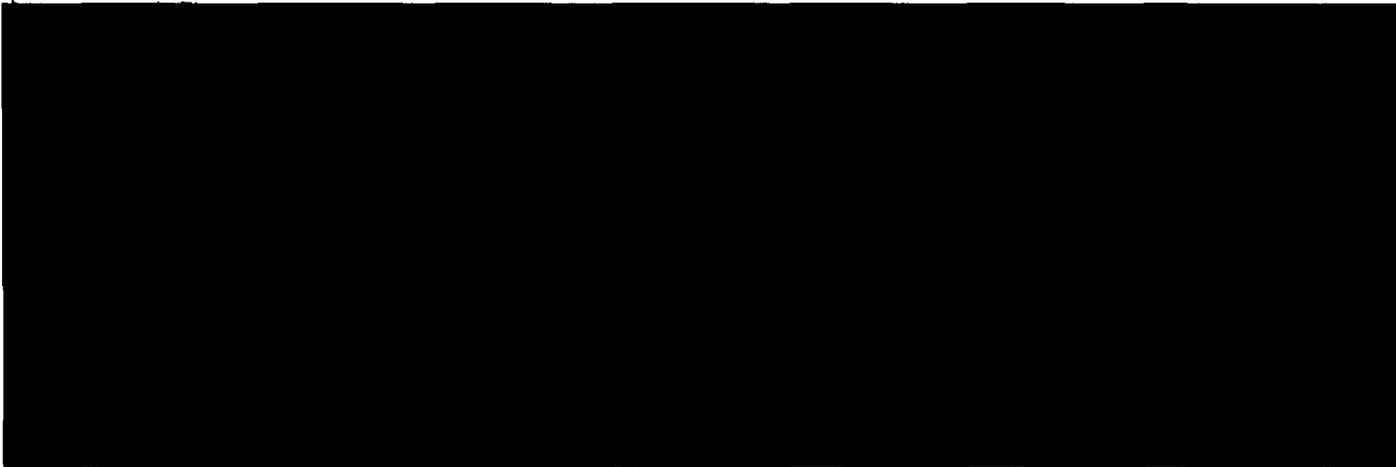


<b>REPORTING OFFICER OR INDIVIDUAL</b>			
DATE REPORT FORWARDED TO U.S. COAST GUARD WFO _____ STATE REPORTING AUTHORITY _____ U.S. POST OFFICE _____ OTHER (AGENCY) _____			
U.S. COAST GUARD'S LAND/PORT BRANCH NOTIFIED FOR POSSIBLE CONSIDERATION OF DEFECT NOTIFICATION <input type="checkbox"/> YES <input type="checkbox"/> NO DATE _____			
REPORTING OFFICER'S NAME (PRINT) <i>Sam Ryan</i>	PHONE AREA/EXT.	AGENCY AGENCY -	DATE REPORT
REPORTING OFFICER'S SIGNATURE <i>Sam Ryan</i>	AGENCY ADDRESS Glen Canyon Public Storage		
APPROVED BY (PRINT)	SIGNATURE	DATE	
<b>(DO NOT USE) STATE BOATING ADMINISTRATOR</b>			
CAUSES BASED ON (CHECK ONE) <input type="checkbox"/> THIS REPORT <input type="checkbox"/> INVESTIGATION AND THIS REPORT <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> CONCLUSION BE DETERMINED	SIGNATURE OF BOATING LAW ADMINISTRATOR OR AGED REVIEWING OFFICER		DATE RECEIVED
PRIMARY CAUSE OF ACCIDENT		SECONDARY CAUSE OF ACCIDENT	

### Glen Canyon National Recreation Area Voluntary Statement

Case #

Return this Form to the Ranger \_\_\_\_\_



Statement: TOWING KITE TUBE @ 35 MPH TUBE WENT ABOUT  
10 FEET IN P.A. RIVER fell in position HAS NOISE

Witness Sign

Date 6-2-06

Officer Sign

Date

ID#

### Glen Canyon National Recreation Area Voluntary Statement

Case #

Return this Form to the Ranger \_\_\_\_\_

Last Name of Witness

First

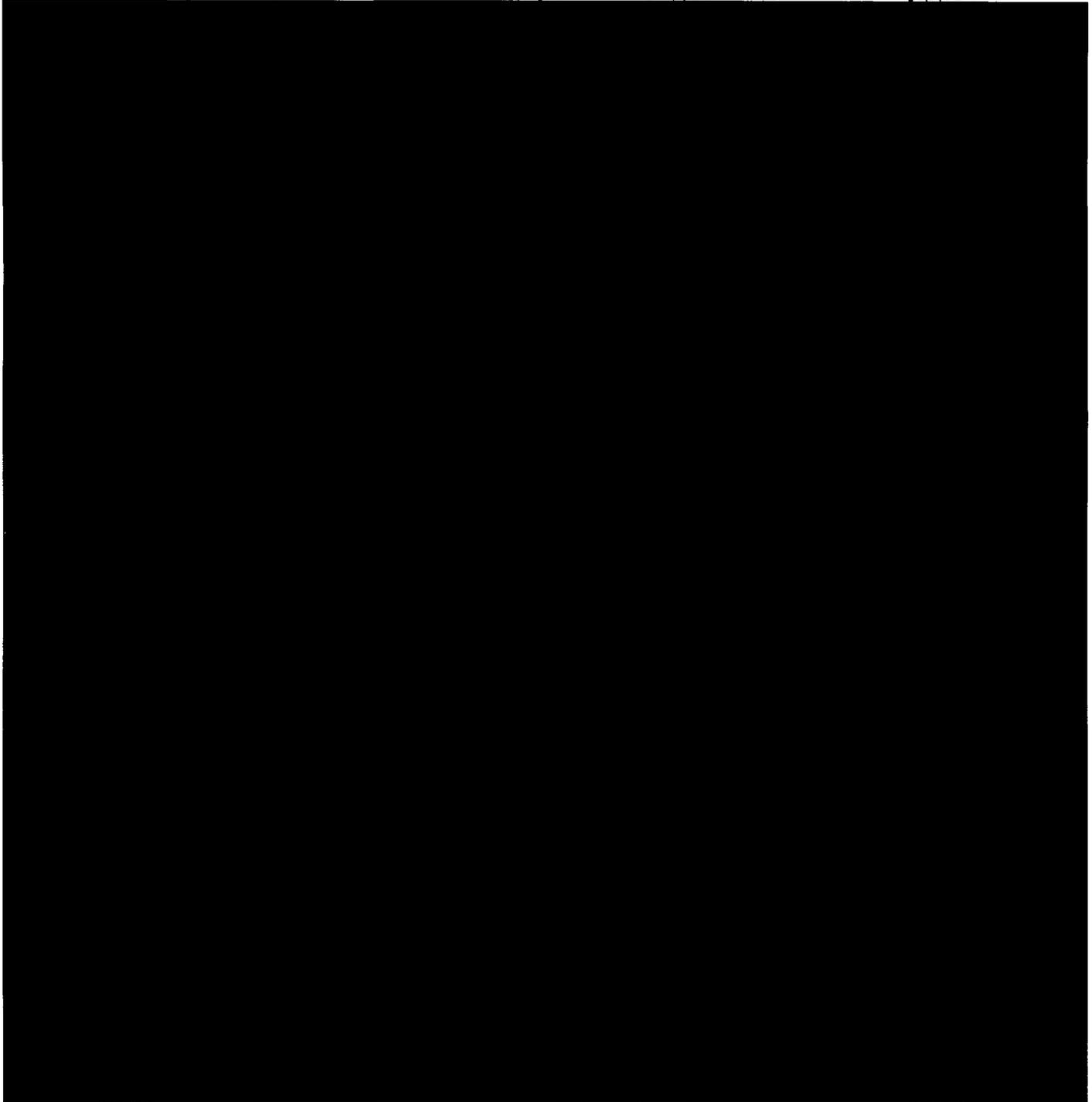
MI

Telephone

Driver's Lic#

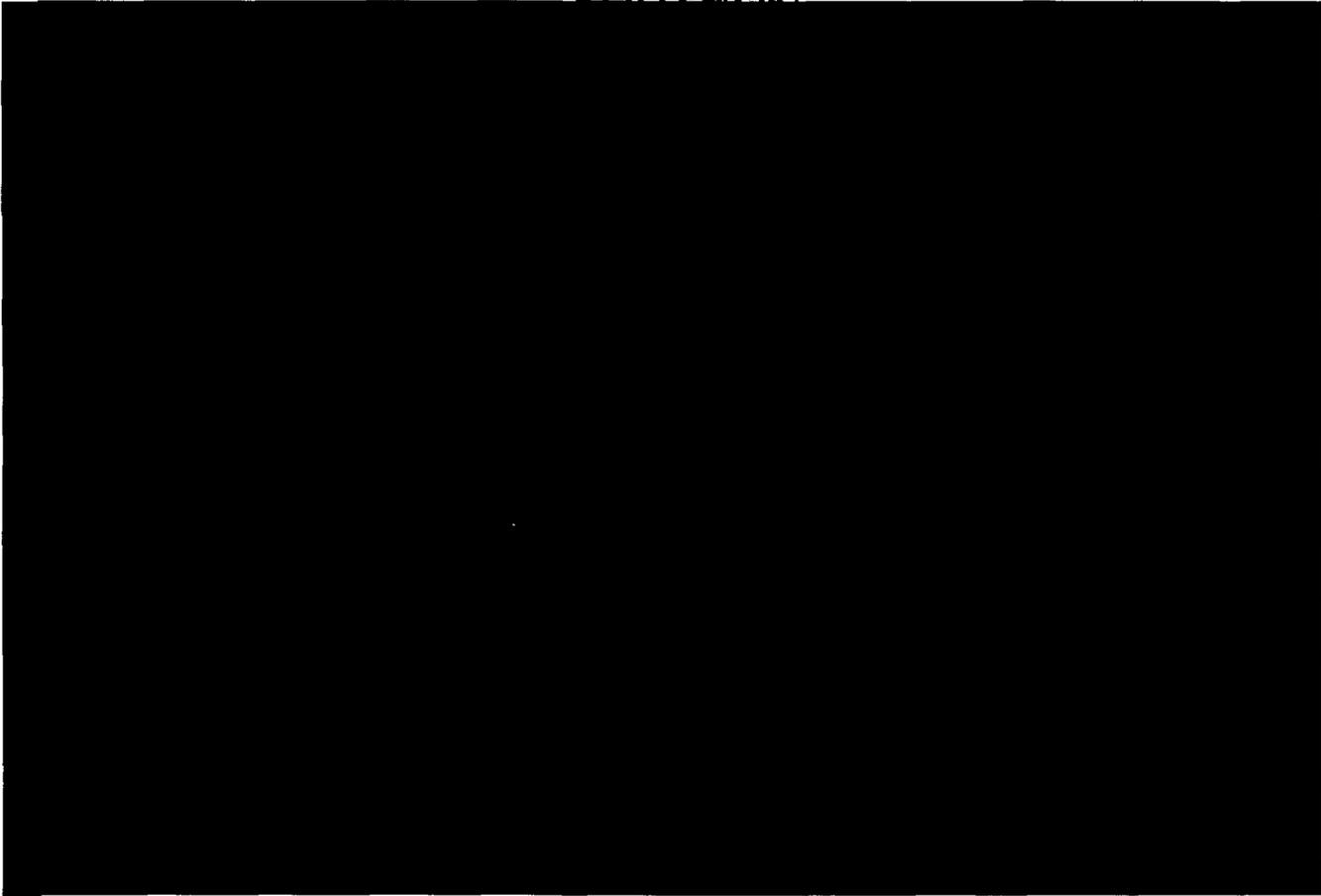
SSN

Date of Birth



SAN JUAN COUNTY SHERIFF'S OFFICE  
BOX 788 / 297 SOUTH MAIN STREET  
MONTICELLO, UTAH 84535  
(435) 587-2237 FAX (435) 587-2013

STATEMENT



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I declare the statements I have given herein to be true and correct to the best of my knowledge.  
I am hereby notified that any false statements made herein is punishable under law.

SIGNATURE





## WEGO KITE TUBE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. **DO NOT RETURN** this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.



### ▲ RELEASE OF LIABILITY ▲

By assembling and inflating the Kite Tube, you agree that you have read and understand the entire Sportsstuff's product manual, including all instructions and warnings contained in that material prior to using the Kite Tube. You additionally agree that you will ensure any additional or subsequent users of the Kite Tube will read and understand the entire owner's manual. Misuse or improper use of the Kite Tube could result in risks, dangers and hazards which may result in serious injury or death. The risks and dangers that may be encountered through the improper use of the Kite Tube can be avoided by reading and following the warning guidelines listed within the owner's manual and by proper use of the Kite Tube. Your assembly and use of this product shall be evidence of your agreement, to the fullest extent permitted by law, to properly follow the instructions and abide by the warnings set forth within the product manual. Your assembly and use of the Kite Tube shall also constitute a release, to the extent permitted by law, by you and by any third party permitted by you to use, in any manner, the Kite Tube, to Sportsstuff from any and all liability for any loss, damage, injury and/or expense that you or any user of the Kite Tube may suffer as a result of the use of the Kite Tube. This release shall extend to any loss, damage, injury or expense due to any cause whatsoever, including negligence or breach of contract on the part of Sportsstuff and/or any party participating in the design and/or manufacture of the Kite Tube. The terms of this release shall be effective and binding upon you, your heirs, next of kin, executors, administrators, assigns and representatives. Your assembly and use of the Kite Tube shall constitute your agreement to assume and accept any or all known or unknown risks of injury to you and/or to third parties through the use of the Kite Tube. Sportsstuff and related parties have not made and hereby expressly deny any oral or written representation and/or warranty, including warranty for a particular purpose, other than what is set forth herein and in the Sportsstuff's Kite Tube manual.

**▲ KITE TUBE DESCRIPTION ▲**

Away Wego! "Kite Tubing", the mystery of flying, becomes a reality. The Kite Tube creates an air pocket on the under carriage bottom that enables lift via ground effect and the aerodynamic shape. Be prepared to reach new heights! Spend the summer gaining experience riding the Kite Tube. The Kite Tube is designed to glide, soar, and fly. You can use it like a regular deck tube in the whips, figure eights, and circles. It "kites" the best in a straight boat pattern into the wind and will rise out of the water slowly or quickly based on the rider weight, wind and boat speed. Expect the unexpected! The basic idea behind the Kite Tube is simple; The Kite rider kneels or stands on the tube that is tethered to the tow boat. As the boat moves forward into the wind, the Kite and the rider rise up from the water's surface to perform a water ballet in the air with the rider balancing on top. Kite Tubing is not as dangerous as some extreme sports, however it can be more dangerous than regular tubing with the added dimension of height. In Kite Tubing, safety has to be taken seriously. EVERYONE is a beginner, regardless of previous experience. Read all instruction and warnings before using the Kite Tube. Start slow and begin by using the 45 foot section of the included tow rope.

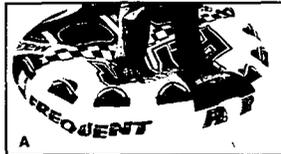
**▲ KITE TUBE SPECIFICATIONS ▲**

- 120 inch inflated diameter(10 foot) with slanted saucer configuration.
- 840D nylon double cover with pu coating( full body cover).
- Reinforced towing system with molded aluminum connector for easy tow rope connection.
- Computerized double-stitched sewing.
- Multiple mesh bar-tacked drain ports.
- Nylon zippered openings for bladder insertion and adjustment.
- Parallel slotting system with footsteps and neoprene padding for comfort.
- Reflective piping on all handles and on the outside top taping.
- Various loops for use of detachable leash(s).
- Panoramic see-through double windows.
- High visibility red and yellow watersports safety colors with checkerboard and caution accent striping.
- Easily seen bold, billboard-style graphics.
- Skull graphics is a reminder to pay attention and not to fool around, take nothing for granted.
- Two heavy duty pvc bladders, one supports the outer ring and the other is the slotting system cockpit for the rider. Both have speed safety valves for easy inflation/deflation.
- Leash with two sponge balls is included.
- Segmented tow rope is included. Adjustable length style in 45, 55, and 65 foot lengths.

### A KITE TUBE ASSEMBLY AND INFLATION A

Proper inflation is key to the optimum performance of this towable. The tube is designed to fit snugly in the cover, and there should be no wrinkles in the cover when the tube is properly inflated.

**IMPROPER INFLATION**



**PROPER INFLATION**

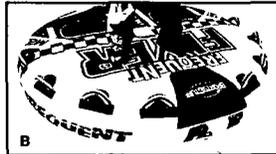


Photo "A" shows a severely underinflated tube. Note how the adult sinks in when standing on the tube. Under-inflation causes the towable to sit low in the water. Additional stress is applied to the tube, cover, rope and boat/watercraft, by being dragged through the water instead of pulled across it. This stress causes the air in tubes to be displaced and the tube may rupture. The same stress causes nylon covers to tear and ropes to stretch. The boat/watercraft cannot plane off and extra gas is consumed.

Photo "B" shows a properly inflated tube. Note how the cover is taut with few wrinkles, and how the adult barely sinks in when standing on the tube. This tube would ride high on the water, providing you with an exciting ride - less stress on the tube, cover, rope, and boat/watercraft. Proper inflation will insure a longer life-span for your product.

#### Inflation Maintenance:

Finally, it is not enough to simply fill it up and go! It is important to monitor the amount of air in this product as heat will cause the bladder to expand, possibly causing damage to the seams or I-beams. Don't let it sit on the beach, dock, or boat/watercraft full of air! If it is stored out of the sun in a cool place, you may need to add air. Check and adjust inflation levels each time you use your tube. You'll have more fun, and your toys will last longer.

The best air pumps to use are:

- 110v electric: 2.5 psi (model #57-1504A) or 3.0 psi (model #57-1508)
- Hand/foot pump specifically for towables: LP1 (model #57-1003)
- 12v pumps (model #57-1510) can also be used but a their maximum output is only .8 psi so a secondary pump such as the Sportsstuff LP1 hand pump (model #57-1003) will need to be used.
- Leaf Blower
- Vacuum with two-way switch

Your WEGO towable is equipped with the Speed Safety Valve pictured below:



**Speed Safety Valve** - A hybrid valve utilizing the best of both the Oversized Safety Valve and the Speed Valve. Pulls out for fast inflation/deflation, then can be pushed in flush with the tube. For use with standard electric pumps, shop vac, wet vac, leaf blowers, and vacuums with a 2-way switch for fast inflation/deflation.

Secure the valve by firmly inserting the bottom portion of the valve into the base. To inflate, open only the top portion of the valve. Using the hose from your inflator, inflate through the top opening of the valve.

The optimal inflator is a 2.5 psi or higher electric pump. You may also use a 1.1 or 3.0 psi pump. Using the 12v pump (model #57-1510) followed by the LP1 hand pump (model #57-1003) to top off the unit takes about 3.5 minutes. The 1.1 psi 110v pump followed by using the LP1 hand pump (model #57-1003) to top off the unit will inflate the WEGO in a few minutes. The 2.5 electric pump (model #57-1504A) will inflate the WEGO in just over 3 minutes. The 3.0 pump (model #57-1508) will inflate the WEGO in as little as 2 minutes.

Please call Sportsstuff at 1-888-814-8833 to order directly.

1. Open the box and locate Owner's manual information and instructional DVD.
2. Review owner's manual and instructional DVD first and share the information with all other users and or spotters.
3. Locate a flat, wide-open, clean and clear area to open and assemble the product.
4. Unfold the nylon cover so the yellow cover with winged skulls is completely unfolded along with slotting system cockpit.
5. Please notice the bladders have already been assembled in the cover. There are two valves total. One on the slotting portion and another on the outside ring.
6. Locate and open the padded valve cover on the slotting portion (cockpit area). Open the valve and inflate until firm and the cover is wrinkle free and taut. It may be necessary to adjust the cover to fit the inflation holes. Use the zippered openings in the cover to adjust bladder position if necessary.
7. Close valve completely and secure valve cover.
8. Locate the valve on the outer ring and repeat steps 6-7.
9. Please note that the window panels are not supported by an internal bladder, so stay off of this portion of the cover.
10. With assistance, carefully lift the unit into water.
11. Do not drag across harsh surfaces, as this will damage the unit.
12. Once at the water entry point attach tow rope to unit and hook up to the boat. Make sure leash is attached to the nose loop.
13. Enjoy your Kiting experience.

PLEASE NOTE OVER INFLATION WILL CAUSE THE BLADDER TO HAVE A CONCAVE EFFECT ON THE UNDERSIDE, CAUSING THE KITE TUBE TO SUBMARINE.

PLEASE NOTE UNDER INFLATION WILL CAUSE KITE TUBE TO NOT PERFORM AS DESIGNED. WHEN KITING, YOU CAN TELL VISUALLY IF YOU ARE CORRECTLY INFLATED

Proper inflation means you'll have a wonderful flight experience, so follow the above instructions closely.

#### ▲ KITE TUBE CARE AND MAINTENANCE ▲

- You may clean your towable using a soap and water or mild detergent.
- You should inspect your unit frequently for wear and tear. If you need parts replacement please contact Sportsstuff 1-888-814-8833.
- Before each use always check inflation, tow connection and boat connection.
- After using the Kite Tube do not leave out in direct sunlight, but keep in a shaded area.
- When the unit is not in use NEVER leave this unit in direct Sunlight at any time.
- The strong UV rays will quickly destroy and downgrade the nylon cover and age the materials prematurely.
- Monitor and adjust bladder pressure on warm days.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight. (In between uses and at the end of the boating season.)
- To deflate, simply open red valve.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towables may bleed or fade when initially wet. Protect all boat interiors, docks and car interiors from possible staining.

#### ▲ KITE TUBE TETHER TOW ROPE ▲

We have included a new style tether tow rope for use with the Kite Tube. Overall the tow rope is 65 foot length, but can be adjusted to 55 foot length and 45 foot length. Since the Kite Tube is unlike any previous towable tube with the added dimension of sustained height. We believe that the boat driver, rider and spotter are all beginners. We recommend the following to get the hang of Kiting, how the Kite reacts being towed by the boat, how the wind affects the flight while being ridden by different size riders. Experience is the best teacher.

##### Step one: BEGINNER LEVEL

All beginners start with 45 foot tow rope to get some experience. Use at least 12 times for a minimum of 20 minutes per use.

**Step two: INTERMEDIATE LEVEL**

All intermediates can increase rope length to 55 foot to get more experience. Use at least 24 times for a minimum of 20 minutes per use.

**Step three: MASTER LEVEL.**

All masters can increase length to 65 foot to get more experience.

You can spend all summer gaining experience Kiting and really still not have experienced all things, wind speed, rider weight and boat speed create many variables (different kinds of watercraft, lack of wind) etc. Attach the Kite Tube Tether tow rope to the aluminum connector on the tube and to a towable hook on the rear of the boat. We recommend you use a low tow point on the rear transom of the boat or tow hook.

**▲ KITE TUBE HEIGHT INSTRUCTION ▲****NEVER KITE HIGHER THAN YOU ARE WILLING TO FALL**

Just think of the fall, in normal tubing you can get thrown off and go up to 15 to 20 foot high, but in kiting you are already at a certain height above the water and can get thrown higher. At a boat speed of 10 and 20 mph the water gets harder the faster and higher you go so control the boat speed and tube height and watch out for gusty and cross winds. Many bodies of water have natural barriers or wind breaks, be aware of these situations. Due to the height factor, you must use the Kite Tube in waters at least 6 feet deep (a guideline could be 1 foot of water depth for every foot of tube height). For best kiting use against the wind in straight-line runs.

**▲ RIDER INSTRUCTIONS AND WARNING ▲**

To lessen your risk of serious injury or death, follow these rules:

- Avoid gusty and cross winds, use in light to moderate steady winds.
- Gusts and cross winds can cause this product to experience sudden changes in height or direction.
- Use in at least 6 feet of water depth, the higher you Kite, the deeper the water should be.
- Never use in shallow waters.
- Boat driver, spotter and rider are all beginners, take it easy, learn in light steady wind, start slow.
- Your body weight is a factor on balance and control, shifting helps to control kiting (rider is ballast).
- Have pre-ride discussion with rider, driver and spotter.
- Never Kite higher than you're willing to fall.
- Into a steady wind, flight occurs more easily.
- With the wind, flight is not so easy.
- Based on rider weight, a lighter person will Kite easier than heavier person.
- Do not over-estimate your ability, Kiting takes a practiced level of skill.
- Keep tube's nose up when starting out, pull back on the ball/leash to help hold the nose up until the boat reaches planing speed.
- Rider safety is in the hands of the boat driver and spotter.
- Stay 100 yards from shore, avoid other boat traffic, power lines and

- other immovable objects.
- Be aware of natural wind breaks and barriers that change the wind flow.
  - Use rear transom tow point. Using higher tow point means the Kite can Kite higher.
  - Maximum 1 rider capacity
  - Do not exceed 200 pound maximum weight or 100 pounds minimum, be at least 12 years of age and a height of 5 feet or more.
  - Balance to minimize movement while airborne. Too much movement can cause the Kite Tube to become wobbly and overturn. Maintain a good center of gravity.
  - 10 and 2 o'clock are the best control hand positions.
  - Hang time, Kite time, can be 1 second or many minutes.
  - Length of hang time depends on the wind, boat speed and rider weight.
  - A straight boat heading into the wind creates the optimum Kiting performance.
  - Ballet performance is what you are looking for (up and down).
  - Use the large panoramic window to see the boat and to view rider height.
  - Force the tube down by pushing your weight down with a swift, sitting motion.
  - Use your position within the slotting system cockpit to adjust pitch, or the angle by which the nose of the tube is inclined up or down from the horizontal.
  - Use the handles to adjust left to right balance.
  - Utilize a combination of foot and hand positions to accommodate the current wind and boat speed conditions.
  - Do not use this tube if you are pregnant, could be pregnant, or if you have neck or back problems.
  - Raise arms above head following a spill to signify to the boat driver and spotter that you are okay.
  - A rider that falls or is ejected should try to fall away from the Kite Tube.
  - Experience safe Kiting.

#### ▲ BOAT DRIVER INSTRUCTIONS AND WARNING ▲

To lessen your risk of serious injury or death, follow these rules:

- Driver should be at least 16 years of age and pass a coast guard approved boating course.
- Utilize a large, wide angle, rear view mirror (20 inch width) to keep eye on Kite elevation.
- Slow speed to reduce height, a sudden gust of wind can send the rider up to 20 feet high or more in half a second.
- Maintain constant communication with spotter about the Kite Tube and its performance.
- Adjust boat speed to reduce the height of the Kite Tube.
- The Kite Tube is unlike any other towable tube, it can sustain flight at various heights for long periods of time.
- Wind, boat speed, rider weight and length of rope are big variables in Kiting performance.
- Pay attention and adjust the boat speed frequently to fit the conditions. You are the director.
- Never Kite higher than you want the rider to fall, adjust your speed.

- Avoid excessive boat speed at all times.
  - Have pre-ride meeting with spotter and rider to discuss the type of ride to be given.
  - Determine the best conditions for Kite tubing based on rider weight, boat speed and wind speed.
  - Give-way to all other watercraft, especially sailboats.
  - The Kite Tube can sustain flight with steady head wind and boat speed.
- Head into the wind
- Be aware of cross winds and wind gusts.
  - Use the large, panoramic window to monitor and communicate with the rider.
  - Don't gamble with rider safety. Driver must accept 100% responsibility for the safety of the rider.
  - Instruct the rider to lean back and pull on the leash to keep the nose up until the boat and tube plane out, as the boat planes out and the tube rises out of the water, there will be almost no drag on the boat.
  - Most boating accidents happen in less than 2 seconds.
  - Reaction time varies from 120 to 255 feet of boat length.
  - Do not be in-attentive. Do not let your mind wander. Focus on what you are doing
  - Never use the Kite Tube with wind forces so strong that you are unable to maintain control.
  - Don't Kite in electrical storms.
  - The Kite Tube is an air foil of extremely limited capabilities with regard to wind and turbulence.
  - Instruct all riders of rules and warnings, plus how to ride.
  - In riding position, the rider and tube are at a 45° angle to the water's surface.
  - Avoid floating objects and all immovable objects.
  - All riders should be towed at speeds that allow for reasonable control.
  - Avoid submarining the towable when first starting out or on spills.
  - Slow boat down to 5 mph to turn around and pick up the rider.
  - In many cases when the rider falls off, the Kite will continue to be air-borne
  - Don't be a gunner; slamming the throttle forward and forgetting about the towable and your rider. Focus
  - In no-wind conditions, use zig-zags, whips, figure eights and circles that the Kite Tube will Kite in, but remember the Kite Tube is designed to Kite into the wind.
  - Do not throw away your owners manual or DVD. You must review periodically and especially when allowing others to use or borrow your Kite Tube.
  - Unlike most towables that ride on the water's surface and have tremendous drag, when the Kite Tube is Kiting or flying there is almost no drag and the boat has a tendency to go faster, so watch out for this effect (a lot of drag to no drag).
  - Don't overload your boat with a lot of passengers.
  - Like many towables, rider balance too far forward can cause towable to nose under. This is called submarining. When the you start moving forward, make sure the rider holds the leash on the tube to help keep the nose up during takeoff, till the boat reaches planing speed and lift occurs on the Kite Tube. If the boat driver, spotter and rider are not paying attention, the towable could nose in. This causes the submarine effect, which results in the towable acting like an anchor. Reduce speed immediately, otherwise you will create too much drag on the boat and tube, causing something to break.

- Pay attention when starting out to prevent this effect. Let's say everything goes right and the Kite Tube and rider are traveling at a sustained height above the water and the rider falls off. The Kite might continue its flight or crash down into the water. We suggest that you slow the boat down to 5mph, otherwise the towable might again act like a submarine, because it is upside down or wind conditions have forced it into a weird position where it cannot be towed at any speed other than 5 mph.
- It is the obligation of the boat driver to operate the boat in responsible safe manner and not try to "dump the rider".
- Experience safe Kiting.

#### ▲ SUBMARINE EFFECT WARNING ▲

LIKE MANY TOWABLES, A RIDER'S BALANCE TOO FAR FORWARD CAN CAUSE TOWABLE TO NOSE UNDER. THIS WE CALL SUBMARINING. WHEN THE BOAT DRIVER STARTS FORWARD, HE OR SHE SHOULD MAKE SURE THE RIDER HOLDS THE LEASH TO HELP KEEP THE NOSE UP DURING TAKEOFF TILL THE BOAT REACHES PLANING SPEED AND LIFT OCCURS ON THE KITE TUBE. IF THE BOAT DRIVER, SPOTTER AND RIDER ARE NOT PAYING ATTENTION THE TOWABLE COULD NOSE IN. THIS CAUSES THE SUBMARINE EFFECT, WHICH RESULTS IN THE TOWABLE ACTING LIKE AN ANCHOR. REDUCE SPEED IMMEDIATELY, OTHERWISE YOU WILL CREATE TOO MUCH DRAG ON THE BOAT AND TUBE CAUSING THE SOMETHING TO BREAK. PAY ATTENTION, WHEN STARTING OUT TO PREVENT THIS EFFECT.

LET'S SAY, EVERYTHING GOES RIGHT AND THE KITE TUBE AND RIDER ARE TRAVELING A SUSTAINED HEIGHT ABOVE THE WATER AND THE RIDER FALLS OFF. THE KITE MIGHT CONTINUE IT'S FLIGHT OR CRASH DOWN INTO THE WATER. WE SUGGEST YOU SLOW THE BOAT DOWN TO 5MPH, OTHERWISE THE TOWABLE MIGHT AGAIN ACT LIKE A SUBMARINE BECAUSE IT IS UPSIDE DOWN OR WIND CONDITIONS HAVE FORCED IT INTO A WEIRD POSITION WHERE IT CANNOT BE TOWED AT ANY SPEED OTHER THAN 5 MPH. BOAT DRIVER SHOULD TURN TO PICK UP RIDER AND START ALL OVER AGAIN.

IT IS THE OBLIGATION OF THE BOAT DRIVER TO OPERATE THE BOAT IN RESPONSIBLE SAFE MANNER AND NOT TRY TO "DUMP THE RIDER". THE KITE TUBE IS DESIGNED TO BE RIDDEN AT SAFE LEVEL WITHOUT HAVING TO HAVE SOME CRAZY BOAT DRIVER TRYING TO CREATE PROBLEMS. EXPERIENCE SAFE KITING.

#### ▲ SPOTTER OR OBSERVER INSTRUCTION ▲

- Have watersports safety flag
- Keep driver aware of other boating traffic, obstacles, etc
- Keep driver aware of towable state and rider conditions and how the towable is doing
- Keep tow ropes from getting caught on protrusion from the boat
- We have found that small megaphone helps to communicate with rider prior to takeoff and give last minute instructions

**▲ WIND SPEED AND EFFECT ▲**

We are providing you with the following information to help you evaluate your current conditions before Kite tubing.

Wind speed(mph)	Wind effect
0-1	smoke rises vertically
2-3	direction of the wind shown by smoke drift, but not by wind vanes
4-7	wind felt on face; leaves rustle; ordinary wind vane moved by wind
8-12	leaves and twigs in constant motion; wind extends a light flag
13-18	raises dust, loose paper; small branches are moved
19-24	small trees in leaf begin to sway; crested wavelets form on inland waters
25-33	large branches in motion; whistling heard in power lines; umbrella difficult to use
34-40	gale
41-47	strong gale
48-55	storm
56-63	violent storm
64+	hurricane

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customer-care@sportsstuff.com](mailto:customer-care@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)



### TOWABLE OWNER'S MANUAL

Important information is enclosed in this manual. Please read these materials prior to assembling and using this product. Keep for future reference.

For questions on assembly, parts or warranty, contact the experts at Sportsstuff. DO NOT RETURN this product to the store!

Contact us TOLL FREE: 888-814-8833 (USA) (8am-5pm, CST Monday-Friday)

Congratulations on your new towable purchase! Sportsstuff prides itself in making the most innovative inflatable products on the planet. Your high performance towable is designed to provide an exciting and unique riding experience for the whole family.

## **WARNING**

To lessen your risk of serious injury or death, follow these rules:

- Not a lifesaving device. Never leave children unattended. Use only under competent supervision.
- Read the owner's manual carefully before using your Sportsstuff towable.
- Not for use by children under six (6) years of age.
- The watercraft driver is responsible for the towable and riders since the towable cannot be controlled by the rider(s). The rider(s) may not be able to see where he/she is going.
- Always have an experienced watercraft driver at the helm and always have three or more people present for safe tubing—one to drive the watercraft, one to observe and one or more to ride.
- Observer in the boat/watercraft should keep the driver aware of the towable rider(s) status.
- Always keep a lookout for other boats/watercrafts, swimmers, towables, and other obstructions in the water. Stay away from other boats and personal watercraft, docks, pilings, bridges, shallow water and the shore.
- The watercraft driver should avoid excessive speed or sharp turns which might cause the towable to flip over, resulting in serious injury to the rider.
- Never exceed 20 mph when towing adults or 15 mph with children.
- Use a tow rope specifically designed for the WEGO
- Never operate the boat/watercraft or ride the towable under the influence of alcohol or other drugs.
- Never place wrists or feet through the handles or towing harness.
- Riders should keep arms and feet out of the water.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average

tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not exceed 65 feet.

- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.
- Always wear a U.S. Coast Guard approved Type III (PFD) ski vest or as recommended by proper government authorities.
- Use this product only on water.
- Know your limits. Stop when you're tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable.
- Do not use this unit when it is under-inflated. The risks involved with this could include entrapment which may result in death or serious injury.

The manufacturer, Sportsstuff, Inc., does not have control over the use of this product and assumes no liability therein. Under no circumstances is Sportsstuff or the seller, liable for any loss, damage, injury or expenses of any kind arising out of the use of this product. It is the responsibility of the user to determine the proper suitability and safety of the product during normal use. This product is subject to age, wear and deterioration from use and weather conditions. We strongly recommend that you inspect the product on a regular basis.

#### REPLACING PRODUCT PARTS:

If a leak or problem is suspected with your tube, locate the valves, deflate the item and remove the inflatable PVC bladder to inspect possible problem areas. Contact Sportsstuff warranty department for prompt parts replacement if a problem is located. For non-warranty parts replacement, follow the same procedure. When a replacement is received, follow the steps below:

1. Unfold the cover and lay the bladder out.
2. Locate the bladder and the inflation valve. Carefully place the PVC bladder inside the cover of the product in the appropriate location.
3. Line up the valve with the valve opening in the cover.
4. Refer to the WEGO manual for further assembly information.

#### MAINTENANCE:

Very little care is required for the bladder or cover.

- You may clean your towable using soap and water or mild detergent.
- Never use strong cleaning agents.
- The towable, when clean and dry, can be deflated and stored in a cool, dry area out of direct sunlight.
- To deflate, simply unfasten the entire valve from the base.
- Avoid storing this product in areas of extreme temperatures and please take precautions against animals and rodents.
- Bright colored fabric covers used on the towable may bleed or fade when initially wet. Protect all boat interiors and all other surfaces from possible staining.

#### TOW ROPE RECOMMENDATIONS FOR SPORTSSTUFF PRODUCTS:

- The watercraft owner/operator is responsible for informing all the persons riding or using tow ropes of the WSIA Recommendations for tow ropes. Improper use of your tube and rope could result in serious injury or death.
- Following are the WSIA (Water Sport Industry Association) Recommendations for tow ropes (Do not exceed recommended rider capacity for your tube):

Number of Riders	Combined Weight of Riders	Rope Tensile Strength
One	min 100lbs - max 200 lbs	1500 lbs

- A standard tow rope should not exceed 65 feet.
- The tow rope should be assembled in a manner appropriate for the watercraft and tow tube.
- Please check all rope connections for frays, cuts, sharp edges, knots and wear and tear before each use. Discard any ropes that appear to be worn. It is recommended that you replace each tow rope at the beginning of the boating season.
- Tow ropes are subject to stretching during use. Please warn riders and persons in the boat/watercraft of the danger of ropes recoiling.
- DO NOT place arms, legs or head in the handle section as serious injury may result.
- Ensure that the tow rope is free from all body parts prior to towing a rider and while the tube is in use.
- Do not use a tow rope with a bungee material to pull skiers or riders. This type of apparatus could also result in serious injury or death to the tube rider or passengers in the boat/watercraft.
- Ropes will deteriorate with direct sunlight exposure. Please store away from direct sunlight and discard any rope that is frayed, discolored or ravelling.
- Do not add hardware to this product that is not supplied by Sportsstuff.
- Avoid the propeller and engine at all times. Should the rope become tangled in the propeller, shut off the engine and remove key from ignition before retrieving rope from propeller.

**▲ WARNING! GENERAL USE AND SAFETY: ▲**

- When using a Sportsstuff product, you are engaging in an exciting recreational activity with inherent risks. Act responsibly and only use your product with the awareness of and willingness to accept the risks involved.
- Read all instructions and warnings provided to you in this owner's manual and those printed on the product. Do not discard this manual.
- As in any recreational activity, reckless use, misuse, inexperience and/or neglect of the proper equipment used may result in serious injury or death.
- Visually inspect the towable and tow rope before each use. Do not use if product or tow rope is damaged in any way.
- This product is NOT for use by children under 12 years of age.
- Never leave children unattended. Use only under competent supervision.
- Sportsstuff products are NOT to be used for rental use.
- Do not consume alcohol or other drugs while using this product. Even small quantities of alcohol and other drugs can impair judgment, balance, and coordination which can greatly affect one's performance.
- Make sure all riders are wearing a U.S. Coast Guard Type III (PFD) approved life vest at all times.
- Be conscious of the weather conditions as weather changes can occur very quickly.
- Check with your state or local government to learn their specific legal requirements concerning towables and towing.
- Use tow ropes that are designed specifically for towables with WSIA (Water Sports Industry Association) break strength guidelines.

**▲ WARNING! BOAT DRIVERS NOTICE: ▲**

- The boat/watercraft driver has the ultimate responsibility for the safety of the riders.
- Carefully survey the water before you begin towing riders.

- Do Not pull a towable without a rider. A towable is designed to have a rider in order to balance the weight distribution of the product
- Be aware of water conditions along with changes in the weather. The condition of the water greatly influences the type of ride the rider will have. Please take into consideration the age and physical ability of your rider.
- It is the boat/watercraft driver's responsibility to instruct the riders how to ride a towable. The boat/watercraft driver should carefully instruct the riders of potential risks and possible injury that may occur if they partake in careless behavior.
- At the beginning of the ride, carefully take the slack out of the tow rope. Never jerk start a towable. After the rider has signaled that he/she is ready, the driver can slowly bring the towable to a planing point.
- Most towables will plane out at 10 to 20 mph, depending on the weight of the rider. It is important to keep the nose of the item up until the item is planing.
- The resistance of the product varies widely with these factors: boat speed, turns, water conditions, number of riders and their weight, towable size, shape and function. The boat/watercraft driver should adjust the boat speed to fit these situations to minimize resistance of the towable.
- Use in wide, open spaces. Stay at least 100 yards from shallow water, shore, rocks, boats, docks and buoys. Most accidents happen on turns and in congested areas.
- The boat/watercraft driver determines the speed and the action of the towable in turns and when crossing the boat/watercraft wake. In the straight-a-ways, the boat/watercraft towing speed is the same as the towable speed. The towable speed will increase when the boat/watercraft makes a 90 to 180 degrees turn without increasing the boat/watercraft speed. If the boat/watercraft speed is 20 mph, the towable speed can be 30-40 mph. The "slingshot effect" sends the user outward from the center of the towable. Be aware of the limitations of the rider.
- Large wakes combined with the wave action and speed can contribute to a rough ride. Use a safe speed that enables the towable to plane out. The boat/watercraft driver should adjust the boat/watercraft speed and turns to fit the water conditions and the age, experience, skill and physical strength of the rider.
- Excessive speed or sharp turns might cause the tube to flip over abruptly, possibly causing serious injury to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- Under normal conditions, the maximum safe speed for adults is 20 mph. Safe speeds for children are less than 15 mph, depending on the age and physical capability of the child.
- Please make sure your boat/watercraft is tow-worthy and has the appropriate horsepower to pull rider(s) and the tow tube. Do not exceed the boat/watercraft passenger capacity.
- Extreme drag forces can develop when pulling this tube. Please use towable in calm water. Heavy waves or choppy conditions can create more drag or even result in a submarine or anchor effect.
- Extreme drag forces may also result if: the rider(s) fall off, the tube noses in or tips over and water fills cockpit/seating area. The boat/watercraft operator should immediately slow or stop to eliminate this factor.
- Death or serious injury can result from the submarine or anchor effect causing more extreme drag forces on the tow rope and/or tow point. The tow rope might have too much stress and either break and snap back at the rider(s) or other occupants of the boat. It is the boat driver's responsibility to make sure this does not occur.

- Do not exceed the weight guidelines of your boat. Do not allow passengers to hang outside the boat or side on the gunwales (sides/edges of the boat) outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales (sides/edges of the boat) of the boat.

**▲ WARNING! BOAT OWNERS WITH HIGH TOWER AND PYLONS ▲**

- Tow/Ski towers are not designed for use with any inflatable tube towing.
- Use only lifting eyes/transoms or tournament-rated ski pylons for towing tubes.
- Consult your boat's manufacturer if you are unsure of its tournament rating.
- Do not tow any inflatable from a ski eye.
- Any tow pylon or ski pylon installed after market is not intended for inflatable tube towing.
- Death or serious injury may result if an unapproved ski/tow pylon is used.

**▲ WARNING! SPOTTERS NOTICE: ▲**

- Always use a spotter (observer) in the boat to communicate the needs of the rider to the driver.
- The spotter must be the eyes of the driver and the rider, always alert to recognize possible danger so proper action can be taken to avoid any risk to the rider.
- If the towable overturns, the boat/watercraft driver should not exceed 5 mph until the towable is upright again.
- The spotter should hold up a safety flag cautioning all other boaters that riders are in the water.

**▲ WARNING! RIDERS NOTICE: ▲**

- Do not use this items as a personal flotation device.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs average tensile strength for pulling a single person, 2375 lbs average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling three people and 4100 lbs average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 45 feet in length but not to exceed 65 feet.
- Only use this product with a responsible boat/watercraft operator who knows how to effectively operate the equipment.
- This product should be used in water only. Do not launch from dock or land.
- Do not use near piling, docks, shores or shallow water or other obstructions that could cause serious injury to the rider.
- Carefully instruct the other riders the proper way to attach rope and operate the towable.
- DO NOT strap or attach arms or legs to cover or tube. Never place hands or feet in between the tube or cover.
- This item has no braking or steering mechanism and can develop high speeds under certain towing conditions. Use at your own risk!
- This product is not a life saving device.
- Take necessary breaks when you are tired.
- Never get near the propeller with the engine running, even if it is in neutral.

**GENERAL TROUBLE SHOOTING GUIDE:**

**Symptom:** Product won't hold air.

**Solution:** Check to see that the valve is fastened properly. Re-fasten valve if needed. Check to see if the product was inflated fully from the beginning. If you suspect it wasn't inflated fully, add more air. PVC Repair Adhesive is available from Sportsstuff at [www.sportsstuff.com](http://www.sportsstuff.com) or 888-814-8833 for small hole or seam repairs.

**Symptom:** Valve is leaking

**Solution:** Listen closely to hear if air is leaking. Be sure the valve and cap are screwed in or fastened straight and are tight. Leakage can occur if the valve is not fastened correctly.

**Symptom:** Product inflates but doesn't become firm.

**Solution:** Please check to make sure it was inflated firmly with a high volume air pump. If you are sure you inflated it properly, fully assess it for a leak or re-fasten the valve. If a leak is detected, the bladder may be patched by using Sportsstuff PVC Adhesive which can be purchased directly from Sportsstuff.

**Symptom:** Cover is very loose (Applies only to products with covers).

**Solution:** Please check to make sure that your product is inflated fully and the tube is in place. The cover should fit snugly over the well-inflated tube. If the cover remains loose, add more air. See also the INFLATION section of this manual.

**WARRANTY POLICY:**

Sportsstuff warrants, to the original purchaser only, that their high performance products, when used for normal recreational purposes, are free from defects in material and workmanship for a period of ninety (90) days from the date of purchase. This warranty does NOT cover: products for rental, for hire and other uses not considered for normal recreational purposes; nor punctures, cuts, abrasions in normal use. For prompt parts replacement or warranty issues, contact Sportsstuff directly at 888-814-8833. Replacement parts are shipped within 48 hours of notification Monday through Friday. Do not return to your dealer (USA ONLY). This warranty is only valid in the USA.

If you have any questions about any Sportsstuff, Inc. product, replacement parts or locating a dealer in your area, contact us at:

Sportsstuff Inc.  
11213 E Circle Suite A  
Omaha, NE 68137  
Toll Free: 888-814-8833  
Tel: 402-592-9085  
Fax: 402-592-1354  
E-mail: [customercare@sportsstuff.com](mailto:customercare@sportsstuff.com)

Warranty registration is available on-line at: <http://www.sportsstuff.com>

Prior authorization is required for returned merchandise. No credit will be given for a product that is sent back without prior authorization from Sportsstuff, Inc. After receiving an authorization number, please ship returned products to the following address:

Sportsstuff, Inc. Return Center  
11213 E Circle, Suite A  
Omaha, NE 68137  
(Please label package with RA #)

### WATERSPORTS RESPONSIBILITY CODE

Be aware that there are elements of risk in boating, skiing, and riding that common sense and personal awareness can help reduce. Know your ability level and stay within it.

To increase your enjoyment of the sport follow the "Watersports Responsibility Code".

It is your responsibility to:

- Familiarize yourself with all applicable laws, the risks inherent in the sport, and proper use of the equipment.
- Know the waterways where you will be skiing or riding. Do not ski or ride in shallow water, near shore, docks, pilings swimmers or other watercraft.
- Always have a person other than the boat driver as an observer and agree on hand signals before starting.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Read your owner's manual and inspect your equipment prior to use.
- Ski or ride within your limits. Always ski or ride in control and at speeds appropriate for your ability.
- Always turn ignition off when anyone is near watercraft power drive unit.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Never "Platform Drag" or touch a swim platform while the engine is running.
- Not operate watercraft, ski or ride under the influence of alcohol or drugs.

Water Sports Industry Association

Warnings  
and  
Guidelines for Use  
  
September 2004

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**TAB 4(B) -- ROPE FOR TOWING INFLATABLE TUBE: ON PRODUCT WARNING**

[In the following warning, fill in the appropriate information for the strength of the rope.]

**WARNING**

Use of this product and participation in the sport involves inherent risks of injury or death.

1. Inspect rope and connector before each use. Do not use if damaged.
2. Make sure rope is not wrapped around part of anyone's body during use.
3. Rope stretches during use. Breakage can cause rope to snap back and may hit the occupants or user, which could result in injury.
4. This rope is intended only for towing up to a maximum of \_\_\_\_ [one, two, three, four] people or \_\_\_\_ [170, 340, 510, 680] pounds on an inflatable tube. Any other use may cause rope failure.
5. Read Operator's Manual before use. Do not remove warning.

**SPECIAL MANUFACTURERS INSTRUCTIONS:** [Insert appropriate number of people and corresponding weight for ropes you are selling.]

---

**MANUFACTURER'S GUIDELINES FOR USE**

- 1) The warning is FOR USE ON ROPE FOR TOWING INFLATABLE TUBE.
- 2) Warning should be securely attached to the tow rope within six feet of rope where it attaches to inflatable tube. Warning should be attached in a manner that should be resistant to degradation caused by sun, salt, gasoline, abrasion, etc.
- 3) Use only an easily readable font style. See ANSI Z 535.4.
- 4) Use highly contrasting colors. See ANSI Z 535.4.
- 5) Warning should be "boxed" and "headlined" WARNING, with an orange background behind the upper "Warning" Box. See ANSI Z 535.4.
- 6) Warning should be placed in a conspicuous location so that there is a likelihood it will be seen by user prior to use.
- 7) Manufacturer should list on the tube rope packaging and in the instructions the maximum number of riders intended for towing using this tube rope, and list the average tensile strength of the rope.
- 8) Printed material such as in an Operator's Manual that includes the warning does not need to have the orange color in the upper box.

This information is presented as guidelines for manufacturers and suppliers to inform users. Due to the unique design or proprietary style of some devices or sporting equipment, changes to the document(s) may be necessary in word content. This will prevent conflict of statements and permit new innovative changes and designs to products, while still following the intent of the message.

**TAB 4(C) -- OPERATOR'S MANUAL: SKI TOW ROPE AND ROPE FOR TOWING  
INFLATABLE TUBE:  
SKI TOW ROPE**

 **WARNING**

Use of this product and participation in the sport involves inherent risks of injury or death.

1. Inspect rope, handle and connectors before each use. Do not use if damaged.
2. Make sure rope is not wrapped around part of anyone's body during use.
3. Rope stretches during use. Sudden release of handle can cause rope and handle to snap back and may hit the occupants or user, which could result in injury.
4. This rope is intended only for towing a single person on water skis, wake/kneeboards, or barefooting. Any other use may cause rope failure.
5. Read Operator's Manual before use. Do not remove warning.

[In the following warning, fill in the appropriate information for the strength of the rope.]

**ROPE FOR TOWING INFLATABLE TUBE**

 **WARNING**

Use of this product and participation in the sport involves inherent risks of injury or death.

1. Inspect rope and connector before each use. Do not use if damaged.
2. Make sure rope is not wrapped around part of anyone's body during use.
3. Rope stretches during use. Breakage can cause rope to snap back and may hit the occupants or user, which could result in injury.
4. This rope is intended only for towing up to a maximum of \_\_\_\_ [one, two, three, four] people or \_\_\_\_ [170, 340, 510, 680] pounds on an inflatable tube. Any other use may cause rope failure.
5. Read Operator's Manual before use. Do not remove warning.

SPECIAL MANUFACTURERS INSTRUCTIONS: [Insert appropriate number of people and corresponding weight for ropes you are selling.]

**PRODUCT INSTRUCTIONS AND WARNINGS**

Watersports can be safe and fun for all levels of enthusiasts. The Operator's Manual is presented to enhance your enjoyment of the sport. It is intended to alert you to some of the potentially dangerous conditions that can arise in all watersports.

To reduce the risk of injury or death, follow these guidelines:

- It is the responsibility of the watercraft owner/operator to know and inform all persons riding or using tow ropes of the information presented herein. Unsafe operation by watercraft driver will endanger you and others.
- Use a tow rope of at least 1500 lbs. average tensile strength for pulling a single person, 2375 lbs. average tensile strength for pulling two people, 3350 lbs average tensile strength for pulling

for three people and 4100 lbs. tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 50 feet in length but not to exceed 65 feet.

The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.

- Check the rope, handle, and/or connectors for frays, cuts, sharp edges, knots, or wear before each use. Discard rope if any such condition exists or if rope appears to be worn. Such conditions may lead to breaks which can cause rope to snap back and may hit the occupants of the watercraft which could result in injury or death.
- Never put arms, legs or head in the handle section, since injury or death may result. Never wrap rope around any part of your body prior to or during use or when retrieving rope.
- Do not use a tow rope with elastic or bungee material to pull skiers or riders. Such an addition can break or stretch which may lead to injury of users or occupants of watercraft.
- Rope is subject to deterioration when exposed to direct sunlight. The life of the product will be extended when stored away from sunlight.
- The product should be replaced when signs of deterioration appear, indicated by the existence of discoloration, wearing, fraying or raveling. Some chemicals may affect the rope. If the product become tacky or changes color or appearance, do not use.
- Do not add hardware or attachments that are not otherwise supplied by the manufacturer.

### **WATERSPORTS SAFETY CODE:**

Watersports are fun and challenging but involve inherent risks of injury or death. To increase your enjoyment of the sport and to reduce your risks, use common sense and follow these rules:

#### **Before you start:**

- Familiarize yourself with all applicable federal, state and local laws, the risks inherent in the sport and the proper use of the equipment.
- Know the waterways.
- Always have a person other than the driver as an observer.
- Skier/rider, observer and driver must agree on hand signals.
- Never start out until skier/rider signals he/she is ready.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Do not sit on the boat transom or swim platform while the engine is running. These activities may lead to excessive CO exposure which may cause injury or death. If you can smell engine exhaust while in the boat, do not stay seated in that position for prolonged periods. Never "Platform Drag" by holding onto the swim platform or be dragged directly behind the boat. An improperly tuned engine will produce excessive exhaust. Have your engine checked and corrected by a mechanic. Changing boat speed or direction relative to the wind can reduce or increase boat exhaust from accumulating near the boat and rider. Consult your boat Owners Manual, or the United States Coast Guard's website: [www.uscgboating.org](http://www.uscgboating.org) for more information on how to help protect others and yourself from the dangers of CO poisoning
- Use caution and common sense.
- Do not exceed the weight guidelines of your boat. Only use water ballast and people for additional weight. Do not allow passengers to hang outside the boat or sit on the gunwales outside the normal seating area of the boat. Uneven weight distribution or additional weight

may affect the handling of the boat. Never allow water to overflow the gunwales of your boat.

Your equipment and your tow rope:

- Inspect all equipment prior to use. Check bindings, fins, tube and attachment point, and flotation device prior to each use. Do not use if damaged.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Rope should be attached to the watercraft in an approved fashion with hardware designed for towing. Refer to your watercraft manual for instructions on proper tow rope attachment.
- Tow ropes stretch during use. If a rope breaks or is suddenly released, it can snap back into the watercraft. Warn all riders, skiers and occupants of the danger of rope recoil.
- When in the boat, keep away from the tow rope to avoid injury. Passengers can be hit, or become entangled in the rope.
- Inspect tow rope and its attachments before using. Do not use tow rope if frayed, knotted or damaged. Replace when signs of excessive deterioration are indicated by discoloration, broken filaments, unraveling or other obvious signs of wear on the rope or hardware.
- Use proper tow rope for the activity.
- Ensure tow rope is clear of all body parts prior to starting out or during use.
- Keep persons and ropes away from propeller when engine is running, even in neutral. Should rope become entangled in propeller, SHUT OFF ENGINE AND REMOVE IGNITION KEY BEFORE RETRIEVING ROPE.

When you ski or ride:

- Attempting land or dock starts can increase the risk of injury or death. USE THIS PRODUCT ONLY ON WATER.
- Always remove any slack in the rope between watercraft and skier/ rider before starting. Sudden shock loads may cause injury to skier/rider or failure of rope, resulting in snap-back or breakage.
- Do not ski or ride in shallow water, near shore, pilings, docks, rafts, swimmers, other boats or other obstacles. Such obstacles are examples of risks that are inherent in the sport.
- The driver and skier/rider must watch for and be able to stop or turn to avoid obstacles.
- Always ski or ride in control and at speeds appropriate for your ability. limits. Do not ski or ride over ramps or jumps without prior instruction.
- Falling and the injuries that may result are inherent risks in the sport.
- Use a flag to signal to others that a skier or rider is in the water.
- Driver must use extra caution approaching a fallen skier/rider and keep eye contact on fallen skier/rider at all times.
- Put the boat in neutral when near a fallen skier/rider. Turn the engine off when people are getting into or out of the boat, or in the water near the boat.
- Do not operate watercraft, ski or ride under the influence of alcohol or drugs.

**THE WARNINGS AND PRACTICES SET FORTH ABOVE IN THE WATERSPORTS SAFETY CODE REPRESENT SOME COMMON RISKS ENCOUNTERED BY USERS. THE CODE DOES NOT PURPORT TO COVER ALL INSTANCES OF RISK OR DANGER. PLEASE USE COMMON SENSE AND GOOD JUDGMENT.**

**Please contact us if you have any questions on the proper selection, function, or safe use of this product.**

### **MANUFACTURER'S INSTRUCTIONS**

The information above should be **PROVIDED TO THE PURCHASER OF A SKI TOW ROPE AND ROPE FOR TOWING INFLATABLE TUBE** at the time of sale. The specific type of delivery vehicle (*i.e.* warranty card, release form) is to be at the option of each manufacturer.

Manufacturer should supply address information including mailing address, phone, email, and toll free numbers if available in the Operator's Manual.

**TAB 5(A) – INFLATABLE TUBE: ON PRODUCT WARNING**

**WARNING**

Use of this product and participation in the sport involves inherent risks of injury or death.

- Do not use at speeds that exceed skills of the rider. Boat speed should never exceed 20 mph for adults and 15 mph for children.
- This product should never be used by children except under adult supervision.
- This is not a personal floatation device.
- Always wear a U.S. Coast Guard approved Type III (PFD) vest.
- Never place wrists or feet through handles or towing harness. Ensure tow rope is clear of all body parts prior to or during use.
- Rider should keep feet out of the water.
- Watercraft driver is responsible for the ride since the tube cannot be controlled by the rider. Always have a person other than the driver as an observer.
- Watercraft driver should avoid excessive speed or sharp turns which might cause the tube to flip over abruptly resulting in serious injury to the rider.
- Do not tow in shallow water or near shore, docks, pilings, swimmers or other boats.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs. average tensile strength for pulling a single person, 2375 lbs. average tensile strength for pulling two people, 3350 lbs. average tensile strength for pulling for three people and 4100 lbs. tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 50 feet in length but not to exceed 65 feet.
- Do not operate watercraft, or ride under the influence of alcohol or drugs.
- Read Operator's Manual before use.

---

**MANUFACTURER'S GUIDELINES FOR USE**

- 1) This warning is FOR USE ON TOWABLE TUBES.
- 2) Warning should be securely attached to (or printed on) the tube or surrounding skirt in a manner that should be resistant to degradation caused by sun, salt, gasoline, abrasion, etc.
- 3) Use only an easily readable font style. See ANSI Z 535.4.
- 4) Use only highly contrasting colors. See ANSI Z 535.4.
- 5) Warning should be "boxed" and "headlined" WARNING, with an orange background behind the upper "Warning" Box. See ANSI Z 535.4.
- 6) Warning should be placed in a conspicuous location so that there is a likelihood it will be seen prior to use.
- 7) Printed material such as in an Operator's Manual that includes the warning does not need to have the orange color in the upper box.

**SPECIAL MANUFACTURING INSTRUCTIONS**

- 8) Manufacturer should list on the packaging and in the instructions the maximum number of riders recommended for the product, and the average tensile strength of the rope necessary for pulling the tube and its rider(s).

[Insert appropriate number of people for this tube, corresponding average weight for the people, and the average tensile strength of the rope required in the following message which should appear on the packaging.]

<u>Number of Riders</u>	<u>Average Weight of Riders</u>	<u>Average Rope Tensile Strength</u>
One	170 Lbs.	1500 Lbs.
Two	340 Lbs.	2375 Lbs.
Three	510 Lbs.	3350 Lbs.
Four	680 Lbs.	4100 Lbs.

 **WARNING**

Use of this product and participation in the sport of tubing involves inherent risks of injury or death. Before using this tube, read the owner's manual carefully.

This tube is designed to carry no more than \_\_\_\_ persons or \_\_\_\_ lbs.

Use a tow rope of at least \_\_\_\_ lbs. Average tensile strength for pulling this tube and its rider(s).

The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.

This information is presented as guidelines for manufacturers and suppliers to inform users. Due to the unique design or proprietary style of some devices or sporting equipment, changes to the document(s) may be necessary in word content. This will prevent conflict of statements and permit new innovative changes and designs to products, while still following the intent of the message.

Manufacturer should supply address information including mailing address, phone, email, and toll free numbers if available in the Operator's Manual.

## TAB 5(B) -- OPERATOR'S MANUAL: INFLATABLE TUBE


**WARNING**

Use of this product and participation in the sport involves inherent risks of injury or death.

- Do not use at speeds that exceed skills of the rider. Boat speed should never exceed 20 mph for adults and 15 mph for children.
- This product should never be used by children except under adult supervision.
- This is not a personal flotation device.
- Always wear a U.S. Coast Guard approved Type III (PFD) vest.
- Never place wrists or feet through handles or towing harness. Ensure tow rope is clear of all body parts prior to or during use.
- Rider should keep feet out of the water.
- Watercraft driver is responsible for the ride since the tube cannot be controlled by the rider. Always have a person other than the driver as an observer.
- Watercraft driver should avoid excessive speed or sharp turns which might cause the tube to flip over abruptly resulting in serious injury to the rider.
- Do not tow in shallow water or near shore, docks, pilings, swimmers or other boats.
- Do not exceed the manufacturers recommended number of riders for your particular tube.
- Use a tow rope of at least 1500 lbs. average tensile strength for pulling a single person, 2375 lbs. average tensile strength for pulling two people, 3350 lbs. average tensile strength for pulling for three people and 4100 lbs. tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 50 feet in length but not to exceed 65 feet.
- Do not operate watercraft or ride under the influence of alcohol or drugs.
- Read Operator's Manual before use.

---

**PRODUCT INSTRUCTIONS AND WARNINGS**

Watersports can be safe and fun for all levels of enthusiasts. The Operator's Manual is presented to enhance your enjoyment of the sport. It is intended to alert you to some of the potentially dangerous conditions that can arise in all watersports.

To reduce the risk of injury or death, follow these guidelines:

- Carefully read this manual and follow the instructions.
  - Only use your tube with a responsible watercraft operator who knows how to operate a watercraft properly.
  - Take all reasonable precautions in the use and operation of your tube and boat.
  - Teach anyone using your tube how to attach it to the rope, how to ride it, and how to maintain it.
  - Use a single tube for not more than one rider and no more than two riders for a double tube. Do not exceed the manufacturer's recommended number of riders for your particular tube.
  - If the tube is designed for more than one person, take extra precaution to avoid colliding with one another.
- The stress on the rope is different from the stress on the tube, and will vary with the weight of the passengers, design, and surface area of the tube.

- Never strap or attach anyone to the tube or cover. Never put your feet or hands through the strapping of the towing system or handles. Never wedge your hands or feet under the cover or between the cover and the tube.
- Never attempt jumps or dangerous tricks with your tube. If more than one tube is being towed, avoid collisions with other tubes.
- Scout the area before use to avoid any debris or obstacles that might present a safety hazard.
- Know your own limits. Stop when you are tired. Act responsibly. Be in good physical condition and be cautious in your use of this or any other towable tube.
- Check the rope and connector for frays, cuts, sharp edges, knots, or wear before each use. Discard rope if any such condition exists or if rope appears to be worn. Such conditions may lead to breaks.
- Do not use tow rope with elastic or bungee material to pull skiers or riders. Such an addition can break or stretch which may lead to injury of users or boat occupants.
- Rope is subject to deterioration when exposed to direct sunlight. The life of the product will be extended when stored away from sunlight.
- The tow rope should be replaced when signs of deterioration appear, indicated by the existence of discoloration, wearing, fraying or raveling.
- Do not add hardware or attachments that are not otherwise supplied by the manufacturer.

### **WATERSPORTS SAFETY CODE:**

Watersports are fun and challenging but involve inherent risks of injury or death. To increase your enjoyment of the sport and to reduce your risks, use common sense and follow these rules:

#### **Before you start:**

- Familiarize yourself with all applicable federal, state and local laws, the risks inherent in the sport and the proper use of the equipment.
- Know the waterways.
- Always have a person other than the driver as an observer.
- Skier/rider, observer and driver must agree on hand signals.
- Never start out until skier/rider signals he/she is ready.
- Carbon Monoxide (CO) poisoning from engine exhaust may cause injury or death. Do not sit on the boat transom or swim platform while the engine is running. These activities may lead to excessive CO exposure which may cause injury or death. If you can smell engine exhaust while in the boat, do not stay seated in that position for prolonged periods. Never “Platform Drag” by holding onto the swim platform or be dragged directly behind the boat. An improperly tuned engine will produce excessive exhaust. Have your engine checked and corrected by a mechanic. Changing boat speed or direction relative to the wind can reduce or increase boat exhaust from accumulating near the boat and rider. Consult your boat Owners Manual, or the United States Coast Guard’s website: [www.uscgboating.org](http://www.uscgboating.org) for more information on how to help protect others and yourself from the dangers of CO poisoning
- Use caution and common sense.
- Do not exceed the weight guidelines of your boat. Only use water ballast and people for additional weight. Do not allow passengers to hang outside the boat or sit on the gunwales

outside the normal seating area of the boat. Uneven weight distribution or additional weight may affect the handling of the boat. Never allow water to overflow the gunwales of your boat.

#### Your equipment and your tow rope:

- Inspect all equipment prior to use. Check bindings, fins, tube and attachment point, and flotation device prior to each use. Do not use if damaged.
- Always wear a U.S. Coast Guard Type III (PFD) vest.
- Rope should be attached to the watercraft in an approved fashion with hardware designed for towing. Refer to your watercraft manual for instructions on proper tow rope attachment.
- Tow ropes stretch during use. If a rope breaks or is suddenly released, it can snap back into the watercraft. Warn all riders, skiers and occupants of the danger of rope recoil.
- When in the boat, keep away from the tow rope to avoid injury. Passengers can be hit, or become entangled in the rope.
- Inspect tow rope and its attachments before using. Do not use tow rope if frayed, knotted or damaged. Replace when signs of excessive deterioration are indicated by discoloration, broken filaments, unraveling or other obvious signs of wear on the rope or hardware.
- Use proper tow rope for the activity.
- Ensure tow rope is clear of all body parts prior to starting out or during use.
- Keep persons and ropes away from propeller when engine is running, even in neutral. Should rope become entangled in propeller, SHUT OFF ENGINE AND REMOVE IGNITION KEY BEFORE RETRIEVING ROPE.

#### When you ski or ride:

- Attempting land or dock starts can increase the risk of injury or death. USE THIS PRODUCT ONLY ON WATER.
- Always remove any slack in the rope between watercraft and skier/ rider before starting. Sudden shock loads may cause injury to skier/rider or failure of rope, resulting in snap-back or breakage.
- Do not ski or ride in shallow water, near shore, pilings, docks, rafts, swimmers, other boats or other obstacles. Such obstacles are examples of risks that are inherent in the sport.
- The driver and skier/rider must watch for and be able to stop or turn to avoid obstacles.
- Always ski or ride in control and at speeds appropriate for your ability. limits. Do not ski or ride over ramps or jumps without prior instruction.
- Falling and the injuries that may result are inherent risks in the sport.
- Use a flag to signal to others that a skier or rider is in the water.
- Driver must use extra caution approaching a fallen skier/rider and keep eye contact on fallen skier/rider at all times.
- Put the boat in neutral when near a fallen skier/rider. Turn the engine off when people are getting into or out of the boat, or in the water near the boat.
- Do not operate watercraft, ski or ride under the influence of alcohol or drugs.

**THE WARNINGS AND PRACTICES SET FORTH ABOVE IN THE WATERSPORTS SAFETY CODE REPRESENT SOME COMMON RISKS ENCOUNTERED BY USERS. THE CODE DOES NOT PURPORT TO COVER ALL INSTANCES OF RISK OR DANGER. PLEASE USE COMMON SENSE AND GOOD JUDGMENT.**

**Please contact us if you have any questions on the proper selection, function, or safe use of this product.**

### **MANUFACTURER'S INSTRUCTIONS**

The information above should **BE PROVIDED TO THE PURCHASER OF AN INFLATABLE TUBE** at the time of sale. The specific type of delivery vehicle (*i.e.* warranty card, release form, etc.) is to be at the option of each manufacturer.

Manufacturer should supply address information including mailing address, phone, email, and toll free numbers if available in the Operator's Manual.

**ON TUBE WARNING**

<p><b>▲ WARNING</b></p>
<p>Use of this product and participation in the sport involves inherent risks of injury or death.</p> <ul style="list-style-type: none"> <li>• Do not use at speeds that exceeds skills of the rider. Boat speed should never exceed 20 mph for adults and 15 mph for children.</li> <li>• This product should never be used by children except under adult supervision.</li> <li>• This is not a personal flotation device.</li> <li>• Always wear a U.S. Coast Guard approved Type III (PFD) vest.</li> <li>• Never place wrists or feet through handles or towing harness. Ensure tow rope is clear of all body parts prior to or during use.</li> <li>• Rider should keep feet out of the water.</li> <li>• Watercraft driver is responsible for the ride since the tube cannot be controlled by the rider. Always have a person other than the driver as an observer.</li> <li>• Watercraft driver should avoid excessive speed or sharp turns which might cause the tube to flip over abruptly resulting in serious injury to the rider.</li> <li>• Do not tow in shallow water or near shore, docks, pilings, swimmers or other boats.</li> <li>• Do not exceed the manufacturers recommended number of riders for your particular tube.</li> <li>• Use a tow rope of 1500 lbs. average tensile dtrength for pulling a single person, 2375 lbs. average tensile strength for pulling two people, 3350 lbs. average tensile strength for pulling three people and 4100 lbs. average tensile strength for pulling four people on an inflatable tube. The tow rope should be at least 50 feet in length but not to exceed 65 feet.</li> <li>• Do not operate watercraft, or ride under the influence of alcohol or drugs.</li> <li>• Read Operator's Manual before use.</li> </ul>

Photo #1: Water Sports Industry Association warning on regular tubing

<p><b>▲ WARNING</b></p>
<p>Use of this product and participation in the sport involves inherent risks of injury or death.</p> <ol style="list-style-type: none"> <li>1. Inspect rope, handle and connectors before each use. Do not use if damaged.</li> <li>2. Make sure rope is not wrapped around part of anyone's body during use.</li> <li>3. Rope stretches during use. Sudden release of handle can cause rope and handle to snap back and may hit the occupants or user which could result in injury.</li> <li>4. This rope is intended only for towing a single person on water skis, wake/kneeboards, or barefooting. Any other use may cause rope failure.</li> <li>5. Read Operator's Manual before use.</li> </ol>

**ROPE WARNING**

<p><b>▲ WARNING</b></p>
<p>Use of this product and participation in the sport involves inherent risks of injury or death.</p> <ol style="list-style-type: none"> <li>1. Inspect rope, handle and connectors before each use. Do not use if damaged.</li> <li>2. Make sure rope is not wrapped around part of anyone's body during use.</li> <li>3. Rope stretches during use. Sudden release of handle can cause rope and handle to snap back and may hit the occupants or user which could result in injury.</li> <li>4. This rope is intended only for towing up to a maximum of ____ (one, two, three four) people or ____ (170, 340, 510, 680) pounds on an inflatable tube. Any other use may cause rope failure.</li> <li>5. Read Operator's Manual before use. Do not remove warning.</li> </ol>

**TUBE ROPE WARNING**

Photo #2: Water Sports Industry Association rope and tube rope warnings

**Glen Canyon NRA  
Determination of Public Access or Restriction**

**Affected Area/Topic Common Name:**

A restriction concerning kite tubing, kite boarding, and parasailing.

**Location of Affected Area:**

All waters, air, and land areas of Glen Canyon NRA.

**Nature of Action/Restriction/Closure:**

A general restriction specific to recreational activities commonly referred to as kite tubing, kite boarding, and parasailing. This restriction applies to any activity requiring a tow vessel for the purpose of sustained air travel above the water surface, and any water based recreational activity that relies on tethered parafoils, parachutes, kites, wings, or other tethered apparatus for propulsion across the water surface resulting in sustained air travel. This restriction is not intended to limit or curtail activities associated with conventional recreational pursuits including sailing, sail boarding, water skiing, knee boarding, or wake boarding.

**Level of Scope of Closure/Restriction:**

This is a general restriction specific to all waters and areas within Glen Canyon NRA to specific recreational activities known as kite tubing, kite boarding, and parasailing.

**Proposed Regulatory Language (36 CFR section/wording):****36 CFR 1.5 (a)2**

Kite tubing, parasailing, and similar activities requiring a tow vessel or tow vehicle for the purposes of providing air flight of participants and/or apparatus are prohibited within the boundaries of Glen Canyon NRA. Kite boarding, kite surfing, and similar tethered activities requiring a parasail, kite, wing, or similar tethered apparatus attached to the participant or floatation device, for the specific purpose of providing propulsion or air flight are prohibited.

**Definitions:**

Kite tubing is a generic term used to describe certain water based recreational pursuits involving the use of tethered floatation devices designed to rise above the surface of the

water. This term is used to describe recreational activities associated with the use of manufactured devices such as the WEGO "Kite Tube", SEVYLOR "Manta", and similar apparatus.

Kite boarding is a generic category of recreational activities associated with floatation devices designed for water and air travel propelled by tethered parafoils, parachutes, wings, kites, or other similar apparatus.

Parasails are a generic family of devices dependent on parafoils, parachutes, wings, or similar apparatus towed by vessels with long tow lines for the purposes of sustained air travel.

**Justification:**

In April of 2006 the first observation of kite tubing was made at Glen Canyon NRA. This observation was made secondary to a call for EMS intervention to rescue a severely injured man who had been crushed by a Kite Tube inverting and crashing. This person suffered severe trauma to their neck and chest resulting in a near drowning incident. This incident was documented in CI# 06 0297. Since this first accident three other severe injuries, (CI# 06-941, 06-1301, 06-1334), and multiple minor accidents attributed to kite tubing have occurred within the recreation area. Glen Canyon staff have air lifted 4 patients from the lake, with three suffering life threatening injuries. Subsequent viewings of various kite tubing promotional materials indicates a steep learning curve for the "operator" to establish the correct balance and steering to keep the kite tube from veering violently from side to side and/or up and down. The manufacturer's videos show sequences where the kite tube appears to be primarily out of control. In addition numerous personal videos of actual accidents have been recorded and collected showing the unpredicted violent out of control nature of this activity. Due to the unpredictable nature of the crafts "flight", it is dangerous and inappropriate to permit this activity to occur in proximity to other visitors recreating on the lake, nor is it prudent to allow an inherently unstable and dangerous activity to establish a user/participant precedent.

Kite tubing presents many of the same risks as "cliff jumping" which is a prohibited activity in the NRA. Kite tubes have the potential to rise to 60' above the water surface while traveling at speeds of 35-40 mph. Because of the uncontrolled nature of kite tube falls or crashes, the "operator" often impacts the water surface at high speeds, near vertical angles, and unusual body positions, significantly increasing the risk of injury. (See attached list of case incidents.)

Kite boarding represents a separate, but similar, set of risks and dangers to visitors at Glen Canyon NRA because of the basic uncontrolled nature of the kite board and the attached operator which is dependent on wind to provide lift and propulsion. Kite boarders are dependent on air movement and have little control concerning the general direction of travel, which may interfere with other visitors engaged in traditional water recreation activities such as sailing, water skiing, fishing, etc. In addition the lines and

cables attaching the kite boarder to the parafoil or wing pose potential safety concerns to other boaters or park visitors that may be struck or collide with these lines. Kite boarding, due to the generally uncontrolled speed and direction of travel of the kite board, requires large, open, and empty expanses of water, which often is not available at Glen Canyon NRA because of competing visitor uses.

Parasailing also represents potential risks and dangers to parasailing participants as well as other park visitors. Parasailing requires extremely long lines, often in excess of 1000', generally straight line boat travel, and large open spaces of shoreline or water surface for landing, which increases the risk of interference or collision with other park visitors. Because the parasail tow boat requires sustain forward momentum to keep the parasailer air borne, it is extremely difficult for the tow vessel to maneuver or stop quickly to avoid other vessels or water hazards. The NRA has responded to calls for emergency assistance and rescue services because of serious injuries sustained in parasailing accidents. (See attached list of case incidents.)

Kite tubing, kite boarding, and parasailing are incompatible with the current spectrum of permissible recreational opportunities available at Glen Canyon NRA. While Lake Powell offers what appears to be a vast expanse of open water and endless space, impacts and conflicts among various user groups occur frequently due to the relatively restricted water channels and high level of visitor use. Kite tubing, kite boarding, and parasailing require large amounts of space and unpopulated surface waters and have the potential to disrupt established recreational pursuits. Kite tubing, kite boarding, and parasailing may require long tow ropes, large open water surfaces for takeoffs and landings and, because of their air borne attachments can not maneuver or stop abruptly. To avoid inevitable accidents caused by kite tubing, kite boarding, and parasailing, as well as conflicts and accidents involving traditional park user groups not accustomed to the special operational needs of these dangerous air borne activities, the NRA has chosen to prohibit kite tubing, kite boarding, and parasailing.

(SEE ATTACHMENTS & DATA FILES)

**NEPA, Cultural Resources Requirements:**

None Required.

**Proposed by:** Mark Law, Law Enforcement Specialist, GCNRA

**Proposal Implementation Date:** 6-15-06

**Method of Public Notification:**

Notification of this closure restriction pertaining to towed aerial watercraft will be made through local and regional media services, park publications, park web-site, and posted on area information bulletin boards. (See attachments.)

\_\_\_\_\_  
**Reviewed By: Mike Mayer**  
**Chief Ranger Visitor and Resource Protection**

\_\_\_\_\_  
**Date**

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<b>Determination:</b>	<b>Adopted</b>	<b>Rejected</b>
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\_\_\_\_\_  
**Kitty L. Roberts**  
**Superintendent**  
**Glen Canyon National Recreation Area**

\_\_\_\_\_  
**Date**

060614HCC3606

Exhibit H

National Park Service  
U.S. Department of the Interior  
InsideNPS  
Information Gateway for NPS Employees



0  
GLEN CANYON NATIONAL RECREATION AREA  
**Kite Tubing Safety Alert**

Over the past month, the park has experienced a sharp upswing in visitor accidents and injuries due to kite tubing on the lake.

Kite tubes were introduced into the market this past winter and have proven to be extremely dangerous. During the past three weeks, Glen Canyon staff have airlifted four people from the lake, with three suffering life threatening injuries. Kite tubes are large, round, ten-foot tubes with a solid fabric floor in the bottom. As the tube is pulled forward, the front of the tube is lifted and air catches the floor of the tube and lifts it out of the water with the rider on top of the tube.

In all cases at Glen Canyon NRA, the riders were being pulled at 25 to 35 mph with a head on or quartering wind. The tubes would rise uncontrollably 15 to 25 feet into the air and immediately invert and accelerate back to the water. The combined forward speed of the boat, plus the additional accelerated downward speed is driving these victims into the water at speeds near 50+ mph. For additional details on the accidents, see the related incident report in today's edition.

Interviews with friends and family members of accident victims have shown a disturbing trend with this use. In all cases at Glen Canyon NRA, multiple minor injury accidents occurred prior to the incidents that required advanced life support. All victims were using the kite tubes as directed when they suddenly lifted to dangerous heights, became unstable, and plunged down to the water surface. The injuries seen are consistent with deceleration impact events that cause internal trauma. Victims have reported coughing up blood, torn muscles, whiplash type injuries, broken ribs, punctured lungs and cervical fractures.

Glen Canyon NRA has initiated discussion and contact with the National Association of State Boating Law Administrators (NASBLA) and will be providing a national safety alert through their organization very soon. In addition, the Consumer Product Safety Commission has been notified regarding this emerging threat and efforts are being made to disseminate more information on this activity through them.

One of the park's weekend accidents resulted in a major neck injury. A news video from KUTV in Salt Lake City and a second KUTV video clip on an incident at Lake Mead can be viewed by clicking on the links listed below (a flash player is needed to view them):

<http://www.kutv.com/video/?id=16192@kutv.dayport.com>

<http://www.kutv.com/video/?id=16155@kutv.dayport.com>

A prohibition on cliff jumping was put in place at Glen Canyon last year after an increase in injuries and fatalities associated with this activity. Although controversial in the beginning, it has been widely accepted and the park has received many positive comments back on this prohibition. A review of the data indicated that a significant increase in injury and death occurred at jumps higher than 15 feet. The last cliff jumping fatality occurred from 70 feet, with a calculated speed of about 50 mph when the victim impacted the water.

Similar circumstances apply in this case. All kite tubers reported that they were traveling at 30 to 35 mph and most were 15 to 20 feet in the air when they were either ejected or turned upside down and accelerated back to the water. Another 10 to 20 mph of speed is added to their forward speed, so the victims are hitting the water at 45 to 55 mph. These accidents are therefore the equivalent of a 70 foot cliff jump, with the added component of the victims having no control over how they enter or impact the water.

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Exhibit H

[More Information...](#)

**Contact Information**

Name: Mike Mayer, Chief Ranger

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[headline.cfm?type=Announcements&id=4523](#)

Posted: June 08, 2006

[\[Back\]](#)

060614HCC3606

## GLCA KITE TUBING

6/14/2006  
EXHIBIT P1

CASE #	DATE	RANGER	INCIDENT	COMMENTS
06-0297	4/7/2006	CLASSIC	EMSALS (serv)	29 YOM FELL 30 FT FROM WATER KITE TUBE
06-0297	4/7/2006	JOSTAD	ACCKITEPI (serv)	29 YOM FELL 30 FT FROM WATER KITE TUBE
06-0941	5/22/2006	BF CLINIC	EMSALS (serv)	34 YOM KITE TUBING ACCIDENT
06-0941	5/22/2006	VANDRAGT	ACCKITEPI (serv)	34 YOM KITE TUBING ACCIDENT
06-1301	6/2/2006	MOWAT	EMSALS (serv)	26 YOM W/NECK INJURY FROM KITE TUBING
06-1334	6/3/2006	STARK	EMSALS (serv)	14 YOF KITE TUBING (30 FT FALL)
06-1334	6/3/2006	STARK	ACCKITEPI (serv)	14 YOF KITE TUBING (30 FT FALL)
06-1334	6/3/2006	STARK	SAR (serv)	14 YOF KITE TUBING (30 FT FALL)
06-1301	6/2/2006	MOWAT	ACCKITEPI (serv)	26 YOM W/NECK INJURY FROM KITE TUBING
06-1526	6/10/2006	SAMPLE	ASSTCTZN (serv)	VERBAL CONTACT WITH KITE TUBER
06-1533	6/10/2006	LARSON	ASSTCTZN (serv)	EDUCATIONAL CONTACT FOR KITE TUBING

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Exhibit H

CRNUMB	INCIDENT	DATE	LOCAT	REMARKS
00-0523	ACCOTHP1 (serv)	4/28/2000BF		21 YOM BROKEN RIGHT ANKLE FROM PARASAILING ACCIDENT
01-0298	ASSTCTZN (serv)	4/11/2001DR		DISABLED SAILBOAT
01-1344	FOUNDPROP (serv)	6/7/2001HC		12 FT SAILBOAT WATERSKIS
01-1822	ACCBTPDO (serv)	6/13/2001WW		SAILBOAT TIPPED OVER
01-3471	ACCBTPI (serv)	7/24/2001WW		PARASAILING ACCIDENT
01-4366	ACCBTPI (serv)	8/16/2001BF		PARASAILING ACCIDENT
01-5316	ACCBTPI (serv)	9/22/2001WW		PARASAILING ACC
01-5316	ACCBTPI (serv)	9/22/2001WW		PARASAILING
02-1741	FOUNDPROP (serv)	6/25/2002HI		SAIL WHITE/ORANGE
03-4718	PTILOTH (g2nt)	10/17/2003WW		VW TO SUBJECT FOR PARASAILING
05-1295	EMSBL5 (serv)	6/16/2005BF		FALL DURING PARASAILING/BACK PAIN
05-1295	ACCOTHP1 (serv)	6/16/2005BF		FALL DURING PARASAILING/BACK PAIN

6/14/2006

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CRNUMB	INCIDENT	LOCAT	DATE	REMARKS
91-2839	COMILLOP	WW	8/28/1991	PARASAILING THE THE PARK
91-2839	COMILLOP	WW	8/28/1991	PARASAILING IN THE PARK
91-2839	COMILLOP	WW	8/28/1991	PARASAILING IN PARK
91-3565	EMSALS	BF	10/11/1991	PARASAILING ACCIDENT/BLANDING
92-3455	ACCBTPI (serv)	BF	8/10/1992	PARASAILING ACCIDENT
92-3874	ACCBTPI (serv)	BF	9/21/1992	PARASAILING ACCIDENT
92-3874	EMSALS	BF	9/21/1992	PARASAILING ACCIDENT - BACK PAIN
93-3683	EMSBL	BF	9/10/1993	PARASAILING INJ POSS FX ANKLE TRANSPORT TO CLINIC

Query1

6/14/2006

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National Park Service  
U.S. Department of the Interior  
InsideNPS  
Information Gateway for NPS Employees



## GLEN CANYON NATIONAL RECREATION AREA

**Two Injured in Kite Tubing Accidents**

Two people were injured in separate, unrelated "kite tubing" accidents in the park last weekend. In both cases, the victims were riding kite tubes towed by boats when they lost control of the device. Each then fell into Lake Powell from heights of between 10 and 40 feet. Kite tubes are large, round inflated tubes that are towed by boats at 20 to 40 mph. The user holds onto the kite tube as it rises into the air from 15 to 60 feet. Controlling a kite tube is extremely challenging and the slightest upset in its balance causes it to fall into the water. The first incident occurred on Friday, June 2nd, at approximately 2:30 p.m. near the Bullfrog area. A 29-year-old man from St. George, Utah, was riding a kite tube when he lost control and fell from a height of 35 to 40 feet while moving at approximately 35 to 40 mph. He suffered a broken neck and was flown by helicopter from the Bullfrog Medical Clinic to St. Mary's Hospital in Grand Junction, Colorado. He was the third person in his party that day to be injured while kite tubing, but the other two sustained only minor injuries and were not treated. On the afternoon of Saturday, June 3rd, a 14-year-old girl from Houston, Texas, fell from 10 to 15 feet from her kite tube while being towed at 20 to 25 mph. She lost consciousness when she struck the water. Park rangers immediately responded to the incident and she was flown by helicopter from Iceberg Canyon to St. Mary's Hospital in Grand Junction. After further examination at the hospital, she was released without serious injuries. These were the third and fourth accidents this year involving kite tubes. The first accident occurred on April 7th and resulted in a punctured lung caused by broken ribs; the second was on May 22nd, when another person sustained injuries to the chest and back while using a kite tube. Both of these incidents involved kite tube riders losing control of the device and falling into the water while moving at a high rate of speed. The individuals involved in these accidents were also transported by helicopter to the hospital. This is the first season that park rangers at Glen Canyon have seen kite tubes on the lake. Please see the related safety alert on kite tubing in this issue for additional information and for links to two TV news videos on kite tubing accidents.

[More Information](#)**Contact Information**

Name: Kevin Schneider, Management Assistant

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<http://inside.nps.gov/index.cfm?handler=viewprintheadline&type=Incidents&id=2616>

060614HCC3606

Exhibit H

National Park Service  
U.S. Department of the Interior

InsideNPS  
Information Gateway for NPS Employees



GLEN CANYON NATIONAL RECREATION AREA

## Two Injured in Kite Tubing Accidents

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### More Information

#### **Contact Information**

Name: Kevin Schneider, Management Assistant

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<http://inside.nps.gov/index.cfm?handler=viewprintheadline&type=Incidents&id=2616>



National Park Service  
U.S. Department of the Interior

Glen Canyon National  
Recreation Area

691 Scenic View Dr.  
PO Box 1507  
Page, AZ 86040-1507

FOR IMMEDIATE RELEASE  
June 6, 2006 06-12

CONTACT: Kevin Schneider  
928-608-6208

## Glen Canyon News Release

### Two Injured in "Kite Tubing" Accidents Last Weekend

Page, Ariz. – Two people were injured in separate, unrelated "Kite Tubing" accidents this past weekend at Glen Canyon National Recreation Area. In both cases, the victims were riding Kite Tubes towed by boats when they lost control of the device. The victims fell into the waters of Lake Powell from heights between 10 and 40 feet.

The first incident occurred on Friday, June 2 at approximately 2:30 pm near the Bullfrog area. The victim, a 29 year- old male from St. George, Utah, was riding a Kite Tube when he lost control and fell from a height of 35- 40 feet, while moving at approximately 35- 40 mph. He suffered a broken neck and was flown by helicopter from the Bullfrog Medical Clinic to St. Mary's Hospital in Grand Junction, Colorado. He was the third person in his party that day to be injured while Kite Tubing. The other two individuals reported they had minor injuries and were not treated.

On Saturday afternoon, June 3, a 14- year old girl from Houston, Texas, fell 10- 15 feet from her Kite Tube while being towed at 20- 25 mph. She lost consciousness when she struck the water. Park rangers immediately responded to the incident and she was flown by helicopter from Iceberg Canyon to St. Mary's Hospital in Grand Junction, Colorado. After further examination at the hospital, she was released without serious injuries.

These were the third and fourth accidents this year at Glen Canyon National Recreation Area involving Kite Tubes. The first accident occurred on April 7 and resulted in a punctured lung caused by broken ribs. On May 22, a second person had injuries to their chest and back while using a Kite Tube. Both of these incidents involved Kite Tube riders losing control of the device and falling into the water while moving at a high rate of speed. The individuals involved in these accidents were also transported by helicopter to the hospital.

Kite Tubes are large, round inflated tubes towed by a boat at 20- 40 mph. The user holds onto the Kite Tube as it rises into the air, 15- 60 feet from the surface of the water. Controlling a Kite Tube is extremely challenging, and the slightest upset in its balance causes the Kite Tube to fall into the water. As a newcomer to the market, this is the first season park rangers at Glen Canyon have observed their use.

– [www.nps.gov/glca](http://www.nps.gov/glca) –

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The National Park Service cares for special places saved by the American people so that all may experience our heritage.

**Kite Tubing Safety Alert (InsideNPS)**

Page 2 of 2

060614HCC3606

Exhibit H

mph and most were 15 to 20 feet in the air when they were either ejected or turned up; accelerated back to the water. Another 10 to 20 mph of speed is added to their forward the victims are hitting the water at 45 to 55 mph. These accidents are therefore the equivalent 70 foot cliff jump, with the added component of the victims having no control over how impact the water.

[More Information...](#)

**Contact Information**

Name: Mike Mayer, Chief Ranger

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Exhibit H



Kevin Schneider

06/08/2006 07:41 AM  
MST

To: David Bama/WASO/NPS@NPS, Elaine Sevy/WASO/NPS@NPS, Karen Breslin/DENVER/NPS@NPS, James Doyle/DENVER/NPS@NPS, Patricia Turley/DENVER/NPS@NPS, Rick Frost/DENVER/NPS@NPS,  
cc:  
Subject: Grand Junction Daily Sentinel: Two injured at Lake Powell riding popular kite tubes

## Two injured at Lake Powell riding popular kite tubes

Wednesday, June 07, 2006

By SALLY SPAULDING

The Daily Sentinel

Two people were injured at Lake Powell last weekend while riding "kite tubes" pulled by boats in the Glen Canyon National Recreation Area.

Both victims, a 29-year-old male from St. George, Utah, and a 14-year-old girl from Houston, Texas, were flown to St. Mary's Hospital in Grand Junction for treatment.

Kite tubes are large, round inflated tubes towed by a boat at 20 to 40 mph. The user holds onto the kite tube as it rises into the air, 15 to 60 feet from the surface of the water.

The product was released widely on the market this year and runs about \$500.

This is the first season park rangers at Glen Canyon have observed the use of kite tubes, said Kevin Schneider of the National Park Service.

The first incident of the weekend occurred on Friday near the Bullfrog Marina area. The 29-year-old male lost control of the kite tube and fell roughly 40 feet while moving at approximately 40 mph.

He suffered a broken neck and was the third person in his party that day to be injured while kite tubing.

On Saturday, the 14-year-old girl was being towed at about 25 mph when she fell between 10 and 15 feet.

She lost consciousness when she struck the water and was flown from the Iceberg Canyon area of the lake to St. Mary's.

She was released from the hospital without "serious" injuries, according to Schneider.

Schneider said the weekend accidents were the third and fourth accidents this year at Glen Canyon National Recreation Area involving kite tubes.

The first two incidents also sent victims to St. Mary's Hospital and involved broken bones, a punctured lung and other injuries.

Kevin Schneider  
Management Assistant  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument

060614HCC3606

Exhibit H



Kevin Schneider  
06/08/2006 07:41 AM  
MST

To: Kitty Roberts/GLCA/NPS@NPS, Nancie E Ames/GLCA/NPS@NPS,  
Susan Perkins/GLCA/NPS@NPS, Mike Mayer/GLCA/NPS@NPS, Stan  
Burman/GLCA/NPS@NPS, Pat Quinn/GLCA/NPS@NPS, Hank  
cc:  
Subject: Fw: Contact with Kite Tube Manufacturer and Distributers

fyi

Kevin Schneider  
Management Assistant  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument  
928-608-6208

----- Forwarded by Kevin Schneider/GLCA/NPS on 06/08/2006 07:40 AM -----



"Paul Ostapuk"  
<postapuk@cableone.net>  
06/08/2006 07:39 AM  
MST

To: <Kevin\_Schneider@nps.gov>  
cc:  
Subject: Contact with Kite Tube Manufacturer and Distributers

Hi Kevin,

I wanted to let you know that the Friends of Lake Powell has started a letter writing campaign to remove this new dangerous product from the market.

Have spoken to the manufacturer (Sportsstuff) and several distributors asking them to give this product immediate attention.

Thank you for your recent press release and have fun at the celebrations at Park Service Headquarters. I am on my way out of town to the Old Spanish Trail Annual Convention and will miss today's planned activities.

Paul Ostapuk  
Friends of Lake Powell

060614HCC3606

Exhibit H



"Robert Baron"  
<erfpmd1@cox.net>  
06/07/2006 10:06 PM  
MST

To: "Mayer, Mike" <Mike\_Mayer@NPS.gov>  
cc: "Steve Luckesen" <Luckesen@Hughes.Net>, "Baron, Robert"  
<erfpmd1@cox.net>  
Subject: FW: Kite Tubes

FYI

**From:** Robert Baron [mailto:erfpmd1@cox.net]  
**Sent:** Wednesday, June 07, 2006 10:06 PM  
**To:** Kitty Roberts (Kitty\_Roberts@nps.gov)  
**Subject:** Kite Tubes

Kitty,

I have been following the cases of injuries concerning the operation of Kite Tubes. I believe the information collected on the lake, the need to airlift 4 people from the lake in 3 weeks with 1 having a broken neck and 2 others having major chest injuries suggests that this "toy" is just plain too dangerous. If you have not seen video clips of the use of these kites, please go to KUTV.com, click on the video section in the upper right hand corner and click the button that says "see all". Scroll through the options and there you will find a clip from 6/5 & 6/5. These videos show graphically what can happen with these devices.

Kitty, I have heard that your Rangers are suggesting the writing of a compendium that would ban the use of these Kite Tubes on the lake. From an injury prevention viewpoint, I have to agree. Please let me know how this all progresses.

Sincerely,

Bob Baron

060614HCC3606

Exhibit H



Bruce Malloy  
05/10/2006 09:34 AM  
CDT

To: Randy Y Larson/PAIS/NPS@NPS  
cc: Dale Antonich/LAME/NPS@NPS, Dennis Weiland/CHIC/NPS@NPS,  
Linda Alick/CURE/NPS@NPS, Linden Schlenker/BICA/NPS@NPS,  
Mark Law/GLCA/NPS@NPS, Matthew Senulis/LAMR/NPS@NPS, Mike  
Subject: Re: Kite Tubing [ ]

Thanks for the heads up on this potentially dangerous activity. We have not experienced any interest in these types of "above the water" activities. But we anticipated that we would in the future, therefore last year we crafted and implemented a Compendium prohibition on all of these activities except windsurfing/sailboarding. We have not had any comments, negative or positive, on this prohibition.

§ 1.5 Closures and Public Use Limits

(a) Consistent with applicable legislation and Federal administrative policies, and based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities, the superintendent may:

(1) Establish, for all or a portion of a park area, a reasonable schedule of visiting hours, impose public use limits, or close all or a portion of a park area to all public use or to a specific use or activity.

**Kitesurfing, kiteboarding, hang gliding, and parasailing (board riding while attached to wind-driven parachute-like objects or wing devices and/or towed by a vessel or vehicle) are prohibited. The closure is in effect on all park waters.**

Kitesurfing/boarding, hang gliding, and parasailing within the National Recreation Area has been deemed an inappropriate activity given safety concerns and resource conflicts that the park is mandated to prevent. The reservoir is a highly used public area with many recreational activities including swimming, fishing, camping, and boating. These activities have a long history of compatible use. Kitesurfing/boarding, and parasailing requires large open areas free of people, obstacles, and other activities. Accepted safety practices by kitesurfing/boarding and parasailing associations and groups advocate no kiteboard or parasailing use in swim areas and avoidance of obstacles. A kite or parasail being operated in the air has a reach of at least 100' and kite lines under tension can cut anything they touch like a razor. Hang gliding while attached to a vessel or vehicle is also prohibited due to the inherent safety risks associated with this activity and the dangers to others either in the towing vessel/vehicle or others nearby. A closure will ensure the safety of park visitors and avoidance of conflict among visitor use activities. **This closure does not include sailboarding, where a sail is permanently affixed to the board.**

Bruce Malloy  
Chief Ranger  
Amistad National Recreation Area  
4121 Veterans Blvd.  
Del Rio, Texas 78840  
830-775-7492 ext. 213  
Randy Y Larson



Randy Y Larson  
05/09/2006 12:39 PM  
CDT

To: Mike Mayer/GLCA/NPS@NPS  
cc: Bruce Malloy/AMIS/NPS@NPS, Dale Antonich/LAME/NPS@NPS,  
Dennis Weiland/CHIC/NPS@NPS, Linda Alick/CURE/NPS@NPS,  
Linden Schlenker/BICA/NPS@NPS, Mark Law/GLCA/NPS@NPS,  
Matthew Senulis/LAMR/NPS@NPS  
Subject: Re: Kite Tubing [ ]

060614HCC3606

Exhibit H

We have not experienced Kite Tubing but the rage on the coastlines of the country over the last several years is Kiteboarding (also called Kitesurfing). Kiteboarders use smallish like surfboards with footstraps tethered by a 30 meter kevlar line to a parachute. With strong winds kiteboarders use the parachute sail to achieve surface speeds of 30 MPH and in doing so can actually "take off" and get airborne for brief periods.

Our primary concern was a myriad of visitor safety conflicts. At 20-30 MPH a kevlar line could actually sever a limb or neck of a sunbather, swimmer, windsurfer, etc. Further compounding our issue is that PAIS is one of the top 5 windsurfing areas in the country. Windsurfing is embraced and managed by the park and fully compatible with our mission. However the two issues were not compatible together. Windsurfers generally sail perpendicular to the wind while kiteboarders travel parallel with the wind. What we were seeing was an "unguarded intersection" with the potential for a cross collision or "clothesline" at a combined speed of 35-50 MPH. A kevlar line across a body could be disastrous.

We spent a lot of time debating the issue in the park and I met with two local outfitters in Corpus Christi who had the majority of the kiteboarding business. As I looked into accepted safety practices by kiteboarding associations and various kiteboarding group I found commonly accepted standards that advocated no kiteboard use in swim areas and avoidance of crowded beaches. In the end a closure was deemed necessary to ensure the safety of park visitors and avoid conflict with other visitor use activities.

We talked over the applicability of 36 CFR 2.17 with the Solicitor, WASO, and others. We received mixed opinions on the applicability of 2.17, so in the end a compendium closure was crafted which prohibits Kiteboarding at PAIS.

Surprisingly the closure has gone well. I think the safety issue was pretty obvious to everyone and it helped having many alternative sites outside the park for Kiteboarding.

Hope this helps.

Randy Larson  
Chief Ranger  
Padre Island National Seashore  
(361)949-8173 x237  
Mike Mayer



Mike Mayer  
05/08/2006 11:51 AM  
MST

To: Dennis Weiland/CHIC/NPS@NPS, Dale Antonich/LAME/NPS@NPS,  
Bruce Malloy/AMIS/NPS@NPS, Matthew Senulis/LAMR/NPS@NPS,  
Randy Y Larson/PAIS/NPS@NPS, Linda Alick/CURE/NPS@NPS,  
Linden Schlenker/BICA/NPS@NPS, Mark Law/GLCA/NPS@NPS

cc:

Subject: Kite Tubing

The next thing that will cause us trouble with injuries and deaths. Kite Tubing. Three weeks ago we had our first near fatality from this activity. If you haven't seen this you need to go to the web site. [www.sportstuff.com](http://www.sportstuff.com). Its made by WEGO Kite Tube and in my estimation they won't be in business long.

Our guy was 75' behind the boat, traveling 28 mph, and about 10-12 feet off the water. The kite tube inverted and plunged or rammed the water surface. Seems innocent enough, but 30mph forward speed + accelerated downward plunge = unconscious tuber with three broken ribs and punctured lung. He was pulled from the water, unconscious and face down (est. 45 sec.) by his party and taken to shore where we air lifted him. We have a history of folks that died from cliff jumping from 20-30 feet and routinely die from 70+ feet.

It won't be long until someone figures out that if we put a 400 foot rope on the kite tube then it can get 50

060614HCC3606

Exhibit H

feet in the air.

I am just curious if any of you have experienced this yet?

Mike Mayer  
Chief Ranger  
Glen Canyon National Recreation Area  
office 928-608-6253  
cell 928-640-0429  
928-608-6259 FAX Office

060614HCC3606

Exhibit H



Kevin Schneider  
06/08/2006 10:05 AM  
MST

To: Kitty Roberts/GLCA/NPS@NPS, Nancie E Ames/GLCA/NPS@NPS,  
Susan Perkins/GLCA/NPS@NPS, Mike Mayer/GLCA/NPS@NPS, Stan  
Burman/GLCA/NPS@NPS, Pat Quinn/GLCA/NPS@NPS, Hank  
cc:  
Subject: arizona daily sun: Kite tubing injuries on Lake Powell a worry

From the Arizona Daily Sun, Flagstaff

## Kite tubing injuries on Lake Powell a worry

By CYNDY COLE

*Sun Staff Reporter*

06/08/2006

A large, disc-like inflatable tube that lets water recreationists 'take flight' on Lake Powell is also leading to emergency room trips.

One product retailer is saying the new toy towed behind boats at Lake Powell lets riders "fly through the air like a bird... reaching incredible new heights."

After four injuries this summer in which riders were also flown to the hospital, the National Park Service is warning that the kite-like device is causing broken bones and comparing the new sport to cliff jumping, which is prohibited.

The toys are round, inflatable discs about 10 feet in diameter that are pulled behind boats. The rider lies flat on top of them as the boat gets going, then sometimes soars into the air at 45-degree angle, half-standing on them, shifting the body weight back away from the boat with a yank. There are footholds and handles.

It's like riding on top of a big, inflatable disc.

"The slightest movement by the user to upset the balance will cause it to tumble into the water," recreation area spokesman Kevin Schneider said.

Videos on Web sites that sell the Kite Tube for about \$600 show one rider hanging half-on, half-off, legs dangling.

In other clips, riders appear to soar 10 or 20 feet above the water on the disc, which has a skull and crossbones logo on the underside.

Four people have been flown out of Glen Canyon National Recreation Area with injuries after riding Kite Tubes.

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Exhibit H

"This is the first time we've actually seen them in Glen Canyon National Recreation Area," Schneider said.

Friday, a 29-year-old man from St. George was about 35 or 40 feet in the air, being pulled at 35 or 40 miles per hour when he fell. His neck was broken. He was the third person in his group that day to be hurt, though the other injuries in his group were considered minor.

On Saturday, a 14-year-old girl from Texas fell from the kite 10-15 feet and was knocked unconscious when she hit the water.

"In some ways this is similar to cliff jumping, because you have a person falling into the water at a high distance and relatively high rate of speed," Schneider said. He added riders are not in control of how they hit the water.

Cliff jumping was banned across Lake Powell last year. The Park Service has made posters -- they can be found taped up in convenience stores near the lake -- out of a video of one man who jumped off a cliff and was never seen alive again. His friends were holding the video camera.

The Park Service is allowing the new devices, but is reviewing accidents as they happen.

A ban on Kite Tubes would be within the park's authority, Schneider said.

Cyndy Cole can be reached at [ccole@azdailysun.com](mailto:ccole@azdailysun.com) or at 913-8607.

Kevin Schneider  
Management Assistant  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument  
928-608-6208

060614HCC3606

Exhibit H

- [Home](#)
- [Kite Building](#)
- [Kite Portfolio](#)
- [Photos](#)
- [Archives](#)
- [Contact](#)

« [World's largest kite flies in Tokyo](#)  
[321 kite-flyers held in a crackdown against metal-wire use](#) »

## Kite Tube!?

Ads by Goooooogle

### Wego Kite Tube - In Stock

Free Shipping and choice of Free Life Vest or Pump with each order!  
[www.BoatTube.com](http://www.BoatTube.com)

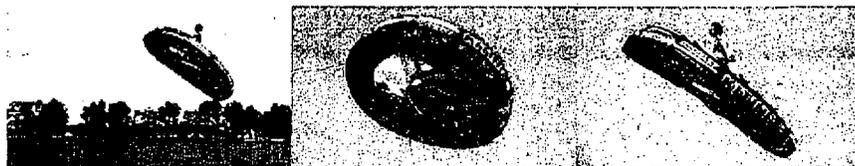
### Overton's Water Sports

Your one stop shop for all your Marine and Watersports needs!  
[www.overtons.com](http://www.overtons.com)

Just reading the Toronto Kite Fliers mailing list today and someone posted a link to a bizarre "kite" that is towed behind a boat. It's called the WEGO KITE TUBE produced by SPORTSSTUFF.

So the idea is basically you convince some fearless individual to climb on top of this inflated disk, tear down the lake at top speed and with some "control" the rider can launch the kite tube in the air and remain air borne. As long as you have enough speed, and you keep the right angle of attack you should be ok. (mildly insane but ok)

Personally I don't think I would do it... there are a few spills in that video that look like they could have been a lot worse... you can check out the video here: [Kite Tube Video](#).



This entry was posted on Tuesday, February 28th, 2006 at 8:57 pm and is filed under [General](#). You can follow any responses to this entry through the [RSS 2.0 feed](#). You can [leave a response](#), or [trackback](#) from your own site.

## 60 Responses to "Kite Tube!?"

1. [Al Says:](#)  
[March 3rd, 2006 at 4:33 pm](#)

The wego kite tube by sportsstuff is definitely going to be an interesting ride, living in minnesota, I have not been able to get on this tube yet (it was released in january and our lakes are froze, obviously). But I sell this tube at MN Boat Shows, and as such, I have personally watched this video a few hundred times.

The WEGO will be a very safe tube if used right, as you can see in the video that if you don't want to spill on the tube, you will not have to. The girl in the video stays at a constant 5-10 feet off the water when she wants to. I personally can not wait to ride this tube. We are currently thinking about taking this tube in the locks, where there is open water right now,

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Exhibit H

simply because I am so excited to ride it. And you will not have to go "top speed" the maximum recommended speed to pull this tube is 14-28 m.p.h, depending on the wind speed on your lake.

2. *Stephanie* Says:  
March 6th, 2006 at 8:22 am

That looks like a blast! You get one and I'll try it 😊

3. *jack* Says:  
March 7th, 2006 at 11:51 am

we live on a small lake that we ski and tube .....we were wondering if the tube can be turned in air since our lake is only about 1/2 mile long.....plz reply.....jack

4. *JON* Says:  
March 9th, 2006 at 4:31 pm

Hello Jack,

Go ahead and get one man its crazy. Speaking from riding the Kite tube it is speechless. A 1/2 mile lake should be ok on the turns all you have to do is slow down and bring the rider down to the water and then turn. This not like a regular tube where it is rider versus boat driver. You have to watch the tube so if he gets to high you can gradually slow down to let him down out of the air. I have ridden mine like a regular deck tube and lower speeds and wind conditions and it performs awsome. Going on a whip the all sudden it catches a litte air then off to riding it like a deck tube again. My friends have gotten 30 to 40 feet in the air on this thing. One friend only want to go 5 feet in the air so we watched him in the reer view mirrow of the boat to make sure he didn't get to high. In summary i would say to get man you can always go to a bigger lake to for long runs. But short lake it will work. I remember we practiced like 10 rides and we were able to do a gradual turn not like a whip but gradual in the air. Going against the wind is key when going with the wind you don't get as high but thats ok we just ride like a huge deck tube with occassional ups and dows of 1 foot or so. SO GET MAN AND TELL YOUR FRIENDS! Oh ya there is a instructional video and riding vidoe at there website. [www.SPORTSSTUFF.COM](http://www.SPORTSSTUFF.COM)

HOPE THAT HELPS POST YOUR COMMENTS IF YOU GET ONE OR ANYMORE QUESTIONS!

5. *Chris* Says:  
April 8th, 2006 at 9:43 am

Just bought a new Malibu V-Drive, traded in my 2005 Supra inboard for a larger, faster, v-drive with a tower. Can't wait to try this out!! Is it any more difficult for the driver to control the boat with the tube in the air? And have you ever tried hooking it up on the Tower to get more height? Let me know.

Thanks!

Chris

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6. *marc* Says:  
[April 18th, 2006 at 3:16 pm](#)

Hey Chris

I had the same idea about hooking it up to the tower, 3 out 5 guys landed in the ER that night, The air we caught was unreal. Approx 40ft on a 65ft line. It was cool but insane all at the same time. If you do hook it their be prepared for a rough fall. Good Luck

Marc

7. *Cecil* Says:  
[April 19th, 2006 at 4:55 pm](#)

Does anyone know what will happen if I hook it up to my pylon with a 100ft. barefoot line? I was thinking about running 40mph into a 20mph head wind. How tight would that be?

8. *still recovering* Says:  
[April 20th, 2006 at 12:53 am](#)

Using a 100 foot line or tying to the tower is just stupid. I did a nose dive at 10' and ended up in the er. If someone does that at 40' or 75' their dead.

9. *adog* Says:  
[April 23rd, 2006 at 3:05 am](#)

we used the 65 ft cord and to the tower on a ski nautique 210 air and got AT LEAST 50 ft before he fell on his neck....knocked him out but us Texas boys dont go to the ER till there are limbs hanging off.....

10. *Steve* Says:  
[April 26th, 2006 at 1:06 am](#)

All the videos i have seen have people on the wego kite tube that are about 150lbs, will this tube fly with lets say a 200lb fat boy.... lol

11. *D Raley* Says:  
[April 26th, 2006 at 9:38 am](#)

I road one last weekend. I could NOT control the height or dipping from side to side ( think real kite ) If I had not had on a professionally ski jacket I would have been ER. I am wearing a 6 inch wide bruise from the bottom of my jacket to my knee.

12. *areamike* Says:  
[April 26th, 2006 at 10:16 pm](#)

I put a video on our Family website of us riding this Kite Tube for the first time this last weekend.

(click on Kite tubing Video)

[http://www.fauxpas.org/modules/xoopsgallery/view\\_album.php?set\\_albumName=album44](http://www.fauxpas.org/modules/xoopsgallery/view_album.php?set_albumName=album44)

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Exhibit H

The last wipeout in the video is insane...use at your OWN risk is an understatement. This thing can be a great ride as long as you have a GOOD boat driver and STEADY headwinds. Do not use in Wind gusts!

13. *Cody* Says:  
April 27th, 2006 at 2:44 am

^^^That looked like a nasty spill. How was he afterwards?

For anybody interested in purchasing this tube, I would recommend checking out this one...  
<http://www.sevylor.com/towables.html>

I rode it last weekend and I was high flying just like on the video in about 15 minutes.

14. *bdog* Says:  
April 28th, 2006 at 12:43 am

A collapsed lung and a broken wrist are pretty serious—BUT at least all of us were tough enough to stay conscious.

15. *Meagan* Says:  
May 2nd, 2006 at 11:10 am

I watched a friend of mine die when he fell off of the wego kite tube, it was the most awful thing I will ever experience. He broke his neck when he hit the water. Please, please don't use this tube!!

16. *greg* Says:  
May 4th, 2006 at 9:39 pm

Anyone riding this thing should check this out.  
<http://www.kfdm1.com/engine.pl?station=kfdm&id=14598&template=breakoutlocal.html>

17. *Steadywinds.com » Blog Archive » Kite Tube Claims Life* Says:  
May 4th, 2006 at 11:17 pm

[...] A link to this story was posted as a comment to an earlier post I made about the Kite Tube. Based on this story and a number of the comments to the last kite tube post it's not safe! Please don't take your life into your own hands with one of these. The constantly changing angle-of-attack, combined with weight shifts from the rider and the lack of drag make this an extremely unpredictable "kite". [...]

18. *joe* Says:  
May 9th, 2006 at 9:40 am

I can;t belive the comments that i'm reading about.  
i'm realy freaking out.  
my friend bought one and we flwe it this sunday and he had a nasty spill whent the thing whent up and flipped over becuase of the wind that threw him off and he's def in one ear for 4 weeks becuase he broke his eardrum when it smacked him down onto the water surface fter going 29 feet high 😞 :(

060614HCC3606

Exhibit H

we;re planning on doin it again>

big tip: DON NOT USE IN HEAVY WINDS OR GUSTS, HAVE AN EXPERIENCED BOAT DRIVER.

19. *Brian* Says:  
May 11th, 2006 at 11:08 pm

Meagan, please email me at [brianmazzola@gt.rr.com](mailto:brianmazzola@gt.rr.com). Thank you.

20. *SCOTT* Says:  
May 15th, 2006 at 2:22 pm

I bought 1 last week we have come close to getting it flying how fast are you going to get it to fly

21. *will* Says:  
May 15th, 2006 at 7:32 pm

Does anyone know which kite tube is steadier the Manta or the WEGO KITE TUBE?

22. *Chris... Says:*  
May 16th, 2006 at 3:39 pm

I bought one of these last week and I have ridden it approx. 7-8 times now and getting pretty good with it, Yesterday I flew about 20' or so probably 5-6 different times with good control, it was really steady going up and coming down, when I was first using it, it come down sideways a few times but I just held on and it corrected itself. Now on the other hand, a friend of mine was on it yesterday also and a gust of wind caught him and he quickly soared to about 30' and got out of balance and flipped it and fell 30' at 30mph and he thought he broke his arm, although he didn't and he is alright. I honestly love this thing and think its a blast but after yesterday I don't think I'm going to let my friends get on it unless they sign a release form or something and I will probably only let like me and my brothers on it anymore. It can be dangerous but everything that really gets your adrenaline pumping is a little dangerous, I suggest just doing like the manual and video says and starting with the 45' rope for 12 times then the 55' rope for 24 times until you get used to it then the 65'. Good luck and stay balanced.

23. *Steve* Says:  
May 17th, 2006 at 7:55 am

scott,

i have had mine for 2 weeks. flying it great! we were only doing about 27mph or 30. into a 10 to 15 wind  
what is your email and i will send you some pics.

24. *Steve* Says:  
May 17th, 2006 at 7:58 am

correction on the speed only going 20 to 25mph

060614HCC3606

Exhibit H

25. *SCOTT Says:*May 17th, 2006 at 2:22 pm

We have tried 25-35 mph we can but the winds were no more that about 10mh my e-mail is [maxie5612@yahoo.com](mailto:maxie5612@yahoo.com) pics would be appreciated.

26. *Chris Says:*May 19th, 2006 at 10:27 am

My friend purchased the wego and we took it out, it was really fun at first, but then I was riding it and for no reason it took off about 40-50 feet in the air and went out of control and slammed me down hard onto the water. Now I am an avid wakeboarder, tube rider, thrill seeker, but this thing is going to kill someone! I recently read that it did actually kill some one. Well we decided to try it again the next day and my friend was on it and it did the same thing to him went about 30 feet up then took a hard nose dive right to the water it wrapped him up in the tube and slammed him so hard it tore his acl in his knee and broke 2 ribs. This tube is a great idea but they need to redesign it. They had better watch out or as sue happy as this world is there will be a major lawsuit against them.

27. *Steve Says:*May 21st, 2006 at 9:12 pm

Chris,

we have been getting some serious air on the tube also. One of my buddies stayed up for 35 seconds( our longest ride of the day). he was @ 10to15 feet on this ride. i can relate to the nose dive, were you guys in cross winds or calm day?

28. *Taylor Says:*May 21st, 2006 at 10:20 pm

I just bought one of these today and I will say it is alot of fun, but this thing can get out of control. As a former member of the Coast Guard I guess I should know better but I was pulling my friend and decided to push the envelope and I sent him into orbit, probably about 40'. My natural reaction was to pull back on the throttle, well that was the wrong thing to do becuse he came barreling down into the water and messed his knee up bad. Anyway we are going to keep using it, but we are going to be alot more careful.

29. *Taylor Says:*May 22nd, 2006 at 3:55 pm

Quick note I have ultimatly decided to sell this thing, I don't want to be responsible for killing a friend. I now think this thing is much to dangerous. I saw somewhere earlier that there are some guys from Texas. Just to let you know that a buddy of mine is a game warden here in Texas and this thing will be ILLEGAL to use buy the end of this summer, he assures me. So I guess if you are in Texas I would start thinking about selling as soon as you can because you won't be able to sell them after that.

30. *FTC924 Says:*May 23rd, 2006 at 12:54 pm

My friends and I had this monster out yesterday here in Illinois. We are all over 200 lbs and in

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Exhibit H

good shape and thought this thing would be easy. We hooked it to the back of our wave-runner and began at 45'. We were able to hop across the water but the tube was definitely unsteady and would throw us off without notice like we were rag dolls. Towards the end of our first run we were able to get the tube to around 5 foot above the water for a few seconds at a time. The last run at 45' (before we were going to extend the rope to 55') I was at 5-8 foot above the water and the tube decided it was done and turned over and face-planted me into the water. I thought my jaw was broke.

Since my jaw was not broke, we went to 55' and began to get this thing to 10 feet. However, not matter what we did, if we hit a gust of wind or a cross wind, the tube would twist and turn and thow us off. All this time we were keeping the MPH's around 30-35 because we wanted to learn first. Then one my friends signaled to go faster so we upped the speed to 40 MPH and up he went to approx 15 feet. He seemed to have major problems keeping the tube steady at that height and speed and right before (and I mean right before) the tube decided to turn over and nose dive to the water, he jumped off and landed on his feet. We all think we was lucky.

We finally decided to try the 65' foot length and I am man enough to say that we were not ready (or "I" was not ready). I was the first to try it and wanted to increase the speed to 40-45. During my run, I was easily flying 10-15 feet in the air and it seemed to me that I was getting the hang of it. But then I caught a huge gust of wind that took me to 30 feet in the air instantly and then, even faster, it turned to the left and then whipped to the right and threw me off into the water and I landed right on my back. It knocked the @^%!\$@ out of me and I could hardly breathe for a good 5-7 minutes. I thought my neck and back were shattered. I have not gone to the doctor yet but I have eaten two bottles of aspirin since yesterday. It does disturb me that I landed exactly how that 33 year old guy landed in Texas that was killed. AND HE WAS ONLY AT 15 FEET. I was double that.

Anyways, we do many extreme sports but are always in control and we can always push the sport to our abilities. One thing I know for sure, you cannot see the wind nor can you control it and while on the Wego Kite Tube it is hard to control it as well. One thing I notice in the manual you get with the tube, it states that the weight limit of the tube is 200lbs but it seems to me that the lighter the person is, the more uncontrollable the tube will be since it is 10 feet wide. I thought the weight limit was 200 lbs because the tube would not get off the water at weights above 200. WRONG!!!! In fact, at the end of the day yesterday we decided to put two guys on the tube and ride it like a conventional tube whipping them in figure-8's and stuff like that. This is 425 lbs on this monster and as I whipped them around the first circle, they GOT AIR and were 2-3 feet over the water!!!!

I am calling Sportsstuff today for answers to my questions and will advise as to what they say.

Does anyone have experience on the Mantra flying tube? It is easier to control when flying? I have watched the video and it does seem easier but then again it was being ridden by a professional. Someone please advise.

31. *Cody Says:*  
May 24th, 2006 at 9:48 am

The Manta is much safer than the WEGO, it has rope handles that you hold onto so that you can suck the wings in to steady it out, and fly for a few minutes at at time. I knew the WEGO

060614HCC3606

Exhibit H

was gonna be bad news from the beginning. Now I won't even be able to do my favorite thing come to the end of the summer.

32. *JJ Says:*  
May 25th, 2006 at 3:27 pm

We just got our Wego and it is AWESOME! I was a bit nervous the 1st time out, but now I can't get enough. If you and the boat driver/spotter take the time to watch the instructional DVD, read the manual and actually use as directed it's a great ride! It takes getting use to and I recommend starting with the shortest of the ropes until you get comfortable with it, but we have had no problems towing at around 25-27 MPH. I can see how it would be dangerous if not used properly, but you can say that about anything. Common sense-it says right on the tube, only kite as high as your willing to fall. I give it two thumbs up!!!

33. *Shellie Says:*  
May 26th, 2006 at 11:21 pm

Wrap me in bubble wrap and give me a helmet, I'll try it!

34. *Michael Laninga Says:*  
May 27th, 2006 at 11:44 am

My son (18 years old) had a nasty crash on a Wego Kite Tube May 25th. He suffered a broken back and three broken bones in his left foot. He will be in a back brace for 6 - 8 weeks and require surgery on his foot. He missed his High School graduation and all night party too. Worse he has lost his summer employment at a youth camp. This is a very dangerous toy.

35. *James Says:*  
May 28th, 2006 at 11:00 am

Hi, i am thinking about getting a wego, but am wondering if our boat can handle it, its a 79 doral 6cyl mercruzer 165h, can someone tell me if this is sufficiant, to pull this crazy thing, thanks James.

36. *lil ripper Says:*  
May 29th, 2006 at 10:54 am

my name is lil ripper and i just got back from the hospital last night from crashing down off the kite tube we had it hooked up to the tower in out boat not a good idea..i dont really rember what happened b/c i suffered from amnesia but i was told i fell from 20 feet in the air and became uncounsiuous i recomend not getting one!!!!

37. *Chris Says:*  
May 30th, 2006 at 11:28 am

I wrote earlier and told ya'll about my buddy that fell from about 30' well he's getting better with a little shoulder pain still but will be ok. I had this thing out again this weekend and I have to say that I personally am getting pretty good with it, I can fly it about 15'-20' very smoothly and bring it back down no problem, I do have to say though that I ride motorcycles alot and do have pretty good balance, which I believe is the key to the kite tube. I am still the

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Exhibit H

only person that has been on my kite tube who has not flipped off at some point. I love it and can't get enough. If the wind isn't blowing very much I'll get my wife to drop the throttle all the way down to about 40mph so that I can get more air but if the wind is blowing pretty good or it is gusting then 25 works really well, I can get 15' with the 45' or the 65' rope easily. But I can see were a cross wind could throw you off course and put it out of control if you didn't expect it, so I suggest staying balanced and expect the worst and hope for the best when flying high but I have had no problems at all. Oh and 165HP should pull it fine, I have a 19' Chaparral with 190HP and it has no problems at all pulling it. Just be careful using the kite tube and follow ALL of the instructions or ride at your own risk.

38. *Derek Says:*  
May 30th, 2006 at 2:41 pm

Ive taken hard/high(30') falls and next time im wearing a protec helmet and neck brace... maybe even a mouth piece, just dont use it in high winds,cross winds. use alot of air in the tube and alot of balance when your up there. also pull into the wind as straight on as you can

39. *James Says:*  
May 31st, 2006 at 12:35 am

hi,thanks chris ,i will ride carefully, cheers James

40. *jason Says:*  
May 31st, 2006 at 8:52 am

Had my first experience this past Memorial day. Chris is dead on with the wind situation. It was pretty windy that day. The kite goes up very well, but if you have some wind gusts, no amount of balance is going to help you. It is like trying to fly an airplane with one wing. it started the side to side shaking very violently and I came off of it at about 25'. Needless to say, the water feels like concrete when you hit it at that height and moving at about 35mph. On a good light wind day, you should be able to fly it with some nifty balancing. Even though it hurt when I fell, i will get back on it again. A glutton for punishment i guess!!

41. *Steve Says:*  
May 31st, 2006 at 5:41 pm

O.K. guys here is our story... memorial day weekend. friend of ours was riding the kite tube on the 65 ft line. was flying great! at @15 to 20' all of a sudden he went to 40' in a split second. he had excellent control of this thing. he got a bit nervous and couldnt figure how to get it down lower. we backed of throttle a bit and tube went sideways and threw him off. unfortunately he suffered a compressed vertabrae. i have posted here before and wanted to see if you guys could control the up and down on this thing. the fall he took was not really from the 40ft because he was comming back down when we throttled back. the side of the tube actually hit the water first and then slung him off. we have been very carefull when flying this thing. we all will still ride. i really believe this is the most extreme water sport out there.

42. *Steve Says:*  
May 31st, 2006 at 5:45 pm

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Hey chris send me some pics!!!! [stewewbarco@aol.com](mailto:stewewbarco@aol.com)

43. *Steve Says:*  
May 31st, 2006 at 5:54 pm

FTC,

let me know when you talk to sportsstuff. im interested in what they have to say  
thanks

44. *Chris Says:*  
June 1st, 2006 at 4:13 pm

Steve,  
Not saying it was the boat drivers fault in this case but I've been thinking about this same situation and this is what I have come up with. If he was flying it great at 20' then the only thing that shot him up further was a gust of wind unless someone was playing around too much and dropped the throttle to send him up higher. I think if the driver would have remained steady on the throttle that just as soon as that gust of wind settled down then he would have come down as well. I have experienced this and just remained balanced and it would come back down after a few seconds or so. But another thing I've been thinking about is this...if someone is 40' in the air on a 65' rope then that only leaves about 50' horizontal distance from the kite tube to the boat and at 30mph you cover approx. 44' per second so if the boat driver panics and drops the throttle all the way down and the boat stops it wouldn't take much for the kite tube to drift over the boat and drop the rider into the boat, which could mean serious injury or death. If my math is off I am sorry but this COULD I believe happen, someone please correct me if I am wrong. But like in your case you said the kite tube was already decending then you backed off the throttle, so in a sense you backing off the throttle caused the kite tube to lose any lift from underneath that it might have had to bring it down smoothly which caused it to flip sideways and down into the water. I really hope your friend gets better and I have sent you a few pics but I still have to get some better ones.

45. *Chris Says:*  
June 1st, 2006 at 4:22 pm

Ohh I forgot to tell you guys that I rode the kite tube backwards this past weekend for a few seconds, I just sit down and grabbed the handles and it went up maybe 4' off the water...felt kinda wierd and I didn't have much control and didn't want to break my record of no falls so I turned back around but my brothers were tripping out. It was a nice view though...you could actually see very well just how high you really was.

46. *peter pond Says:*  
June 2nd, 2006 at 8:33 am

used the kite tube for 1st time last weekend, everything was great til i shot to 30' instantly, the tube started getting very unstable up there, so i bailed, hit the water so hard it ripped my shorts in two, rested on the beach for 20 minutes, tried again, same thing, back up to 30', came crashing down, i don't think my body can handle a 3rd violent impact, and everyone else is to scared to

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use the tube because they might get shot to 30'+.so my question is if we go shorter than 45' on the tow line,to say 25' will this eliminate the threat of going to high,but still allow for some lift off the water,and being a safe distance from the prop?????

47. *Chris Says:*  
June 2nd, 2006 at 11:35 am

Man just my opinion, 25' might be a little too short, it might be difficult starting off with the washout from the inside of the wake being so close, I would think it would try and submarine really bad, I would try 35' or even 40' first, but if you called sportsstuff they might have a better answer for you from the safety end, I don't think the prop would be an issue though. Something to keep in mind for next time, I know you can't see the wind or anything but if you shoot up to 30' really quick then it may be gusting too bad to fly it for that day, I think the DVD that comes with it says something about it.

48. *HeyTone Says:*  
June 3rd, 2006 at 1:08 am

My brother recently went to 65' rope, and he got it on video. His friends are absolutely nuts and some of the wipe outs are downright violent. There's two videos at the following link if you want to check it out.

[HeyTone.com movies](#)

49. *Duane H. Says:*  
June 6th, 2006 at 3:33 pm

We saw this video at Bass Pro Shops and went out and bought it. We started out at 65 feet of rope at approx. 35 MPH. My friend Kevin was doing great for the first 5 minutes and we were amazed at the height we were getting. The next thing we knew he shot up high in the air and was slammed down on his right side at full speed. He was knocked unconscious and had to be pulled from the water with rescue breaths given to revive him. We took it back the next day.

50. *Mark Says:*  
June 7th, 2006 at 8:28 am

I wish we had the problem of getting to high on the Wego Kite Tube. We cannot get the tube off the water. The area just below the recessed foot holds is always touching the water. The first weekend the tube was under inflated, because we had no foot pump, that explained that. The second weekend we had it fully inflated, 150-160 pound rider, 10 mile hour head wind, and still could not get the tube into the air. The riders have all watched the video. We used both the 65' and 55' foot lengths and have tried speeds up to 30 miles on hour. We have 23' - 250 horse I/O - deck boat, with the tow rope attachment about 2/3 of the way up the transom. Any suggestions would be greatly appreciated. Thanks

51. *Steve Says:*  
June 7th, 2006 at 11:44 am

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Mark,

Keep riding, it will take a few tries to get accustomed to. you should let the tube do all the work. we struggled with this. we were trying to really yank on the handle to make it fly. that is the wrong thing to do. just gradually pull back and the wind should do the rest. make sure the tube is properly inflated very important!!!! be patient. this thing will soar. i have posted here before.. and PLEASE BE CAREFUL!!!!!!

we usually run anywhere between 28 to 32mph depending on the wind. there should be no problem getting a 150 to 160lb guy or girl up. send me you email i will send you some pics

52. *Michael Says:*

June 7th, 2006 at 11:09 pm

We tried this last weekend. It was a blast. Started with the rope at 65 feet behind a Seadoo. Had a little trouble with control at first but once we figured out to go directly into the wind it was fine. If you get out of control just sit down and the tube will go back down to the water. Even my almost 50 year old mom had a blast.

53. *Calestie Says:*

June 7th, 2006 at 11:19 pm

Our family bought the wego kite tube. We all sat down together and watched the instructional video twice!! We are all experienced baoters and have been boating for years. My husband crashed hard on the tube. He was coughing up blood and had to be lifeflighted to closest hospital. Has broken ribs, bruised, and abdominal problems. This tube is NOT SAFE!!!! We followed instructions exactly. It is totally unpredictable. DO NOT BUY IT!!!!

54. *Rod Says:*

June 8th, 2006 at 4:06 pm

We bought a Wego Kite Tube, tried it for a couple weekends, and returned it this week. It can be very dangerous! Please be sure it is properly inflated, do not use in unsteady winds, and the boat driver should never let the tube get more than 5 feet off the water. The kite can easily soar to 25-30 feet, and dump you off hard. We are experienced boaters and tubers, and think this tube will eventually do the same thing to anyone who uses it. It can be a lot of fun, till someone gets hurt. The last time we used the tube, the rider hit the water and was unconscience for about 10 seconds. We experienced a moderate concussion, bruised ribs, coughing up blood, and severe headaches in the short time we used it. Definately not worth the risks!!

55. *David Says:*

June 9th, 2006 at 11:24 am

I just found this site while looking for information about the Wego Kite Tube after a 17 year-old in Winter Haven, Florida sustained a life-threatening injury while using this product. The young man is an experienced wake-boarder who was preparing for the professional circuit (the boat driver was also experienced). This young man sustained a 30-40 foot fall when a sudden gust of wind lifted the tube from 10 feet to that height and then flipped him over. He sustained a dissection of the aorta and has survived only because of prompt emergency care and 6-hour surgery in Tampa.

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This product may provide "thrills," but so does Russian roulette, which is what you are playing every time you take a ride on this kite tube. This young man was not an inexperienced "hot dog"; he was athletic and experienced. This product should be taken off the market!!! Warnings on the tube or on "instructional videos" are not a defense for the continued sale of this product.

For those of you considering purchase and/or use of this kite tube, PLEASE review the many internet postings available. If you still decide to use it make sure you have major medical coverage and funeral arrangements.

56. *Steadywinds.com » Blog Archive » More Kite Tube Problems...* Says:  
June 9th, 2006 at 12:06 pm

[...] Kite Tube!? WOWT | Kite Tubing Writes [...]

57. *Troy* Says:  
June 10th, 2006 at 2:46 am

I have been a boater for many years, my family and I love to tube. When I first saw the Wego Kite Tube (overtons I believe) I had to have one. After 1 trip to the lake and some forum searching, I am putting my tube on ebay. This tube has the potential of hurting many people, and the one ultimately responsible will be the boat driver. This tube will go from skimming the top of the water to 20 feet in a blink of an eye. Now this wouldnt be so bad at 15 or so mph. I had a 190 pounder at over 40 mph before the tube would lift in a low wind situation. Falling off at 40 mph would not be fun. I encourage anyone to watch the videos posted on this site before purchasing a kite tube. Look at how violent the crashes are. Think of the liability involved if someone gets injured behind your boat, or worse. Friends are friends until they are layed up, unable to work, bills are piling up .....lawsuit to follow.

58. *Cader* Says:  
June 12th, 2006 at 12:31 pm

I got on one this weekend and I have to say this is sweet!  
 My brother-in-law took about a 10' spill on his head and got a headache but he has has much worse on his air chair. Granted we were out on a pretty windy day and we shouldn't have been on the first time out.

I keep reading about people getting hurt on this but a lot of them are starting out with the 65' length rope and / or putting it on a ski tower, BOTH of which the instructions say NOT to do!!!

There is a post about a 100' rope on a tower:

still recovering Says:

April 20th, 2006 at 12:53 am

Using a 100 foot line or tying to the tower is just stupid. I did a nose dive at 10' and ended up in the er. If someone does that at 40' or 75' their dead.

Not to sound callus but what do you expect? When you don't follow directions you get hurt -

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no matter the product.

59. John Stabler Says:  
June 13th, 2006 at 5:19 pm

I'm all for safe water sports. You should stick within your limits. You need a driver and spotter who know what they're doing. With practice you will control the Wego and not the other way round. But you need to take it slowly and identify unsuitable conditions. Wear appropriate safety gear and if you drive/own the boat you should be insured. Personally I like the Wego and it can be alot of fun when used properly. Sure, I've fallen off a few times (sometimes spectacularly) but never from a height to cause major damage. You should not be flying it at more than 15'. The thing says on it "Don't fly higher than you're willing to fall". If it's going too high for you then there is something wrong and you shouldn't be using it.

#### Dopes on Ropes - Water Skiing and Kite Tubing

60. admin Says:  
June 13th, 2006 at 8:20 pm

John,

From a kite point of view it is not stable, so I am not sure how it can be used safely at all. A flat kite needs drag to fly and keep it pointed into the wind. On a flat kite this usually done using some sort of tail or drogue shoot. What I see in the videos etc is the kite starts to cobra, this is when the kite starts to oscilate back and forth and sort of looks like a snake dancing. This is where you get into trouble... if it sways too much one side of the kite will catch a little more wind and keep going and dump the rider and the kite will crash, usually in a nose dive.

just my 2 cents..

-Bill

### Leave a Reply

Name (required)

Mail (will not be published) (required)

Website

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Submit Comment

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Confirmation Report-Memory Send

Time : Jun-12-2006 08:53am  
Tel line 1 : 9286086259  
Name : GLEN CANYON XEROX ROOM

Job number : 044  
Date : Jun-12 08:49am  
To : 88015244506  
Document Pages : 009  
Start time : Jun-12 08:49am  
End time : Jun-12 08:53am  
Pages sent : 009  
Status : OK

Job number : 044

\*\*\* SEND SUCCESSFUL \*\*\*



Glen Canyon National Recreation Area  
P.O. Box 1507  
Page, Arizona 86040



FACSIMILE TRANSMISSION SHEET

To: *Kevin Jones* From: *Mark Law*  
Fax: *801 524 4506* Date: *6/12/06*  
Phone: *801 524 5677x229* Pages:  
Re: Fax: *928 608-6315*  
Phone: *928 608-6252*

See Attached  For Review  Please Comment  Please Reply  As Requested

•Comment

*Kevin,*  
*Could you review the attached & comment. Kitty is starting to see the proposed restriction as a critical need for the NRA.*

*Thank you,*  
*Mark Law*

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"Ray Tsuneyoshi"  
 <RTSUNEYOSHI@dbw.ca.gov>

06/12/2006 11:02 AM  
 MST

To: <KBergersen@azgfd.gov>, <anelson@npgcable.com>, <michael\_mcginnis@nps.gov>, <firstaid@citlink.net>, <doug.schuster@co.mohave.az.us>, <awirtz@fs.fed.us>, <EHuntsman@azgfd.gov>, <fmessman@ndow.org>, <CWall@azgfd.gov>, <JSacco@azgfd.gov>  
 cc: <EHuntsman@azgfd.gov>, <fmessman@ndow.org>, <CWall@azgfd.gov>, <JSacco@azgfd.gov>  
 Subject: Re: Kite Tubes

What is kind of weird coincidence is that I was just in flight from Tennessee to Sacramento, reading the "Sky Mall" magazine. The ad for the "Sky Kite" pops up just as the pilot announces that we are flying over Lake Powell. Just from the photo's it looks like there is a potential for instability and no protection for the occupant.

RayT

-----Original Message-----

From: Kevin Bergersen <KBergersen@azgfd.gov>  
 To: anelson@npgcable.com <anelson@npgcable.com>; michael\_mcginnis@nps.gov <michael\_mcginnis@nps.gov>; firstaid@citlink.net <firstaid@citlink.net>; doug.schuster@co.mohave.az.us <doug.schuster@co.mohave.az.us>; awirtz@fs.fed.us <awirtz@fs.fed.us>; D\_Toporek@MCSO.maricopa.gov <D\_Toporek@MCSO.maricopa.gov>; mary\_hinson@nps.gov <mary\_hinson@nps.gov>; darren.simmons@co.yuma.az.us <darren.simmons@co.yuma.az.us>; jcooley@fs.fed.us <jcooley@fs.fed.us>; gpeaslee@pr.state.az.us <gpeaslee@pr.state.az.us>; dale\_enlow@fws.gov <dale\_enlow@fws.gov>; michael\_dodson@blm.gov <michael\_dodson@blm.gov>; jim\_holland@nps.gov <jim\_holland@nps.gov>; IrvineG@ci.lake-havasu-city.az.us <IrvineG@ci.lake-havasu-city.az.us>; azfoot@yahoo.com <azfoot@yahoo.com>; rknotts@pr.state.az.us <rknotts@pr.state.az.us>; atafoya@cybertrails.com <atafoya@cybertrails.com>; tlistner@fs.fed.us <tlistner@fs.fed.us>; Mark\_Law@nps.gov <Mark\_Law@nps.gov>; steve\_luckesen@nps.gov <steve\_luckesen@nps.gov>; revans@pr.state.az.us <revans@pr.state.az.us>; tim.sonier@co.mohave.az.us <tim.sonier@co.mohave.az.us>; Chris\_Pergiel@nps.gov <Chris\_Pergiel@nps.gov>; randy.johnson@co.mohave.az.us <randy.johnson@co.mohave.az.us>; bpendley@pr.state.az.us <bpendley@pr.state.az.us>; Rick\_Bennett@nps.gov <Rick\_Bennett@nps.gov>; ron.voss@co.yuma.az.us <ron.voss@co.yuma.az.us>; Kerry\_Haut@nps.gov <Kerry\_Haut@nps.gov>; dirk\_murphy@nps.gov <dirk\_murphy@nps.gov>; mark\_pita@nps.gov <mark\_pita@nps.gov>; cdigerolamo@bullheadschoools.com <cdigerolamo@bullheadschoools.com>; randd@redrivernet.com <randd@redrivernet.com>; PNewman@d11.uscg.mil <PNewman@d11.uscg.mil>; SlomaR@ci.lake-havasu-city.az.us <SlomaR@ci.lake-havasu-city.az.us>; bmaddox@sbcscd.org <bmaddox@sbcscd.org>; cbrooks@pr.state.az.us <cbrooks@pr.state.az.us>; baxlund@coconino.az.gov <baxlund@coconino.az.gov>  
 CC: Ray Tsuneyoshi; Ed Huntsman <EHuntsman@azgfd.gov>; Fred Messman <fmessman@ndow.org>; Cindy Wall <CWall@azgfd.gov>; Joe Sacco <JSacco@azgfd.gov>  
 Sent: Mon Jun 12 08:49:44 2006  
 Subject: FW: Kite Tubes

FYI - There's a new water "toy" out there and many of have already had to pick up the pieces, so a few of you already know that we've already input one Arizona boat accident report on these "tube kites" .....unfortunatley I expect more.

Kevin

-----Original Message-----

From: Robert Baron [mailto:erfpm1@cox.net]  
 Sent: Fri 6/9/2006 10:47 PM  
 To: Kevin Bergersen; Howard Munding  
 Cc:  
 Subject: FW: Kite Tubes

I wonder if you have seen any injuries from this device on Phoenix area lakes? Watch out for them. They can

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Exhibit H

be very traumatic.

Bob Baron

From: Luckesen [<mailto:Luckesen@hughes.net>]  
Sent: Friday, June 09, 2006 8:59 AM  
To: Kiko Augusto Villalon; Dr. Robert Baron; Richard Blackman; Bill Furbee; Jennifer Killeen; emy kuncil;  
Jim Leach; Fred Messmann; Joe and Nancy; Rngram@aol.com; Todd Schwede; Ted Woolley  
Subject: Kite Tubes

In the past three weeks we have had to Airvac four serious injured people from Lake Powell that were engaged in a new water activity called Kite Tubing. This activity involves a large round inflated tube that is towed behind a boat at 20 to 40 mph. The user holds onto the kite tube as it rises into the air to a height of 15 to 60 feet. Controlling a kite tube is extremely challenging and the slightest upset in its balance cause the tub to dive down into the water at a high rate of speed. The individual on these tubes impacted the water at both the forward tow speed of the vessel and then at the downward accelerated speed, which can be as high as 70 MPH. As a medic I have responded to three of these calls in a one week period and my Kite Tubing patients all had to be Airvac to Level I Trauma Centers. A 29-year-old male who suffered a broken neck (double Fx of C-2) and a 26-year-old male with a hemopneumothorax produced by broken ribs. My third patient a 14-year old female suffered a whiplash injury and was released from the hospital. Several weeks' earlier another Medic had a similar case at Lake Powell involving a young man with a severely punctured lung. Several local hospitals have reported recently seeing Kite Tube patients with simular injuries from people that have self transported to their facilities. Taking with other water enforcement agencies they are seeing Kite Tubing injuries and I have heard of one fatality in Texas. This death was due to a transected aortic commonly seen in deceleration auto and airplane type accidents. Interviews with friends and family members of patients have shown a disturbing trend with this use. In all cases at Glen Canyon NRA, multiple minor Kite Tubing injuries occurred with other members of the boating party prior to the incidents that required advanced life support. All victims stated they were using the kite tubes as directed when they suddenly lifted to dangerous heights, became unstable, and plunged up side down into the water. Friends of the victims that did not immediately report their injuries advised that they had coughing up blood, had torn muscles, whiplash type injuries and broken ribs.

Go to the following Internet link and then click on the video section in the upper right hand corner. These clip show graphically what can happen with these devices.

<http://www.kutv.com/video/?id=16192@kutv.dayport.com> <  
<http://www.kutv.com/video/?id=16192@kutv.dayport.com>>

<http://www.kutv.com/video/?id=16155@kutv.dayport.com> <  
<http://www.kutv.com/video/?id=16155@kutv.dayport.com>>

<http://www.break.com/index/tubingtakeoff.html>

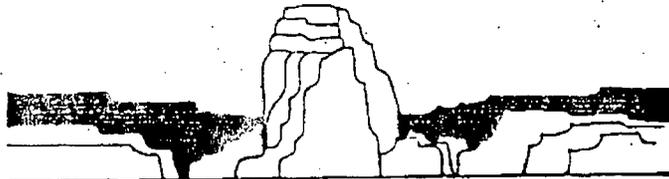
Glen Canyon is considering banding these device from boating activities on Lake Powell and Dr. Baron has also taken an active role in banding these devices.

Steve

060614HCC3606



Glen Canyon National Recreation Area  
P.O. Box 1507  
Page, Arizona 86040



Glen Canyon National Recreation Area



FACSIMILE TRANSMISSION SHEET

To: Mark Bernstein From: Mark Law

Fax: 775 278 5863 Date: 6/16/06

Phone: \_\_\_\_\_ Pages: \_\_\_\_\_

Re: \_\_\_\_\_ Fax: 928 608 6315

Phone: 928/608-6252

Dispatch 928 608-6301  
 See Attached  For Review  Please Comment  Please Reply  As Requested

•Comment

*See attachments.*

*Will be sent in 3 sessions  
2nd set*

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National Park Service  
U.S. Department of the Interior  
InsideNPS  
Information Gateway for NPS Employees



## GLEN CANYON NATIONAL RECREATION AREA

**Two Injured in Kite Tubing Accidents**

Two people were injured in separate, unrelated "kite tubing" accidents in the park last weekend. In both cases, the victims were riding kite tubes towed by boats when they lost control of the device. Each then fell into Lake Powell from heights of between 10 and 40 feet. Kite tubes are large, round inflated tubes that are towed by boats at 20 to 40 mph. The user holds onto the kite tube as it rises into the air from 15 to 60 feet. Controlling a kite tube is extremely challenging and the slightest upset in its balance causes it to fall into the water. The first incident occurred on Friday, June 2nd, at approximately 2:30 p.m. near the Bullfrog area. A 29-year-old man from St. George, Utah, was riding a kite tube when he lost control and fell from a height of 35 to 40 feet while moving at approximately 35 to 40 mph. He suffered a broken neck and was flown by helicopter from the Bullfrog Medical Clinic to St. Mary's Hospital in Grand Junction, Colorado. He was the third person in his party that day to be injured while kite tubing, but the other two sustained only minor injuries and were not treated. On the afternoon of Saturday, June 3rd, a 14-year-old girl from Houston, Texas, fell from 10 to 15 feet from her kite tube while being towed at 20 to 25 mph. She lost consciousness when she struck the water. Park rangers immediately responded to the incident and she was flown by helicopter from Iceberg Canyon to St. Mary's Hospital in Grand Junction. After further examination at the hospital, she was released without serious injuries. These were the third and fourth accidents this year involving kite tubes. The first accident occurred on April 7th and resulted in a punctured lung caused by broken ribs; the second was on May 22nd, when another person sustained injuries to the chest and back while using a kite tube. Both of these incidents involved kite tube riders losing control of the device and falling into the water while moving at a high rate of speed. The individuals involved in these accidents were also transported by helicopter to the hospital. This is the first season that park rangers at Glen Canyon have seen kite tubes on the lake. Please see the related safety alert on kite tubing in this issue for additional information and for links to two TV news videos on kite tubing accidents.

More Information**Contact Information**

Name: Kevin Schneider, Management Assistant

---

<http://inside.nps.gov/index.cfm?handler=viewprintheadline&type=Incidents&id=2616>

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National Park Service  
U.S. Department of the Interior

InsideNPS  
Information Gateway for NPS Employees



GLEN CANYON NATIONAL RECREATION AREA

## Two Injured in Kite Tubing Accidents

Two people were injured in separate, unrelated "kite tubing" accidents in the park last weekend. In both cases, the victims were riding kite tubes towed by boats when they lost control of the device. Each then fell into Lake Powell from heights of between 10 and 40 feet. Kite tubes are large, round inflated tubes that are towed by boats at 20 to 40 mph. The user holds onto the kite tube as it rises into the air from 15 to 60 feet. Controlling a kite tube is extremely challenging and the slightest upset in its balance causes it to fall into the water. The first incident occurred on Friday, June 2nd, at approximately 2:30 p.m. near the Bullfrog area. A 29-year-old man from St. George, Utah, was riding a kite tube when he lost control and fell from a height of 35 to 40 feet while moving at approximately 35 to 40 mph. He suffered a broken neck and was flown by helicopter from the Bullfrog Medical Clinic to St. Mary's Hospital in Grand Junction, Colorado. He was the third person in his party that day to be injured while kite tubing, but the other two sustained only minor injuries and were not treated. On the afternoon of Saturday, June 3rd, a 14-year-old girl from Houston, Texas, fell from 10 to 15 feet from her kite tube while being towed at 20 to 25 mph. She lost consciousness when she struck the water. Park rangers immediately responded to the incident and she was flown by helicopter from Iceberg Canyon to St. Mary's Hospital in Grand Junction. After further examination at the hospital, she was released without serious injuries. These were the third and fourth accidents this year involving kite tubes. The first accident occurred on April 7th and resulted in a punctured lung caused by broken ribs; the second was on May 22nd, when another person sustained injuries to the chest and back while using a kite tube. Both of these incidents involved kite tube riders losing control of the device and falling into the water while moving at a high rate of speed. The individuals involved in these accidents were also transported by helicopter to the hospital. This is the first season that park rangers at Glen Canyon have seen kite tubes on the lake. Please see the related safety alert on kite tubing in this issue for additional information and for links to two TV news videos on kite tubing accidents.

### More Information

### **Contact Information**

Name: Kevin Schneider, Management Assistant

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<http://inside.nps.gov/index.cfm?handler=viewprintheadline&type=Incidents&id=2616>



National Park Service  
U.S. Department of the Interior

Glen Canyon National  
Recreation Area

691 Scenic View Dr.  
PO Box 1507  
Page, AZ 86040-1507

FOR IMMEDIATE RELEASE  
June 6, 2006 06-12

CONTACT: Kevin Schneider  
928-608-6208

## Glen Canyon News Release

### Two Injured in "Kite Tubing" Accidents Last Weekend

Page, Ariz. – Two people were injured in separate, unrelated "Kite Tubing" accidents this past weekend at Glen Canyon National Recreation Area. In both cases, the victims were riding Kite Tubes towed by boats when they lost control of the device. The victims fell into the waters of Lake Powell from heights between 10 and 40 feet.

The first incident occurred on Friday, June 2 at approximately 2:30 pm near the Bullfrog area. The victim, a 29 year- old male from St. George, Utah, was riding a Kite Tube when he lost control and fell from a height of 35- 40 feet, while moving at approximately 35- 40 mph. He suffered a broken neck and was flown by helicopter from the Bullfrog Medical Clinic to St. Mary's Hospital in Grand Junction, Colorado. He was the third person in his party that day to be injured while Kite Tubing. The other two individuals reported they had minor injuries and were not treated.

On Saturday afternoon, June 3, a 14- year old girl from Houston, Texas, fell 10- 15 feet from her Kite Tube while being towed at 20- 25 mph. She lost consciousness when she struck the water. Park rangers immediately responded to the incident and she was flown by helicopter from Iceberg Canyon to St. Mary's Hospital in Grand Junction, Colorado. After further examination at the hospital, she was released without serious injuries.

These were the third and fourth accidents this year at Glen Canyon National Recreation Area involving Kite Tubes. The first accident occurred on April 7 and resulted in a punctured lung caused by broken ribs. On May 22, a second person had injuries to their chest and back while using a Kite Tube. Both of these incidents involved Kite Tube riders losing control of the device and falling into the water while moving at a high rate of speed. The individuals involved in these accidents were also transported by helicopter to the hospital.

Kite Tubes are large, round inflated tubes towed by a boat at 20- 40 mph. The user holds onto the Kite Tube as it rises into the air, 15- 60 feet from the surface of the water. Controlling a Kite Tube is extremely challenging, and the slightest upset in its balance causes the Kite Tube to fall into the water. As a newcomer to the market, this is the first season park rangers at Glen Canyon have observed their use.

– [www.nps.gov/glca](http://www.nps.gov/glca) –

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The National Park Service cares for special places saved by the American people so that all may experience our heritage.

**Kite Tubing Safety Alert (InsideNPS)**

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Exhibit H

mph and most were 15 to 20 feet in the air when they were either ejected or turned up; accelerated back to the water. Another 10 to 20 mph of speed is added to their forward the victims are hitting the water at 45 to 55 mph. These accidents are therefore the eq 70 foot cliff jump, with the added component of the victims having no control over how impact the water.

[More Information...](#)

**Contact Information**

Name: Mike Mayer, Chief Ranger

[about inside.nps.gov](#) | [feedback](#)

\*060614HCC3606

Exhibit H



Kevin Schneider  
06/08/2006 07:41 AM  
MST

To: David Barna/WASO/NPS@NPS, Elaine Sevy/WASO/NPS@NPS, Karen Breslin/DENVER/NPS@NPS, James Doyle/DENVER/NPS@NPS, Patricia Turley/DENVER/NPS@NPS, Rick Frost/DENVER/NPS@NPS,  
cc:  
Subject: Grand Junction Daily Sentinel: Two injured at Lake Powell riding popular kite tubes

## Two injured at Lake Powell riding popular kite tubes

Wednesday, June 07, 2006

By SALLY SPAULDING

The Daily Sentinel

Two people were injured at Lake Powell last weekend while riding "kite tubes" pulled by boats in the Glen Canyon National Recreation Area.

Both victims, a 29-year-old male from St. George, Utah, and a 14-year-old girl from Houston, Texas, were flown to St. Mary's Hospital in Grand Junction for treatment.

Kite tubes are large, round inflated tubes towed by a boat at 20 to 40 mph. The user holds onto the kite tube as it rises into the air, 15 to 60 feet from the surface of the water.

The product was released widely on the market this year and runs about \$500.

This is the first season park rangers at Glen Canyon have observed the use of kite tubes, said Kevin Schneider of the National Park Service.

The first incident of the weekend occurred on Friday near the Bullfrog Marina area. The 29-year-old male lost control of the kite tube and fell roughly 40 feet while moving at approximately 40 mph.

He suffered a broken neck and was the third person in his party that day to be injured while kite tubing.

On Saturday, the 14-year-old girl was being towed at about 25 mph when she fell between 10 and 15 feet.

She lost consciousness when she struck the water and was flown from the Iceberg Canyon area of the lake to St. Mary's.

She was released from the hospital without "serious" injuries, according to Schneider.

Schneider said the weekend accidents were the third and fourth accidents this year at Glen Canyon National Recreation Area involving kite tubes.

The first two incidents also sent victims to St. Mary's Hospital and involved broken bones, a punctured lung and other injuries.

Kevin Schneider  
Management Assistant  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument

060614HCC3606

Exhibit H



Kevin Schneider  
06/08/2006 07:41 AM  
MST

To: Kitty Roberts/GLCA/NPS@NPS, Nancie E Ames/GLCA/NPS@NPS,  
Susan Perkins/GLCA/NPS@NPS, Mike Mayer/GLCA/NPS@NPS, Stan  
Burman/GLCA/NPS@NPS, Pat Quinn/GLCA/NPS@NPS, Hank  
cc:  
Subject: Fw: Contact with Kite Tube Manufacturer and Distributers

fyi

Kevin Schneider  
Management Assistant  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument  
928-608-6208

----- Forwarded by Kevin Schneider/GLCA/NPS on 06/08/2006 07:40 AM -----



"Paul Ostapuk"  
<postapuk@cableone.net>  
06/08/2006 07:39 AM  
MST

To: <Kevin\_Schneider@nps.gov>  
cc:  
Subject: Contact with Kite Tube Manufacturer and Distributers

Hi Kevin,

I wanted to let you know that the Friends of Lake Powell has started a letter writing campaign to remove this new dangerous product from the market.

Have spoken to the manufacturer (Sportsstuff) and several distributors asking them to give this product immediate attention.

Thank you for your recent press release and have fun at the celebrations at Park Service Headquarters. I am on my way out of town to the Old Spanish Trail Annual Convention and will miss today's planned activities.

Paul Ostapuk  
Friends of Lake Powell

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"Robert Baron"  
<erfpmd1@cox.net>  
06/07/2006 10:06 PM  
MST

To: "Mayer, Mike" <Mike\_Mayer@NPS.gov>  
cc: "Steve Luckesen" <Luckesen@Hughes.Net>, "Baron, Robert"  
<erfpmd1@cox.net>  
Subject: FW: Kite Tubes

FYI

**From:** Robert Baron [mailto:erfpmd1@cox.net]  
**Sent:** Wednesday, June 07, 2006 10:06 PM  
**To:** Kitty Roberts (Kitty\_Roberts@nps.gov)  
**Subject:** Kite Tubes

Kitty,

I have been following the cases of injuries concerning the operation of Kite Tubes. I believe the information collected on the lake, the need to airlift 4 people from the lake in 3 weeks with 1 having a broken neck and 2 others having major chest injuries suggests that this "toy" is just plain too dangerous. If you have not seen video clips of the use of these kites, please go to KUTV.com, click on the video section in the upper right hand corner and click the button that says "see all". Scroll through the options and there you will find a clip from 6/5 & 6/5. These videos show graphically what can happen with these devices.

Kitty, I have heard that your Rangers are suggesting the writing of a compendium that would ban the use of these Kite Tubes on the lake. From an injury prevention viewpoint, I have to agree. Please let me know how this all progresses.

Sincerely,

Bob Baron

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Exhibit H



Bruce Malloy  
05/10/2006 09:34 AM  
CDT

To: Randy Y Larson/PAIS/NPS@NPS  
cc: Dale Antonich/LAME/NPS@NPS, Dennis Weiland/CHIC/NPS@NPS,  
Linda Alick/CURE/NPS@NPS, Linden Schlenker/BICA/NPS@NPS,  
Mark Law/GLCA/NPS@NPS, Matthew Senulis/LAMR/NPS@NPS, Mike  
Subject: Re: Kite Tubing [ ]

Thanks for the heads up on this potentially dangerous activity. We have not experienced any interest in these types of "above the water" activities. But we anticipated that we would in the future, therefore last year we crafted and implemented a Compendium prohibition on all of these activities except windsurfing/sailboarding. We have not had any comments, negative or positive, on this prohibition.

§ 1.5 Closures and Public Use Limits

*(a) Consistent with applicable legislation and Federal administrative policies, and based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities, the superintendent may:*

*(1) Establish, for all or a portion of a park area, a reasonable schedule of visiting hours, impose public use limits, or close all or a portion of a park area to all public use or to a specific use or activity.*

**Kitesurfing, kiteboarding, hang gliding, and parasailing (board riding while attached to wind-driven parachute-like objects or wing devices and/or towed by a vessel or vehicle) are prohibited. The closure is in effect on all park waters.**

Kitesurfing/boarding, hang gliding, and parasailing within the National Recreation Area has been deemed an inappropriate activity given safety concerns and resource conflicts that the park is mandated to prevent. The reservoir is a highly used public area with many recreational activities including swimming, fishing, camping, and boating. These activities have a long history of compatible use. Kitesurfing/boarding, and parasailing requires large open areas free of people, obstacles, and other activities. Accepted safety practices by kitesurfing/boarding and parasailing associations and groups advocate no kiteboard or parasailing use in swim areas and avoidance of obstacles. A kite or parasail being operated in the air has a reach of at least 100' and kite lines under tension can cut anything they touch like a razor. Hang gliding while attached to a vessel or vehicle is also prohibited due to the inherent safety risks associated with this activity and the dangers to others either in the towing vessel/vehicle or others nearby. A closure will ensure the safety of park visitors and avoidance of conflict among visitor use activities. **This closure does not include sailboarding, where a sail is permanently affixed to the board.**

Bruce Malloy  
Chief Ranger  
Amistad National Recreation Area  
4121 Veterans Blvd.  
Del Rio, Texas 78840  
830-775-7492 ext. 213  
Randy Y Larson



Randy Y Larson  
05/09/2006 12:39 PM  
CDT

To: Mike Mayer/GLCA/NPS@NPS  
cc: Bruce Malloy/AMIS/NPS@NPS, Dale Antonich/LAME/NPS@NPS,  
Dennis Weiland/CHIC/NPS@NPS, Linda Alick/CURE/NPS@NPS,  
Linden Schlenker/BICA/NPS@NPS, Mark Law/GLCA/NPS@NPS,  
Matthew Senulis/LAMR/NPS@NPS  
Subject: Re: Kite Tubing [ ]

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Exhibit H

We have not experienced Kite Tubing but the rage on the coastlines of the country over the last several years is Kiteboarding (also called Kitesurfing). Kiteboarders use smallish like surfboards with footstraps tethered by a 30 meter kevlar line to a parachute. With strong winds kiteboarders use the parachute sail to achieve surface speeds of 30 MPH and in doing so can actually "take off" and get airborne for brief periods.

Our primary concern was a myriad of visitor safety conflicts. At 20-30 MPH a kevlar line could actually sever a limb or neck of a sunbather, swimmer, windsurfer, etc. Further compounding our issue is that PAIS is one of the top 5 windsurfing areas in the country. Windsurfing is embraced and managed by the park and fully compatible with our mission. However the two issues were not compatible together. Windsurfers generally sail perpendicular to the wind while kiteboarders travel parallel with the wind. What we were seeing was an "unguarded intersection" with the potential for a cross collision or "clothesline" at a combined speed of 35-50 MPH. A kevlar line across a body could be disastrous.

We spent a lot of time debating the issue in the park and I met with two local outfitters in Corpus Christi who had the majority of the kiteboarding business. As I looked into accepted safety practices by kiteboarding associations and various kiteboarding group I found commonly accepted standards that advocated no kiteboard use in swim areas and avoidance of crowded beaches. In the end a closure was deemed necessary to ensure the safety of park visitors and avoid conflict with other visitor use activities.

We talked over the applicability of 36 CFR 2.17 with the Solicitor, WASO, and others. We received mixed opinions on the applicability of 2.17, so in the end a compendium closure was crafted which prohibits Kiteboarding at PAIS.

Surprisingly the closure has gone well. I think the safety issue was pretty obvious to everyone and it helped having many alternative sites outside the park for Kiteboarding.

Hope this helps.

Randy Larson  
Chief Ranger  
Padre Island National Seashore  
(361)949-8173 x237  
Mike Mayer



Mike Mayer

05/08/2006 11:51 AM  
MST

To: Dennis Weiland/CHIC/NPS@NPS, Dale Antonich/LAME/NPS@NPS,  
Bruce Malloy/AMIS/NPS@NPS, Matthew Senulis/LAMR/NPS@NPS,  
Randy Y Larson/PAIS/NPS@NPS, Linda Alick/CURE/NPS@NPS,  
Linden Schlenker/BICA/NPS@NPS, Mark Law/GLCA/NPS@NPS

cc:

Subject: Kite Tubing

The next thing that will cause us trouble with injuries and deaths. Kite Tubing. Three weeks ago we had our first near fatality from this activity. If you haven't seen this you need to go to the web site. [www.sportstuff.com](http://www.sportstuff.com). Its made by WEGO Kite Tube and in my estimation they won't be in business long.

Our guy was 75' behind the boat, traveling 28 mph, and about 10-12 feet off the water. The kite tube inverted and plunged or rammed the water surface. Seems innocent enough, but 30mph forward speed + accelerated downward plunge = unconscious tuber with three broken ribs and punctured lung. He was pulled from the water, unconscious and face down (est. 45 sec.) by his party and taken to shore where we air lifted him. We have a history of folks that died from cliff jumping from 20-30 feet and routinely die from 70+ feet.

It won't be long until someone figures out that if we put a 400 foot rope on the kite tube then it can get 50

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feet in the air.

I am just curious if any of you have experienced this yet?

Mike Mayer  
Chief Ranger  
Glen Canyon National Recreation Area  
office 928-608-6253  
cell 928-640-0429  
928-608-6259 FAX Office

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Kevin Schneider  
06/08/2006 10:05 AM  
MST

To: Kitty Roberts/GLCA/NPS@NPS, Nancie E Ames/GLCA/NPS@NPS,  
Susan Perkins/GLCA/NPS@NPS, Mike Mayer/GLCA/NPS@NPS, Stan  
Burman/GLCA/NPS@NPS, Pat Quinn/GLCA/NPS@NPS, Hank  
cc:  
Subject: arizona daily sun: Kite tubing injuries on Lake Powell a worry

From the Arizona Daily Sun, Flagstaff

## Kite tubing injuries on Lake Powell a worry

By CYNDY COLE

*Sun Staff Reporter*

06/08/2006

A large, disc-like inflatable tube that lets water recreationists 'take flight' on Lake Powell is also leading to emergency room trips.

One product retailer is saying the new toy towed behind boats at Lake Powell lets riders "fly through the air like a bird... reaching incredible new heights."

After four injuries this summer in which riders were also flown to the hospital, the National Park Service is warning that the kite-like device is causing broken bones and comparing the new sport to cliff jumping, which is prohibited.

The toys are round, inflatable discs about 10 feet in diameter that are pulled behind boats. The rider lies flat on top of them as the boat gets going, then sometimes soars into the air at 45-degree angle, half-standing on them, shifting the body weight back away from the boat with a yank. There are footholds and handles.

It's like riding on top of a big, inflatable disc.

"The slightest movement by the user to upset the balance will cause it to tumble into the water," recreation area spokesman Kevin Schneider said.

Videos on Web sites that sell the Kite Tube for about \$600 show one rider hanging half-on, half-off, legs dangling.

In other clips, riders appear to soar 10 or 20 feet above the water on the disc, which has a skull and crossbones logo on the underside.

Four people have been flown out of Glen Canyon National Recreation Area with injuries after riding Kite Tubes.

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Exhibit H

"This is the first time we've actually seen them in Glen Canyon National Recreation Area," Schneider said.

Friday, a 29-year-old man from St. George was about 35 or 40 feet in the air, being pulled at 35 or 40 miles per hour when he fell. His neck was broken. He was the third person in his group that day to be hurt, though the other injuries in his group were considered minor.

On Saturday, a 14-year-old girl from Texas fell from the kite 10-15 feet and was knocked unconscious when she hit the water.

"In some ways this is similar to cliff jumping, because you have a person falling into the water at a high distance and relatively high rate of speed," Schneider said. He added riders are not in control of how they hit the water.

Cliff jumping was banned across Lake Powell last year. The Park Service has made posters -- they can be found taped up in convenience stores near the lake -- out of a video of one man who jumped off a cliff and was never seen alive again. His friends were holding the video camera.

The Park Service is allowing the new devices, but is reviewing accidents as they happen.

A ban on Kite Tubes would be within the park's authority, Schneider said.

Cyndy Cole can be reached at [ccole@azdailysun.com](mailto:ccole@azdailysun.com) or at 913-8607.

Kevin Schneider  
Management Assistant  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument  
928-608-6208

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Exhibit H

- [Home](#)
- [Kite Building](#)
- [Kite Portfolio](#)
- [Photos](#)
- [Archives](#)
- [Contact](#)

« [World's largest kite flies in Tokyo](#)  
[321 kite-flyers held in a crackdown against metal-wire use](#) »

## Kite Tube!?

Ads by [Goooooogle](#)

### Wego Kite Tube - In Stock

Free Shipping and choice of Free Life Vest or Pump with each order!  
[www.BoatTube.com](http://www.BoatTube.com)

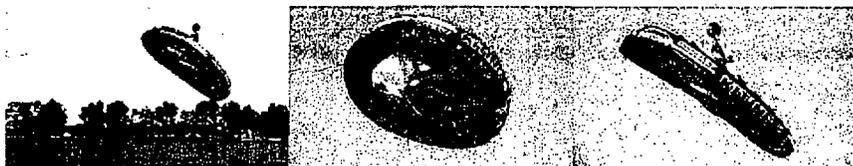
### Overton's Water Sports

Your one stop shop for all your Marine and Watersports needs!  
[www.overtons.com](http://www.overtons.com)

Just reading the Toronto Kite Fliers mailing list today and someone posted a link to a bizarre "kite" that is towed behind a boat. It's called the WEGO KITE TUBE produced by SPORTSSTUFF.

So the idea is basically you convince some fearless individual to climb on top of this inflated disk, tear down the lake at top speed and with some "control" the rider can launch the kite tube in the air and remain air borne. As long as you have enough speed, and you keep the right angle of attack you should be ok. (mildly insane but ok)

Personally I don't think I would do it... there are a few spills in that video that look like they could have been a lot worse... you can check out the video here: [Kite Tube Video](#).



This entry was posted on Tuesday, February 28th, 2006 at 8:57 pm and is filed under [General](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.

## 60 Responses to "Kite Tube!?"

1. [Al](#) Says:  
[March 3rd, 2006 at 4:33 pm](#)

The wego kite tube by sportsstuff is definitely going to be an interesting ride, living in minnesota, I have not been able to get on this tube yet (it was released in january and our lakes are froze, obviously). But I sell this tube at MN Boat Shows, and as such, I have personally watched this video a few hundred times.

The WEGO will be a very safe tube if used right, as you can see in the video that if you don't want to spill on the tube, you will not have to. The girl in the video stays at a constant 5-10 feet off the water when she wants to. I personally can not wait to ride this tube. We are currently thinking about taking this tube in the locks, where there is open water right now,

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simply because I am so excited to ride it. And you will not have to go "top speed" the maximum recommended speed to pull this tube is 14-28 m.p.h, depending on the wind speed on your lake.

2. *Stephanie* Says:  
March 6th, 2006 at 8:22 am

That looks like a blast! You get one and I'll try it 😊

3. *jack* Says:  
March 7th, 2006 at 11:51 am

we live on a small lake that we ski and tube .....we were wondering if the tube can be turned in air since our lake is only about 1/2 mile long.....plz reply.....jack

4. *JON* Says:  
March 9th, 2006 at 4:31 pm

Hello Jack,

Go ahead and get one man its crazy. Speaking from riding the Kite tube it is speechless. A 1/2 mile lake should be ok on the turns all you have to do is slow down and bring the rider down to the water and then turn. This not like a regular tube where it is rider versus boat driver. You have to watch the tube so if he gets to high you can gradually slow down to let him down out of the air. I have ridden mine like a regular deck tube and lower speeds and wind conditions and it performs awsome. Going on a whip the all sudden it catches a litte air then off to riding it like a deck tube again. My friends have gotten 30 to 40 feet in the air on this thing. One friend only want to go 5 feet in the air so we watched him in the reer view mirrow of the boat to make sure he didn't get to high. In summary i would say to get man you can always go to a bigger lake to for long runs. But short lake it will work. I remember we practiced like 10 rides and we were able to do a gradual turn not like a whip but gradual in the air. Going against the wind is key when going with the wind you don't get as high but thats ok we just ride like a huge deck tube with occassional ups and dows of 1 foot or so. SO GET MAN AND TELL YOUR FRIENDS! Oh ya there is a instructional video and riding vidoe at there website. [www.SPORTSSTUFF.COM](http://www.SPORTSSTUFF.COM)

HOPE THAT HELPS POST YOUR COMMENTS IF YOU GET ONE OR ANYMORE QUESTIONS!

5. *Chris* Says:  
April 8th, 2006 at 9:43 am

Just bought a new Malibu V-Drive, traded in my 2005 Supra inboard for a larger, faster, v-drive with a tower. Can't wait to try this out!! Is it any more difficult for the driver to control the boat with the tube in the air? And have you ever tried hooking it up on the Tower to get more height? Let me know.

Thanks!

Chris

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6. *marc* Says:  
[April 18th, 2006 at 3:16 pm](#)

Hey Chris

I had the same idea about hooking it up to the tower, 3 out 5 guys landed in the ER that night, The air we caught was unreal. Approx 40ft on a 65ft line. It was cool but insane all at the same time. If you do hook it their be prepared for a rough fall. Good Luck

Marc

7. *Cecil* Says:  
[April 19th, 2006 at 4:55 pm](#)

Does anyone know what will happen if I hook it up to my pylon with a 100ft. barefoot line? I was thinking about running 40mph into a 20mph head wind. How tight would that be?

8. *still recovering* Says:  
[April 20th, 2006 at 12:53 am](#)

Using a 100 foot line or tying to the tower is just stupid. I did a nose dive at 10' and ended up in the er. If someone does that at 40' or 75' their dead.

9. *adog* Says:  
[April 23rd, 2006 at 3:05 am](#)

we used the 65 ft cord and to the tower on a ski nautique 210 air and got AT LEAST 50 ft before he fell on his neck....knocked him out but us Texas boys dont go to the ER till there are limbs hanging off.....

10. *Steve* Says:  
[April 26th, 2006 at 1:06 am](#)

All the videos i have seen have people on the wego kite tube that are about 150lbs, will this tube fly with lets say a 200lb fat boy.... lol

11. *D Raley* Says:  
[April 26th, 2006 at 9:38 am](#)

I road one last weekend. I could NOT control the height or dipping from side to side ( think real kite ) If I had not had on a professionally ski jacket I would have been ER. I am wearing a 6 inch wide bruise from the bottom of my jacket to my knee.

12. *areamike* Says:  
[April 26th, 2006 at 10:16 pm](#)

I put a video on our Family website of us riding this Kite Tube for the first time this last weekend.

(click on Kite tubing Video)

[http://www.fauxpas.org/modules/xoopsgallery/view\\_album.php?set\\_albumName=album44](http://www.fauxpas.org/modules/xoopsgallery/view_album.php?set_albumName=album44)

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The last wipeout in the video is insane...use at your OWN risk is an unstatement. This thing can be a great ride as long as you have a GOOD boat driver and STEADY headwinds. Do not use in Wind gusts!

13. *Cody* Says:  
April 27th, 2006 at 2:44 am

^^^That looked like a nasty spill. How was he afterwards?

For anybody interested in purchasing this tube, I would recommend checking out this one...  
<http://www.sevylor.com/towables.html>

I rode it last weekend and I was high flying just like on the video in about 15 minutes.

14. *bdog* Says:  
April 28th, 2006 at 12:43 am

A collapsed lung and a broken wrist are pretty serious—BUT at least all of us were tough enough to stay conscious.

15. *Meagan* Says:  
May 2nd, 2006 at 11:10 am

I watched a friend of mine die when he fell off of the wego kite tube, it was the most awful thing I will ever experience. He broke his neck when he hit the water. Please, please don't use this tube!!

16. *greg* Says:  
May 4th, 2006 at 9:39 pm

Anyone riding this thing should check this out.  
<http://www.kfdm1.com/engine.pl?station=kfdm&id=14598&template=breakoutlocal.html>

17. *Steadywinds.com » Blog Archive » Kite Tube Claims Life* Says:  
May 4th, 2006 at 11:17 pm

[...] A link to this story was posted as a comment to an earlier post I made about the Kite Tube. Based on this story and a number of the comments to the last kite tube post it's not safe! Please don't take your life into your own hands with one of these. The constantly changing angle-of-attack, combined with weight shifts from the rider and the lack of drag make this an extremely unpredictable "kite". [...]

18. *joe* Says:  
May 9th, 2006 at 9:40 am

I can;t belive the comments that i'm reading about.  
i'm realy freaking out.  
my friend bought one and we flwe it this sunday and he had a nasty spill whent the thing went up and flipped over becuae of the wind that threw him off and he's def in one ear for 4 weeks becuae he broke his eardrum when it smacked him down onto the water surface fter going 29 feet high ☹ :(

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we're planning on doin it again>  
big tip: DON NOT USE IN HEAVY WINDS OR GUSTS, HAVE AN EXPERIENCED  
BOAT DRIVER.

19. *Brian* Says:  
May 11th, 2006 at 11:08 pm

Meagan, please email me at [brianmazzola@gt.rr.com](mailto:brianmazzola@gt.rr.com). Thank you.

20. *SCOTT* Says:  
May 15th, 2006 at 2:22 pm

I bought 1 last week we have come close to getting it flying how fast are you going to get it to fly

21. *will* Says:  
May 15th, 2006 at 7:32 pm

Does anyone know which kite tube is steadier the Manta or the WEGO KITE TUBE?

22. *Chris...* Says:  
May 16th, 2006 at 3:39 pm

I bought one of these last week and I have ridden it approx. 7-8 times now and getting pretty good with it, Yesterday I flew about 20' or so probably 5-6 different times with good control, it was really steady going up and coming down, when I was first using it, it come down sideways a few times but I just held on and it corrected itself. Now on the other hand, a friend of mine was on it yesterday also and a gust of wind caught him and he quickly soared to about 30' and got out of balance and flipped it and fell 30' at 30mph and he thought he broke his arm, although he didn't and he is alright. I honestly love this thing and think its a blast but after yesterday I don't think I'm going to let my friends get on it unless they sign a release form or something and I will probably only let like me and my brothers on it anymore. It can be dangerous but everything that really gets your adrenaline pumping is a little dangerous, I suggest just doing like the manual and video says and starting with the 45' rope for 12 times then the 55' rope for 24 times until you get used to it then the 65'. Good luck and stay balanced.

23. *Steve* Says:  
May 17th, 2006 at 7:55 am

scott,

i have had mine for 2 weeks. flying it great! we were only doing about 27mph or 30. into a 10 to 15 wind  
what is your email and i will send you some pics.

24. *Steve* Says:  
May 17th, 2006 at 7:58 am

correction on the speed only going 20 to 25mph

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Exhibit H

25. *SCOTT* Says:May 17th, 2006 at 2:22 pm

We have tried 25-35 mph we can but the winds were no more that about 10mh my e-mail is [maxie5612@yahoo.com](mailto:maxie5612@yahoo.com) pics would be appreciated.

26. *Chris* Says:May 19th, 2006 at 10:27 am

My friend purchased the wego and we took it out, it was really fun at first, but then I was riding it and for no reason it took off about 40-50 feet in the air and went out of control and slammed me down hard onto the water. Now I am an avid wakeboarder, tube rider, thrill seeker, but this thing is going to kill someone! I recently read that it did actually kill some one. Well we decided to try it again the next day and my friend was on it and it did the same thing to him went about 30 feet up then took a hard nose dive right to the water it wrapped him up in the tube and slammed him so hard it tore his acl in his knee and broke 2 ribs. This tube is a great idea but they need to redesign it. They had better watch out or as sue happy as this world is there will be a major lawsuit against them.

27. *Steve* Says:May 21st, 2006 at 9:12 pm

Chris,

we have been getting some serious air on the tube also. One of my buddies stayed up for 35 seconds( our longest ride of the day). he was @ 10to15 feet on this ride. i can relate to the nose dive, were you guys in cross winds or calm day?

28. *Taylor* Says:May 21st, 2006 at 10:20 pm

I just bought one of these today and I will say it is alot of fun, but this thing can get out of control. As a former member of the Coast Guard I guess I should know better but I was pulling my friend and decided to push the envelope and I sent him into orbit, probably about 40'. My natural reaction was to pull back on the throttle, well that was the wrong thing to do becuse he came barreling down into the water and messed his knee up bad. Anyway we are going to keep using it, but we are going to be alot more careful.

29. *Taylor* Says:May 22nd, 2006 at 3:55 pm

Quick note I have ultimatly decided to sell this thing, I don't want to be responsible for killing a friend. I now think this thing is much to dangerous. I saw somewhere earlier that there are some guys from Texas. Just to let you know that a buddy of mine is a game warden here in Texas and this thing will be ILLEGAL to use buy the end of this summer, he assures me. So I guess if you are in Texas I would start thinking about selling as soon as you can because you won't be able to sell them after that.

30. *FTC924* Says:May 23rd, 2006 at 12:54 pm

My friends and I had this monster out yesterday here in Illinois. We are all over 200 lbs and in

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good shape and thought this thing would be easy. We hooked it to the back of our wave-runner and began at 45'. We were able to hop across the water but the tube was definitely unsteady and would throw us off without notice like we were rag dolls. Towards the end of our first run we were able to get the tube to around 5 foot above the water for a few seconds at a time. The last run at 45' (before we were going to extend the rope to 55') I was at 5-8 foot above the water and the tube decided it was done and turned over and face-planted me into the water. I thought my jaw was broke.

Since my jaw was not broke, we went to 55' and began to get this thing to 10 feet. However, not matter what we did, if we hit a gust of wind or a cross wind, the tube would twist and turn and thow us off. All this time we were keeping the MPH's around 30-35 because we wanted to learn first. Then one my friends signaled to go faster so we upped the speed to 40 MPH and up he went to approx 15 feet. He seemed to have major problems keeping the tube steady at that height and speed and right before (and I mean right before) the tube decided to turn over and nose dive to the water, he jumped off and landed on his feet. We all think we was lucky.

We finally decided to try the 65' foot length and I am man enough to say that we were not ready (or "I" was not ready). I was the first to try it and wanted to increase the speed to 40-45. During my run, I was easily flying 10-15 feet in the air and it seemed to me that I was getting the hang of it. But then I caught a huge gust of wind that took me to 30 feet in the air instantly and then, even faster, it turned to the left and then whipped to the right and threw me off into the water and I landed right on my back. It knocked the @^%!\$@ out of me and I could hardly breathe for a good 5-7 minutes. I thought my neck and back were shattered. I have not gone to the doctor yet but I have eaten two bottles of aspirin since yesterday. It does disturb me that I landed exactly how that 33 year old guy landed in Texas that was killed. AND HE WAS ONLY AT 15 FEET. I was double that.

Anyways, we do many extreme sports but are always in control and we can always push the sport to our abilities. One thing I know for sure, you cannot see the wind nor can you control it and while on the Wego Kite Tube it is hard to control it as well. One thing I notice in the manual you get with the tube, it states that the weight limit of the tube is 200lbs but it seems to me that the lighter the person is, the more uncontrollable the tube will be since it is 10 feet wide. I thought the weight limit was 200 lbs because the tube would not get off the water at weights above 200. WRONG!!!! In fact, at the end of the day yesterday we decided to put two guys on the tube and ride it like a conventional tube whipping them in figure-8's and stuff like that. This is 425 lbs on this monster and as I whipped them around the first circle, they GOT AIR and were 2-3 feet over the water!!!!

I am calling Sportsstuff today for answers to my questions and will advise as to what they say.

Does anyone have experience on the Mantra flying tube? It is easier to control when flying? I have watched the video and it does seem easier but then again it was being ridden by a professional. Someone please advise.

31. *Cody Says:*  
May 24th, 2006 at 9:48 am

The Manta is much safer than the WEGO, it has rope handles that you hold onto so that you can suck the wings in to steady it out, and fly for a few minutes at at time. I knew the WEGO

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was gonna be bad news from the beginning. Now I won't even be able to do my favorite thing come to the end of the summer.

32. *JJ Says:*

May 25th, 2006 at 3:27 pm

We just got our Wego and it is AWESOME! I was a bit nervous the 1st time out, but now I can't get enough. If you and the boat driver/spotter take the time to watch the instructional DVD, read the manual and actually use as directed it's a great ride! It takes getting use to and I recommend starting with the shortest of the ropes until you get comfortable with it, but we have had no problems towing at around 25-27 MPH. I can see how it would be dangerous if not used properly, but you can say that about anything. Common sense-it says right on the tube, only kite as high as your willing to fall. I give it two thumbs up!!!

33. *Shellie Says:*

May 26th, 2006 at 11:21 pm

Wrap me in bubble wrap and give me a helmet, I'll try it!

34. *Michael Laninga Says:*

May 27th, 2006 at 11:44 am

My son (18 years old) had a nasty crash on a Wego Kite Tube May 25th. He suffered a broken back and three broken bones in his left foot. He will be in a back brace for 6 - 8 weeks and require surgery on his foot. He missed his High School graduation and all night party too. Worse he has lost his summer employment at a youth camp. This is a very dangerous toy.

35. *James Says:*

May 28th, 2006 at 11:00 am

Hi, i am thinking about getting a wego, but am wondering if our boat can handle it, its a 79 doral 6cyl mercruzer 165h, can someone tell me if this is sufficiant, to pull this crazy thing, thanks James.

36. *lil ripper Says:*

May 29th, 2006 at 10:54 am

my name is lil ripper and i just got back from the hospital last night from crashing down off the kite tube we had it hooked up to the tower in out boat not a good idea..i dont really rember what happened b/c i suffered from amnesia but i was told i feell from 20 feet in the air and became uncounsious i recomend not getting one!!!!

37. *Chris Says:*

May 30th, 2006 at 11:28 am

I wrote earlier and told ya'll about my buddy that fell from about 30' well he's getting better with a little shoulder pain still but will be ok. I had this thing out again this weekend and I have to say that I personally am getting pretty good with it, I can fly it about 15'-20' very smoothly and bring it back down no problem, I do have to say though that I ride motorcycles alot and do have pretty good balance, which I believe is the key to the kite tube. I am still the

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only person that has been on my kite tube who has not flipped off at some point. I love it and can't get enough. If the wind isn't blowing very much I'll get my wife to drop the throttle all the way down to about 40mph so that I can get more air but if the wind is blowing pretty good or it is gusting then 25 works really well, I can get 15' with the 45' or the 65' rope easily. But I can see were a cross wind could throw you off course and put it out of control if you didn't expect it, so I suggest staying balanced and expect the worst and hope for the best when flying high but I have had no problems at all. Oh and 165HP should pull it fine, I have a 19' Chaparral with 190HP and it has no problems at all pulling it. Just be careful using the kite tube and follow ALL of the instructions or ride at your own risk.

38. *Derek Says:*  
May 30th, 2006 at 2:41 pm

Ive taken hard/high(30') falls and next time im wearing a protec helmet and neck brace... maybe even a mouth piece, just dont use it in high winds,cross winds. use alot of air in the tube and alot of balance when your up there. also pull into the wind as straight on as you can

39. *James Says:*  
May 31st, 2006 at 12:35 am

hi,thanks chris ,i will ride carefully, cheers James

40. *jason Says:*  
May 31st, 2006 at 8:52 am

Had my first experience this past Memorial day. Chris is dead on with the wind situation. It was pretty windy that day. The kite goes up very well, but if you have some wind gusts, no amount of balance is going to help you. It is like trying to fly an airplane with one wing. it started the side to side shaking very violently and I came off of it at about 25'. Needless to say, the water feels like concrete when you hit it at that height and moving at about 35mph. On a good light wind day, you should be able to fly it with some nifty balancing. Even though it hurt when I fell, i will get back on it again. A glutton for punishment i guess!!

41. *Steve Says:*  
May 31st, 2006 at 5:41 pm

O.K. guys here is our story... memorial day weekend. friend of ours was riding the kite tube on the 65 ft line. was flying great! at @15 to 20' all of a sudden he went to 40' in a split second. he had excellent control of this thing. he got a bit nervous and couldnt figure how to get it down lower. we backed of throttle a bit and tube went sideways and threw him off. unfortunately he suffered a compressed vertabrae. i have posted here before and wanted to see if you guys could control the up and down on this thing. the fall he took was not really from the 40ft because he was comming back down when we throttled back. the side of the tube actually hit the water first and then slung him off. we have been very carefull when flying this thing. we all will still ride. i really believe this is the most extreme water sport out there.

42. *Steve Says:*  
May 31st, 2006 at 5:45 pm

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Hey chris send me some pics!!!! [steveubarco@aol.com](mailto:steveubarco@aol.com)

43. *Steve Says:*  
May 31st, 2006 at 5:54 pm

FTC,

let me know when you talk to sportsstuff. im interested in what they have to say  
thanks

44. *Chris Says:*  
June 1st, 2006 at 4:13 pm

Steve,

Not saying it was the boat drivers fault in this case but I've been thinking about this same situation and this is what I have come up with. If he was flying it great at 20' then the only thing that shot him up further was a gust of wind unless someone was playing around too much and dropped the throttle to send him up higher. I think if the driver would have remained steady on the throttle that just as soon as that gust of wind settled down then he would have come down as well. I have experienced this and just remained balanced and it would come back down after a few seconds or so. But another thing I've been thinking about is this...if someone is 40' in the air on a 65' rope then that only leaves about 50' horizontal distance from the kite tube to the boat and at 30mph you cover approx. 44' per second so if the boat driver panics and drops the throttle all the way down and the boat stops it wouldn't take much for the kite tube to drift over the boat and drop the rider into the boat, which could mean serious injury or death. If my math is off I am sorry but this COULD I believe happen, someone please correct me if I am wrong. But like in your case you said the kite tube was already decending then you backed off the throttle, so in a sense you backing off the throttle caused the kite tube to lose any lift from underneath that it might have had to bring it down smoothly which caused it to flip sideways and down into the water. I really hope your friend gets better and I have sent you a few pics but I still have to get some better ones.

45. *Chris Says:*  
June 1st, 2006 at 4:22 pm

Ohh I forgot to tell you guys that I rode the kite tube backwards this past weekend for a few seconds, I just sit down and grabbed the handles and it went up maybe 4' off the water...felt kinda wierd and I didn't have much control and didn't want to break my record of no falls so I turned back around but my brothers were tripping out. It was a nice view though...you could actually see very well just how high you really was.

46. *peter pond Says:*  
June 2nd, 2006 at 8:33 am

used the kite tube for 1st time last weekend, everything was great til i shot to 30' instantly, the tube started getting very unstable up there, so i bailed, hit the water so hard it ripped my shorts in two, rested on the beach for 20 minutes, tried again, same thing, back up to 30', came crashing down, i don't think my body can handle a 3rd violent impact, and everyone else is so scared to

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use the tube because they might get shot to 30'+.so my question is if we go shorter than 45' on the tow line,to say 25' will this eliminate the threat of going to high,but still allow for some lift off the water,and being a safe distance from the prop?????

47. *Chris* Says:  
[June 2nd, 2006 at 11:35 am](#)

Man just my opinion, 25' might be a little too short, it might be difficult starting off with the washout from the inside of the wake being so close, I would think it would try and submarine really bad, I would try 35' or even 40' first, but if you called sportsstuff they might have a better answer for you from the safety end, I don't think the prop would be an issue though. Something to keep in mind for next time, I know you can't see the wind or anything but if you shoot up to 30' really quick then it may be gusting too bad to fly it for that day, I think the DVD that comes with it says something about it.

48. *HeyTone* Says:  
[June 3rd, 2006 at 1:08 am](#)

My brother recently went to 65' rope, and he got it on video. His friends are absolutely nuts and some of the wipe outs are downright violent. There's two videos at the following link if you want to check it out.

[HeyTone.com movies](#)

49. *Duane H.* Says:  
[June 6th, 2006 at 3:33 pm](#)

We saw this video at Bass Pro Shops and went out and bought it. We started out at 65 feet of rope at approx. 35 MPH. My friend Kevin was doing great for the first 5 minutes and we were amazed at the height we were getting. The next thing we knew he shot up high in the air and was slammed down on his right side at full speed. He was knocked unconscious and had to be pulled from the water with rescue breaths given to revive him. We took it back the next day.

50. *Mark* Says:  
[June 7th, 2006 at 8:28 am](#)

I wish we had the problem of getting to high on the Wego Kite Tube. We cannot get the tube off the water. The area just below the recessed foot holds is always touching the water. The first weekend the tube was under inflated, because we had no foot pump, that explained that. The second weekend we had it fully inflated, 150-160 pound rider, 10 mile hour head wind, and still could not get the tube into the air. The riders have all watched the video. We used both the 65' and 55' foot lengths and have tried speeds up to 30 miles on hour. We have 23' - 250 horse I/O - deck boat, with the tow rope attachment about 2/3 of the way up the transom. Any suggestions would be greatly appreciated. Thanks

51. *Steve* Says:  
[June 7th, 2006 at 11:44 am](#)

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Mark,

Keep riding, it will take a few tries to get accustomed to. you should let the tube do all the work. we struggled with this. we were trying to really yank on the handle to make it fly. that is the wrong thing to do. just gradually pull back and the wind should do the rest. make sure the tube is properly inflated very important!!!! be patient. this thing will soar. i have posted here before.. and PLEASE BE CAREFUL!!!!!!

we usually run anywhere between 28 to 32mph depending on the wind. there should be no problem getting a 150 to 160lb guy or girl up. send me you email i will send you some pics

52. *Michael Says:*

June 7th, 2006 at 11:09 pm

We tried this last weekend. It was a blast. Started with the rope at 65 feet behind a Seadoo. Had a little trouble with control at first but once we figured out to go directly into the wind it was fine. If you get out of control just sit down and the tube will go back down to the water. Even my almost 50 year old mom had a blast.

53. *Calestie Says:*

June 7th, 2006 at 11:19 pm

Our family bought the wego kite tube. We all sat down together and watched the instructional video twice!! We are all experienced baoters and have been boating for years. My husband crashed hard on the tube. He was coughing up blood and had to be lifeflighted to closest hospital. Has broken ribs, bruised, and abdominal problems. This tube is NOT SAFE!!!! We followed instructions exactly. It is totally unpredictable. DO NOT BUY IT!!!!

54. *Rod Says:*

June 8th, 2006 at 4:06 pm

We bought a Wego Kite Tube, tried it for a couple weekends, and returned it this week. It can be very dangerous! Please be sure it is properly inflated, do not use in unsteady winds, and the boat driver should never let the tube get more than 5 feet off the water. The kite can easily soar to 25-30 feet, and dump you off hard. We are experienced boaters and tubers, and think this tube will eventually do the same thing to anyone who uses it. It can be a lot of fun, till someone gets hurt. The last time we used the tube, the rider hit the water and was unconscience for about 10 seconds. We experienced a moderate concussion, bruised ribs, coughing up blood, and severe headaches in the short time we used it. Definately not worth the risks!!

55. *David Says:*

June 9th, 2006 at 11:24 am

I just found this site while looking for information about the Wego Kite Tube after a 17 year-old in Winter Haven, Florida sustained a life-threatening injury while using this product. The young man is an experienced wake-boarder who was preparing for the professional circuit (the boat driver was also experienced). This young man sustained a 30-40 foot fall when a sudden gust of wind lifted the tube from 10 feet to that height and then flipped him over. He sustained a dissection of the aorta and has survived only because of prompt emergency care and 6-hour surgery in Tampa.

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This product may provide "thrills," but so does Russian roulette, which is what you are playing every time you take a ride on this kite tube. This young man was not an inexperienced "hot dog"; he was athletic and experienced. This product should be taken off the market!!! Warnings on the tube or on "instructional videos" are not a defense for the continued sale of this product.

For those of you considering purchase and/or use of this kite tube, PLEASE review the many internet postings available. If you still decide to use it make sure you have major medical coverage and funeral arrangements.

56. *Steadywinds.com » Blog Archive » More Kite Tube Problems...* Says:  
June 9th, 2006 at 12:06 pm

[...] Kite Tube!? WOWT | Kite Tubing Writes [...]

57. *Troy* Says:  
June 10th, 2006 at 2:46 am

I have been a boater for many years, my family and I love to tube. When I first saw the Wego Kite Tube (overtons I believe) I had to have one. After 1 trip to the lake and some forum searching, I am putting my tube on ebay. This tube has the potential of hurting many people, and the one ultimately responsible will be the boat driver. This tube will go from skimming the top of the water to 20 feet in a blink of an eye. Now this wouldnt be so bad at 15 or so mph. I had a 190 pounder at over 40 mph before the tube would lift in a low wind situation. Falling off at 40 mph would not be fun. I encourage anyone to watch the videos posted on this site before purchasing a kite tube. Look at how violent the crashes are. Think of the liability involved if someone gets injured behind your boat, or worse. Friends are friends until they are layed up, unable to work, bills are piling up .....lawsuit to follow.

58. *Cader* Says:  
June 12th, 2006 at 12:31 pm

I got on one this weekend and I have to say this is sweet!  
 My brother-in-law took about a 10' spill on his head and got a headache but he has has much worse on his air chair. Granted we were out on a pretty windy day and we shouldn't have been on the first time out.

I keep reading about people getting hurt on this but a lot of them are starting out with the 65' length rope and / or putting it on a ski tower, BOTH of which the instructions say NOT to do!!!

There is a post about a 100' rope on a tower:  
 still recovering Says:  
April 20th, 2006 at 12:53 am

Using a 100 foot line or tying to the tower is just stupid. I did a nose dive at 10' and ended up in the er. If someone does that at 40' or 75' their dead.

Not to sound callus but what do you expect? When you don't follow directions you get hurt -

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no matter the product.

59. *John Stabler* Says:  
June 13th, 2006 at 5:19 pm

I'm all for safe water sports. You should stick within your limits. You need a driver and spotter who know what they're doing. With practice you will control the Wego and not the other way round. But you need to take it slowly and identify unsuitable conditions. Wear appropriate safety gear and if you drive/own the boat you should be insured. Personally I like the Wego and it can be alot of fun when used properly. Sure, I've fallen off a few times (sometimes spectacularly) but never from a height to cause major damage. You should not be flying it at more than 15'. The thing says on it "Don't fly higher than you're willing to fall". If it's going too high for you then there is something wrong and you shouldn't be using it.

#### Dopes on Ropes - Water Skiing and Kite Tubing

60. *admin* Says:  
June 13th, 2006 at 8:20 pm

John,

From a kite point of view it is not stable, so I am not sure how it can be used safely at all. A flat kite needs drag to fly and keep it pointed into the wind. On a flat kite this usually done using some sort of tail or drogue shoot. What I see in the videos etc is the kite starts to cobra, this is when the kite starts to oscilate back and forth and sort of looks like a snake dancing. This is where you get into trouble... if it sways too much one side of the kite will catch a little more wind and keep going and dump the rider and the kite will crash, usually in a nose dive.

just my 2 cents..

-Bill

### Leave a Reply

Name (required)

Mail (will not be published) (required)

Website

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Confirmation Report-Memory Send

Time : Jun-12-2006 08:53am  
Tel line 1 : 9286086259  
Name : GLEN CANYON XEROX ROOM

Job number : 044  
Date : Jun-12 08:49am  
To : 88015244506  
Document Pages : 009  
Start time : Jun-12 08:49am  
End time : Jun-12 08:53am  
Pages sent : 009  
Status : OK  
Job number : 044

\*\*\* SEND SUCCESSFUL \*\*\*



Glen Canyon National Recreation Area  
P.O. Box 1507  
Page, Arizona 86040



FACSIMILE TRANSMISSION SHEET

To: Kevin Jones From: Mark Law  
Fax: 801 524 4506 Date: 6/12/06  
Phone: 801 524 5677, 229 Pages:  
Re: Fax: 928 608-6315  
Phone: 928 608-6252

See Attached  For Review  Please Comment  Please Reply  As Requested

Comment

*Kevin,*  
*Could you review the attached & comment. Kitty is starting to see the proposed restriction as a critical need for the NRA.*

*Thank you,*

*Mark Law*

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"Ray Tsuneyoshi"  
 <RTSUNEYOSHI@dbw.  
 ca.gov>

06/12/2006 11:02 AM  
 MST

To: <KBergersen@azgfd.gov>, <anelson@npgcable.com>, <michael\_mcginnis@nps.gov>, <firstaid@citlink.net>, <doug.schuster@co.mohave.az.us>, <awirtz@fs.fed.us>, <EHuntsman@azgfd.gov>, <fmessman@ndow.org>, <CWall@azgfd.gov>, <JSacco@azgfd.gov>  
 cc: <EHuntsman@azgfd.gov>, <fmessman@ndow.org>, <CWall@azgfd.gov>, <JSacco@azgfd.gov>  
 Subject: Re: Kite Tubes

What is kind of weird coincidence is that I was just in flight fr om Tennessee to Sacramento, reading the "Sky Mall " magazine. The ad for the "Sky Kite " pops up just as th pilot announces that we are flying over Lake Powell. Just from the photo's it looks like there is a potential for instability and no protection for the occupant.

RayT

-----Original Message-----

From: Kevin Bergersen <KBergersen@azgfd.gov>  
 To: anelson@npgcable.com <anelson@npgcable.com>; michael\_mcginnis@nps.gov <michael\_mcginnis@nps.gov>; firstaid@citlink.net <firstaid@citlink.net>; doug.schuster@co.mohave.az.us <doug.schuster@co.mohave.az.us>; awirtz@fs.fed.us <awirtz@fs.fed.us>; D\_Toporek@MCSO.maricopa.gov <D\_Toporek@MCSO.maricopa.gov>; mary\_hinson@nps.gov <mary\_hinson@nps.gov>; darren.simmons@co.yuma.az.us <darren.simmons@co.yuma.az.us>; jcooley@fs.fed.us <jcooley@fs.fed.us>; gpeaslee@pr.state.az.us <gpeaslee@pr.state.az.us>; dale\_enlow@fws.gov <dale\_enlow@fws.gov>; michael\_dodson@blm.gov <michael\_dodson@blm.gov>; jim\_holland@nps.gov <jim\_holland@nps.gov>; IrvineG@ci.lake-havasu-city.az.us <IrvineG@ci.lake-havasu-city.az.us>; azfoot@yahoo.com <azfoot@yahoo.com>; rknotts@pr.state.az.us <rknotts@pr.state.az.us>; atafuya@cybertrails.com <atafuya@cybertrails.com>; tlist@fs.fed.us <tlist@fs.fed.us>; Mark\_Law@nps.gov <Mark\_Law@nps.gov>; steve\_luckesen@nps.gov <steve\_luckesen@nps.gov>; revans@pr.state.az.us <revans@pr.state.az.us>; tim.sonier@co.mohave.az.us <tim.sonier@co.mohave.az.us>; Chris\_Pergiel@nps.gov <Chris\_Pergiel@nps.gov>; randy.johnson@co.mohave.az.us <randy.johnson@co.mohave.az.us>; bpendley@pr.state.az.us <bpendley@pr.state.az.us>; Rick\_Bennett@nps.gov <Rick\_Bennett@nps.gov>; ron.voss@co.yuma.az.us <ron.voss@co.yuma.az.us>; Kerry\_Haut@nps.gov <Kerry\_Haut@nps.gov>; dirk\_murphy@nps.gov <dirk\_murphy@nps.gov>; mark\_pita@nps.gov <mark\_pita@nps.gov>; cdigerolamo@bullheadschoools.com <cdigerolamo@bullheadschoools.com>; randd@redrivernet.com <randd@redrivernet.com>; PNewman@d11.uscg.mil <PNewman@d11.uscg.mil>; SlomaR@ci.lake-havasu-city.az.us <SlomaR@ci.lake-havasu-city.az.us>; bmaddox@sbcscd.org <bmaddox@sbcscd.org>; cbrooks@pr.state.az.us <cbrooks@pr.state.az.us>; baxlund@coconino.az.gov <baxlund@coconino.az.gov>  
 CC: Ray Tsuneyoshi; Ed Huntsman <EHuntsman@azgfd.gov>; Fred Messman <fmessman@ndow.org>; Cindy Wall <CWall@azgfd.gov>; Joe Sacco <JSacco@azgfd.gov>  
 Sent: Mon Jun 12 08:49:44 2006  
 Subject: FW: Kite Tubes

FYI - There's a new water "toy" out there and many of have already had to pick up the pieces, so a few of you already know that we've already input one Arizona boat accident report on these "tube kites" .....unfortunatley I expcet more.

Kevin

-----Original Message-----

From: Robert Baron [mailto:erfpmd1@cox.net]  
 Sent: Fri 6/9/2006 10:47 PM  
 To: Kevin Bergersen; Howard Munding  
 Cc:  
 Subject: FW: Kite Tubes

I wonder if you have seen any injuries from this device on Phoenix area lakes? Watch out for them. They can

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Exhibit H

be very traumatic.

Bob Baron

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From: Luckesen [<mailto:Luckesen@hughes.net>]  
Sent: Friday, June 09, 2006 8:59 AM  
To: Kiko Augusto Villalon; Dr. Robert Baron; Richard Blackman; Bill Furbee; Jennifer Killeen; emy kuncil;  
Jim Leach; Fred Messmann; Joe and Nancy; Rngram@aol.com; Todd Schwede; Ted Woolley  
Subject: Kite Tubes .

In the past three weeks we have had to Airvac four serious injured people from Lake Powell that were engaged in a new water activity called Kite Tubing. This activity involves a large round inflated tube that is towed behind a boat at 20 to 40 mph. The user holds onto the kite tube as it rises into the air to a height of 15 to 60 feet. Controlling a kite tube is extremely challenging and the slightest upset in its balance cause the tub to dive down into the water at a high rate of speed. The individual on these tubes impacted the water at both the forward tow speed of the vessel and then at the downward accelerated speed, which can be as high as 70 MPH. As a medic I have responded to three of these calls in a one week period and my Kite Tubing patients all had to be Airvac to Level I Trauma Centers. A 29-year-old male who suffered a broken neck (double Fx of C-2) and a 26-year-old male with a hemopneumothorax produced by broken ribs. My third patient a 14-year old female suffered a whiplash injury and was released from the hospital. Several weeks' earlier another Medic had a similar case at Lake Powell involving a young man with a severely punctured lung. Several local hospitals have reported recently seeing Kite Tube patients with similar injuries from people that have self transported to their facilities. Taking with other water enforcement agencies they are seeing Kite Tubing injuries and I have heard of one fatality in Texas. This death was due to a transected aortic commonly seen in deceleration auto and airplane type accidents. Interviews with friends and family members of patients have shown a disturbing trend with this use. In all cases at Glen Canyon NRA, multiple minor Kite Tubing injuries occurred with other members of the boating party prior to the incidents that required advanced life support. All victims stated they were using the kite tubes as directed when they suddenly lifted to dangerous heights, became unstable, and plunged up side down into the water. Friends of the victims that did not immediately report their injuries advised that they had coughing up blood, had torn muscles, whiplash type injuries and broken ribs.

Go to the following Internet link and then click on the video section in the upper right hand corner. These clip show graphically what can happen with these devices.

<http://www.kutv.com/video/?id=16192@kutv.dayport.com> <  
<http://www.kutv.com/video/?id=16192@kutv.dayport.com>>

<http://www.kutv.com/video/?id=16155@kutv.dayport.com> <  
<http://www.kutv.com/video/?id=16155@kutv.dayport.com>>

<http://www.break.com/index/tubingtakeoff.html>

Glen Canyon is considering banding these device from boating activities on Lake Powell and Dr. Baron has also taken an active role in banding these devices.

Steve

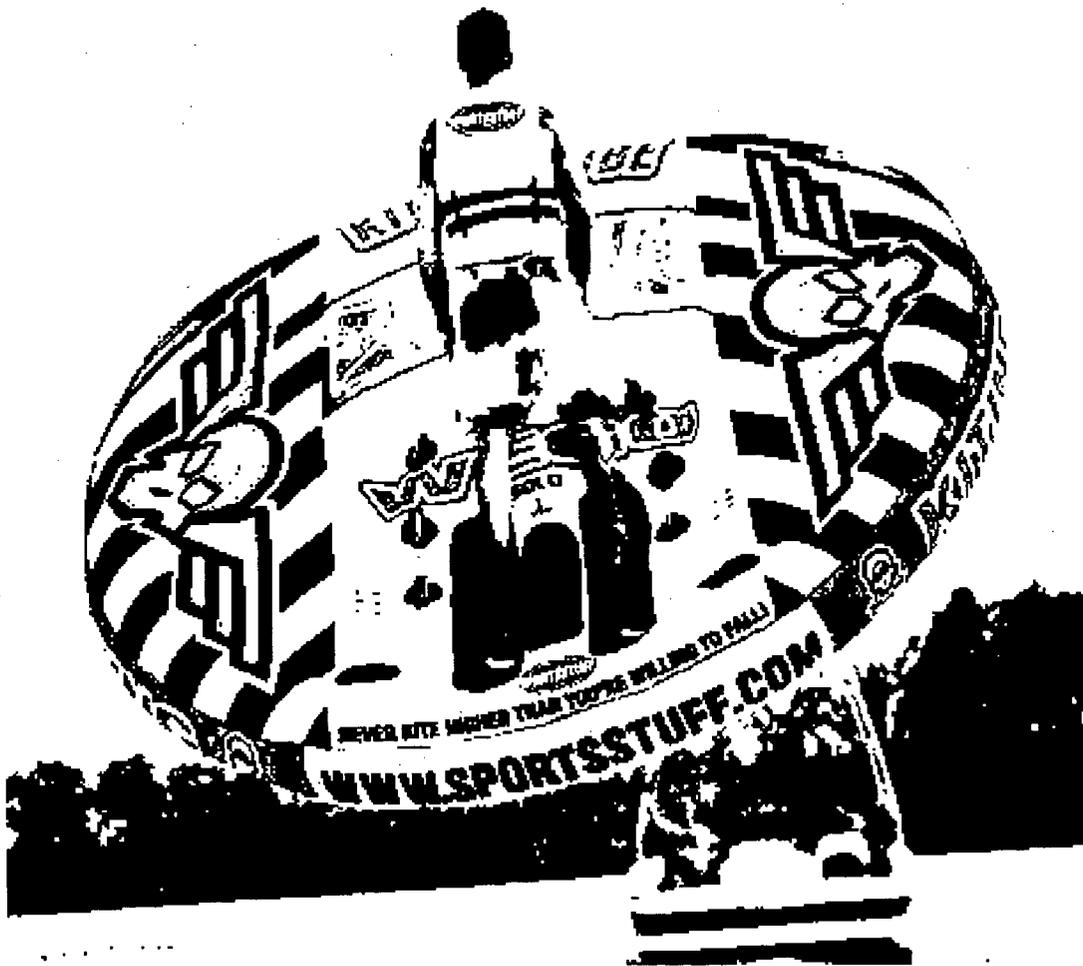
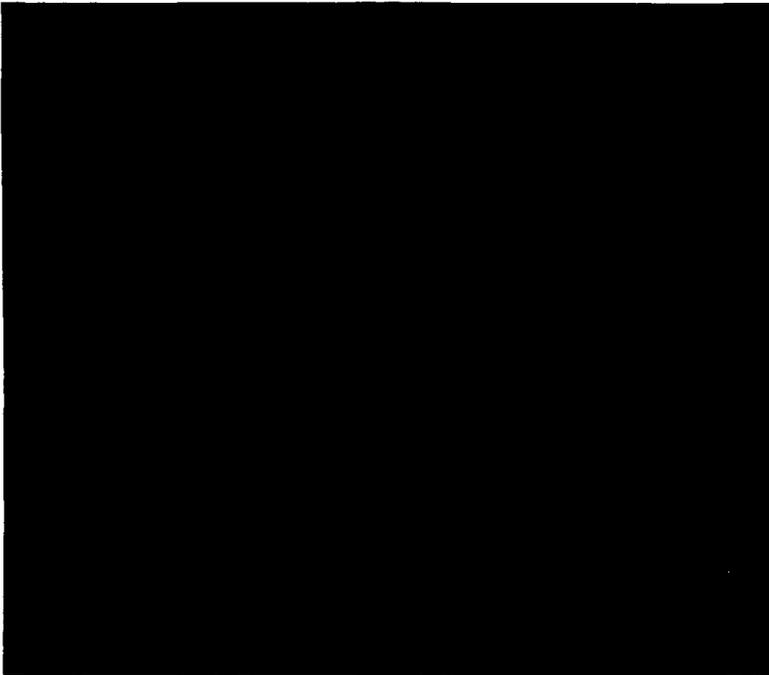


Photo #1: Product as seen on manufacturer's website

**Contact List:**



Mark Law, Law Enforcement Specialist  
National Park Service  
U.S. Department of the Interior  
P.O. Box 1507  
Page, AZ 86040  
(928) 608-6252—P  
(928) 608-6259—F  
Date of Contact: June 16, 2006

Sportsstuff, Inc. (product manufacturer—Wego)  
1-888-814-8833—P  
[www.sportsstuff.com](http://www.sportsstuff.com)  
Date of Contact: June 16, 2006 (contact was made by CPSC, not respondent)

Diversified Marine Products (product distributor)  
1-800-777-0141—P  
[www.dmpmarine.com](http://www.dmpmarine.com)  
Date of Contact: June 16, 2006 (contact was made by CPSC, not respondent)

Vina Ramus, Parts and Accessories Manager  
Marine Max (product retailer--Wego)  
1363 Embarcadero  
Oakland, CA 94606  
(510) 535-6161—P  
(510) 535-1787—F  
[www.marinemax.com](http://www.marinemax.com)  
Date of Contact: June 16, 2006 (contact was made by CPSC, not respondent)

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Larry Meddock, Executive Director  
Water Sports Industry Association  
P.O. Box 568512  
Orlando, FL 32856-8512  
(407) 251-9039—W  
(407) 620-7992—C  
[wsiaheadquarters@earthlink.net](mailto:wsiaheadquarters@earthlink.net)  
Date of Contact: June 29, 2006