

## Article B

All rose as the honorable Judge John Hayes entered the courtroom last Saturday to preside over *Simon vs. Swift*. The jury sat in silence waiting to hear from the plaintiff and defendant to determine whether Jordan Simon's death was accidental or avoidable. On May 6, 2012, 17 year old Jordan Simon, track star at Hilliard high school died of an overdose of the steroid, erythropoietin (EPO). The Plaintiff argued that the death of Jordan was wrongful, the fault of his over-ambitious track coach, Terry Swift, who is said to have encouraged his athletes to use steroids to improve their performance. However, the defendant claimed that Jordan's death was accidental, induced by Jordan's personal choices of which Coach Smith was unaware. The plaintiff provided witnesses who knew Jordan personally through close relationships or medical operations. The witnesses for the defense were those who coached Jordan or worked with Hilliard's athletic programs.

Feeling sympathy was inevitable as Jordan's grieving mother, Kelly Simon, solemnly approached the witness stand. Mrs. Simon described how her only son Jordan felt an immense amount of pressure from Coach Swift to continually improve his track times and was threatened by Swift with the possibility of having his scholarship revoked. Kelly Simon said she was unaware of Jordan's drug use and assumed that his recent illness, acne, and nose bleeds were part of being a teenager and certainly not detrimental. Until recently, the fact that \$25,000 was missing from Jordan's trust fund had remained undetected from Kelly Simon. However, the defense pointed out that Mrs. Simon demonstrated a lack of concern for her son since she failed to take him to the doctor and gave him additional work and responsibilities which increased Jordan's stress.

Although the defense explained to the court that EPO steroids would exceed the budget of any high school student, Dr. Lynn Roper, director of the Midwest Institute of Exercise Physiology, concluded from the autopsy that Jordan Simon most likely used EPO steroids. According to Dr. Roper, Jordan's symptoms and training schedule matched those of an EPO user. In order to develop such a training schedule, Jordan would have to have been educated by a more experienced individual.

Morgan Pierce, Jordan's best friend and fellow track teammate, was the final witness for the plaintiff side. Pierce claimed that Coach Swift pushed him and his fellow teammates too hard and said that his runners must "keep up with the best, and the best use steroids," for steroids were a "small price to pay." The fact that Jordan often missed practice, yet his times improved, caused Pierce to suspect Jordan's use of drugs. Pierce approached Terry Smith on the matter, but claims the coach brushed him off. Jordan agreed with the defense that he and

Jordan had become distant over their Junior year and that he had never witnessed Swift handing out drugs.

The defense's first witness, Jamie Hagar, athletic director at Hilliard, explained the school's drug policy. Hilliard requires its teachers to take a class on steroids; however, Hagar admitted that Swift did not attend the mandatory class. The plaintiff nailed Hagar for not requiring a student drug test, hiring a coach who was involved in the USC drug scandal, and not following up with Simon to confirm that his SCIA form assuring his adherence to Hilliard's drug policy had been signed.

Coach Terry Swift agreed that he did not follow up with Jordan Simon, which, according to Swift, was not his responsibility. He did, however, ensure that each of his athletes received a SCIA form. As far as Jordan's recent development of acne and illness, Coach Swift believes it to be a common occurrence among young athletes. The plaintiff caught Swift's slight slip-up when he agreed that his policy was to not allow the runners to compete without having their drug form signed; yet Jordan Simon was allowed to compete. Suspension was aroused, stated the plaintiff attorney, when Simon's times "went from mundane to record-breaking immediately."

Last to be questioned was Aubrey Brady, who insures that schools comply with the regulations of the South Carolina Interscholastic Association. Brady claimed that Coach Swift was not required by law to follow up with students after distributing the SCIA forms. Brady also believed that Jordan visiting steroid websites and displaying the side effects of EPO did not provide enough proof to perform a drug test.

The plaintiff declared that "circumstantial evidence was everywhere." Coach Swift told his students it was possibly to "dope up" and not get caught, resulting in Jordan Simon's wrongful death; and Hilliard, the plaintiff claimed, could and should have done more to protect its students. However, the Defendant believes taking EPO was a personal choice of Jordan's and does not prove Swift negligent. The ultimate decision is up to the jury, and the court is awaiting the final verdict.