

CAUSE NO. _____

COLE and ALLISON NAYLOR, Individually §
and as Representatives and Heirs of the Estate §
of VIRGINIA WYNNE NAYLOR; §
W. DOUGLAS and CARRIE HANNA, §
Individually and as Representatives and Heirs §
of the Estate of HADLEY REBECCA HANNA; §
LARS and LACEY HOLLIS, Individually §
and as Representatives and Heirs of the §
Estate of VIRGINIA LARINS HOLLIS; §
DAVIN and ANNE LINDSEY HUNT, §
Individually and as Representatives and Heirs §
of the Estate of JANE MARIE HUNT; §
BRANDT and LISA DILLON, Individually §
and as Representatives and Heirs of the §
Estate of LUCY LEE DILLON; J. WADE and §
MALORIE LYTAL, Individually and as §
Representatives and Heirs of the Estate of §
KELLYANNE ELIZABETH LYTAL, §
Plaintiffs, §

VS. §

CAMP MYSTIC, LLC; §
MYSTIC CAMPS FAMILY §
PARTNERSHIP, LTD.; §
MYSTIC CAMPS MANAGEMENT, LLC; §
NATURAL FOUNTAINS PROPERTIES, INC; §
WILLETTA A. EASTLAND, Individually §
and as DIRECTOR and VICE PRESIDENT of §
CAMP MYSTIC, LLC, and as SECRETARY §
of NATURAL FOUNTAINS §
PROPERTIES, INC.; §
GEORGE ALBRITTON EASTLAND, AS §
REPRESENTATIVE OF THE §
ESTATE OF RICHARD G. EASTLAND; §
EDWARD S. EASTLAND and §
MARY E. EASTLAND, Individually, §

Defendants.

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

_____ JUDICIAL DISTRICT

PLAINTIFFS' ORIGINAL PETITION

Plaintiffs file this Plaintiffs' Original Petition complaining of Defendants and respectfully show as follows:

I. DISCOVERY CONTROL PLAN

1. Plaintiffs intend that discovery be conducted under Level 2 of Rule 190 of the Texas Rules of Civil Procedure.

II. THE CAMP MYSTIC DISASTER

2. On July 4, 2025, Plaintiffs' lives were shattered. On that day, the Plaintiffs' young daughters were killed during a predicted flash flood that occurred while the children were entrusted in the care of the Defendants at Camp Mystic summer camp. Plaintiffs bring their wrongful death, and survival causes of action based on the negligence, recklessness, and gross negligence of the Defendants which resulted in the deaths of Virginia 'Wynne' Naylor, Hadley Hanna, Virginia Hollis, Jane 'Janie' Hunt, Lucy Dillon, and Kellyanne Lytal.

Plaintiffs bring this case seeking justice for their daughters; their "babies." Tragically, Wynne, Hadley, Virginia, Janie, Lucy, and Kellyanne lost their young lives in the most horrific, brutal, and terrifying way imaginable. These innocent little girls are unable to express to their parents the terror they experienced as water rose in their cabins, as they desperately tried to keep their heads above the steadily rising water, attempting to escape, and then as they were swept into raging flood waters. Their parents are left to live every single day for the rest of their lives with the intense grief and the thoughts of what their babies endured that fateful night. They can never change the permanent devastation that has happened to their families. But they can and will seek justice for their daughters. They can and will seek accountability from those who caused the avoidable deaths of their children. They can and will do everything in their power to affect change

so that summer camps are safer; so that no other child dies from the negligence, gross negligence, lack of preparedness, and recklessness that resulted in their daughters' deaths at Camp Mystic. This case is about justice for six young girls and accountability for those who are responsible for their deaths.

III. PARTIES

3. Plaintiffs bring this action both individually and as representatives of the estates of their deceased children pursuant to the Texas Wrongful Death Act and the Texas Survival Statute.

VIRGINIA WYNNE NAYLOR

AGE 8 – BUBBLE INN CABIN



Cole and Allison Naylor, parents of Virginia 'Wynne' Naylor, deceased, bring their claims individually and as representatives and heirs of the estate of Virginia Wynne Naylor. Cole and Allison Naylor are residents of Dallas, Dallas County, Texas. At the time of her death, Virginia Wynne Naylor, deceased, was only 8 years old. No administration of her Estate is pending and none is necessary.

HADLEY REBECCA HANNA

AGE 8 – TWINS II CABIN



W. Douglas and Carrie Hanna, parents of Hadley Rebecca Hanna, deceased, bring their claims individually and as representatives and heirs of Hadley Rebecca Hanna. W. Douglas and Carrie Hanna are residents of Dallas, Dallas County, Texas. At the time of her death, Hadley Rebecca Hanna, was only 8 years old. No administration of her Estate is pending and none is necessary.

VIRGINIA LARINS HOLLIS

AGE 8 – TWINS II CABIN



Lars and Lacey Hollis, parents of Virginia Larins Hollis, deceased, bring their claims individually and as representatives and heirs of Virginia Larins Hollis. Lars and Lacey Hollis are

residents of Bellville, Austin County, Texas. At the time of her death, Virginia Larins Hollis, deceased, was only 8 years old. No administration of her Estate is pending and none is necessary.

JANIE MARIE HUNT

AGE 9 – BUBBLE INN CABIN



Davin and Anne Lindsey Hunt, parents of Jane ‘Janie’ Marie Hunt, deceased, bring their claims individually and as representatives and heirs of the Estate of Jane Marie Hunt. Davin and Anne Lindsey Hunt are residents of Dallas, Dallas County, Texas. At the time of her death Jane ‘Janie’ Marie Hunt, deceased, was only 9 years old. No administrations of her Estate is pending and none is necessary.

LUCY LEE DILLON

AGE 8 – TWINS 1 CABIN



Brandt and Lisa Dillon, parents of Lucy Lee Dillon, deceased, bring their claims individually and as representatives and heirs of the estate of Lucy Lee Dillon. Brandt and Lisa Dillon are residents of Houston, Harris County, Texas. At the time of her death, Lucy Lee Dillon, deceased, was only 8 years old. No administration of her Estate is pending and none is necessary.

KELLYANNE ELIZABETH LYTAL

AGE 8 – TWINS I CABIN



J. Wade and Malorie Lytal, parents of Kellyanne Elizabeth Lytal, deceased, bring their claims individually and as representatives and heirs of Kellyanne Elizabeth Lytal. J. Wade and Malorie Lytal are residents of San Antonio, Bexar County, Texas. At the time of her death, Kellyanne Elizabeth Lytal, deceased, was only 8 years old. No administration of her Estate is pending and none is necessary.

4. The **Defendants** (hereinafter “Defendants” or “Camp Mystic”) are composed of Camp Mystic, LLC; Mystic Camps Family Partnership, LTD.; Mystic Camps Management, LLC; Natural Fountains Properties, Inc.; Willetta A. Eastland, Individually and as Director and Vice President of Camp Mystic, LLC, and as Secretary of Natural Fountains Properties, Inc.; George

Albritton Eastland as Representative of the Estate of Richard G. Eastland; Edward S. Eastland and Mary E. Eastland, individually.

Camp Mystic, LLC is a domestic limited liability company with its principal place of business in Hunt County, Texas. Camp Mystic operates a private Christian children's summer camp for girls, located along the Guadalupe River. Defendant Camp Mystic, LLC can be served with process by serving the Texas Secretary of State at 1019 Brazos Street, Austin, Texas 78701. Pursuant to the Texas Business Organizations Code Section 5.201, this Defendant is required but has failed to maintain a registered agent in Texas.

Mystic Camps Family Partnership, Ltd, is a domestic limited partnership with its registered office located in Austin, Travis County, Texas. Defendant Mystic Camps Family Partnership, LTD can be served with process by serving the Texas Secretary of State at 1019 Brazos Street, Austin, Texas 78701. Pursuant to the Texas Business Organizations Code Section 5.201, this Defendant is required but has failed to maintain a registered agent in Texas.

Mystic Camps Management, LLC is a limited liability company with its registered office located in Austin, Travis County, Texas. Defendant Mystic Camps Management, LLC can be served with process by serving the Texas Secretary of State at 1019 Brazos Street, Austin, Texas 78701. Pursuant to the Texas Business Organizations Code Section 5.201, this Defendant is required but has failed to maintain a registered agent in Texas.

Natural Fountains Properties, Inc. is a domestic corporation headquartered in Texas. Defendant Natural Fountains Properties, Inc. can be served with process by Texas Secretary of State at 1019 Brazos Street, Austin, Texas 78701. Pursuant to the Texas Business Organizations Code Section 5.201, this Defendant is required but has failed to maintain a registered agent in Texas.

Willettta A. (“Tweety”) Eastland is an individual residing in Travis County, Texas. Defendant Willettta A. Eastland may be served with process at 2404 Scenic Dr., Austin, Texas 78703, or wherever she may be found.

George Albritton (“Britt”) Eastland, as Representative of the Estate of Richard (“Dick”) G. Eastland, is an individual residing in Texas. This Defendant may be served with process at 401 West Main Street, Kerrville, Texas 78028, or wherever he may be found.

Edward S. Eastland is an individual residing in Texas. This Defendant may be served with process at 1105 Louis St., Kerrville, Texas 78028, or wherever he may be found.

Mary E. Eastland is an individual residing in Texas. This Defendant may be served with process at 1105 Louis St., Kerrville, Texas 78028, or wherever she may be found.

In the event any parties are misnamed or not included herein, Plaintiffs contend this was the result of a misidentification, misnomer, and/or such parties are or were alter egos of parties named herein. Alternatively, Plaintiffs contend any such “corporate veils” should be pierced to hold such parties properly accountable in the interest of justice.

Pursuant to Rule 28 of the Texas Rules of Civil Procedure, Plaintiffs are suing any partnership, unincorporated association, private corporation, or individual whose name contains the words, or who does business under the name of the Defendants.

IV. JURISDICTION AND VENUE

5. This Court has jurisdiction over this matter because the amount in controversy exceeds the minimum jurisdictional limits of this Court.

6. Venue is proper in Travis County, Texas, pursuant to Texas Civil Practice and Remedies Code § 15.002 because Defendant Willettta Eastland resided in Travis County at the time the cause of action accrued. Additionally, Defendants Mystic Camps Family Partnership LTD. and

Mystic Camps Management, LLC maintain their principal places of business and offices in Travis County.

V. BACKGROUND

7. Camp Mystic is a private summer camp in Kerr County, Texas for girls aged eight to seventeen. The camp, owned and operated by the Eastland family, is located on approximately 725 acres adjoining the South Fork Guadalupe River and Cypress Creek. Camp Mystic markets itself as providing a safe and enriching summer experience for children. Tragically, on July 4, 2025, Camp Mystic proved to be anything but safe when 27 girls died when the campsite flooded.

The Eastland family first acquired Camp Mystic in 1939. Camp Mystic has been maintained and operated by the Eastland family for decades. Dick Eastland and his wife, Defendant Willetta ‘Tweety’ Eastland, owned and were the Executive Directors of Camp Mystic since 1974. Defendants Edward and Mary Liz Eastland acted as the Directors at Camp Mystic Guadalupe River. Defendant Natural Fountains Properties, Inc. (“NFP”) owned the real property where Camp Mystic operated.

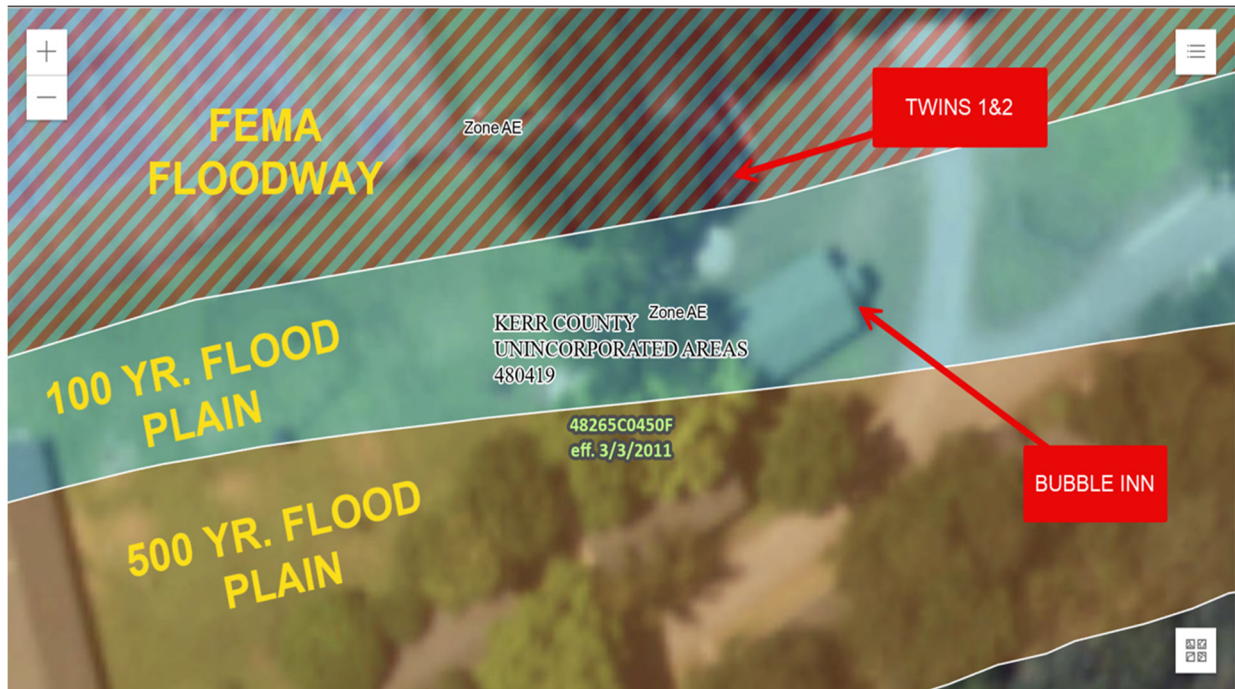
Camp Mystic has many cabins in which the summer campers are housed during the weeks-long summer camp sessions. Each cabin is identified by a name. Each of the Plaintiffs’ daughters who lost their lives were housed in either Bubble Inn cabin or Twins I & Twins II cabins. These three cabins were located in a low area referred to as “the flats” which were within close proximity to the Guadalupe River.

8. Defendants had first-hand knowledge that the Guadalupe River in the area where Camp Mystic is located has a well-documented history of dangerous flooding and is known as "Flood Alley" due to the frequency and severity of flood events. Major flooding events along the Guadalupe River in and around Kerr County occurred in 1932, 1952, 1972, 1973, 1978, 1987, and

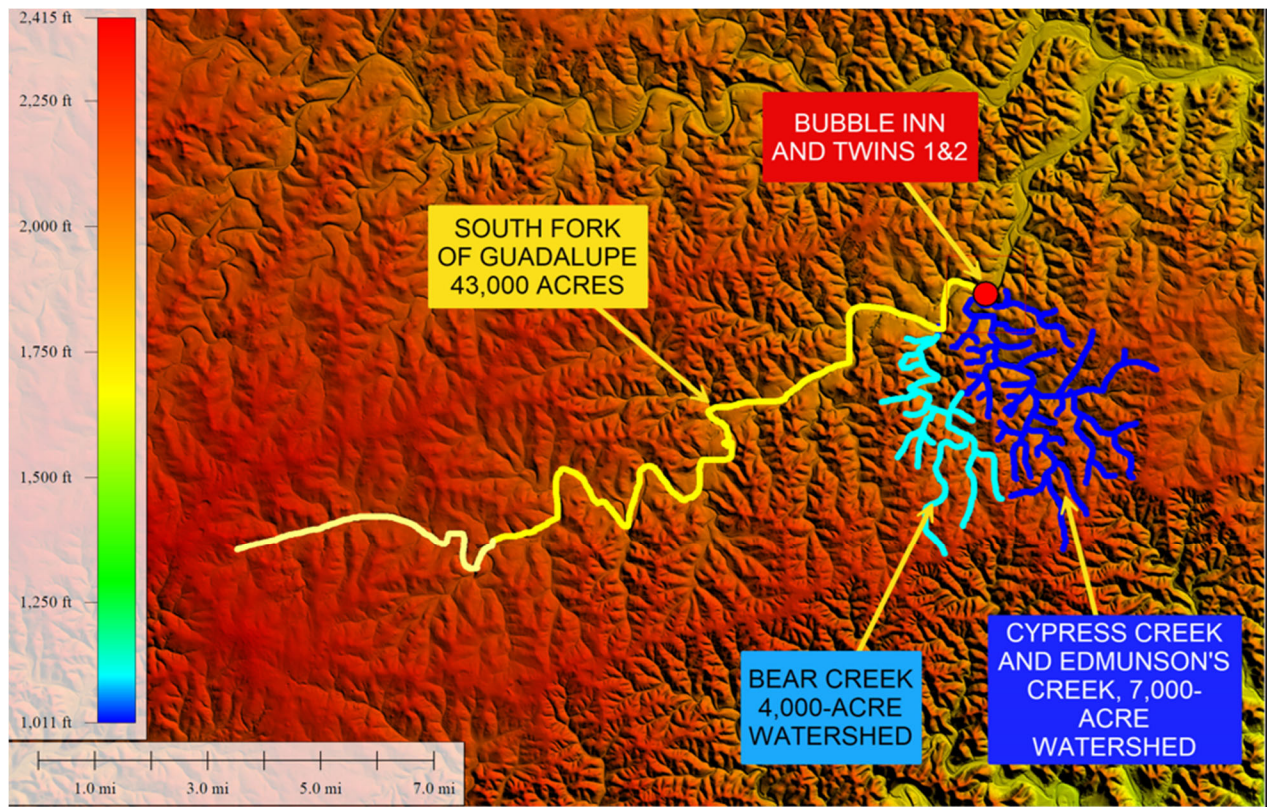
1998. The 1932 flood washed away several cabins at Camp Mystic. Campers were evacuated before the flood ravaged the Camp. The 1978 flood resulted in campers being moved to higher ground in the dark hours of the night. Reportedly, flood waters reached the top of the dining hall steps. In the 1987 flood, a bus carrying campers from a neighboring camp along the Guadalupe River was swept away causing the deaths of 10 teenage campers. In 2011, FEMA placed Camp Mystic in a “Special Flood Hazard Area” in its National Flood Insurance map. Defendants not only had knowledge of this extensive history of severe, deadly floods, it experienced them and suffered damage from them. Nonetheless, Defendants concealed these facts from Plaintiffs.

9. Unknown to Plaintiffs prior to the deaths of their daughters, the area where Camp Mystic is situated is within and near designated floodplains, and flooding in this area is not only foreseeable but has occurred with regularity over many years. Defendants had actual awareness of the severe flood risks posed by the camp's location along the Guadalupe River. Despite this knowledge and history, Defendants failed to warn Plaintiffs of the dangers associated with leaving their girls on this property for multiple weeks. Each of Plaintiffs’ children were in either the Bubble Inn cabin or Twins I & Twins II cabins.

10. The following illustrations demonstrate the proximity of Camp Mystic and the Bubble Inn and Twins I & Twins II cabins to the 100- and 500-year floodplains and the FEMA-designated floodway along the Guadalupe River. The red and blue striped areas reflect the federally designated floodway. The blue-green shaded areas indicate the 100-year floodplain. The gold shaded areas are the 500-year floodplain.



The following graphic demonstrates the point of confluence of 11,000 acres of watershed from Bear Creek, Cypress Creek, and Edmund's Creek. A concentration of multiple watersheds in an area Camp Mystic plus the wide-open flat of alluvial plain created an unusually dangerous death trap. Defendants knew about these conditions, or in the exercise of ordinary care for the protection of their campers should have known, due to the decades of floods experienced at Camp Mystic.



11. During the summer of 2025, Plaintiffs' daughters, Wynne, Hadley, Virginia, Janie, Lucy, and Kellyanne, were enrolled as campers at Camp Mystic along with other young girls. Plaintiffs paid substantial tuition to Defendants for their daughters to attend Camp Mystic, trusting that Defendants would provide a safe environment and proper supervision. Plaintiffs now know that Camp Mystic was anything but safe. In fact, Defendants' actions just in the past few years have demonstrated a conscious disregard for safety of their Camp and its young campers.

Approximately six years ago, Defendants constructed new cabins in a designated flood-risk area. Further, Defendants failed to relocate older cabins that were most subject to flooding dangers; some that were in areas identified by the Federal Emergency Management Agency (FEMA) as the highest-risk location for flooding. Some of the cabins were in the Guadalupe River floodway and floodplains.

12. Plaintiffs were not adequately warned or informed by Defendants about the serious and foreseeable risk of catastrophic flooding at the camp's location or the complete absence of any adequate flood evacuation plan. On the contrary, known dangers associated with the extreme flood risks were concealed from Plaintiffs. Had Plaintiffs known that their daughters would be staying in cabins at Camp Mystic that were in floodplains, they would have never entrusted Wynne, Hadley, Virginia, Janie, Lucy, and Kellyanne in the care of Defendants.

13. The likelihood of catastrophic flash flooding during the evening of July 3 or the early morning of July 4 was well understood and predicted by emergency operations departments, due to the confluence of two extreme weather systems over the western edge of the upper Guadalupe River basin and the well-known propensity of the limestone crust of the river basin to generate dangerous flash floods. Two days earlier, on July 2, Texas Division of Emergency Management had activated emergency response resources ahead of the anticipated flooding. On the morning of July 3, the Texas Emergency Management Coordination Center sponsored a call for state and county officials to brief them regarding the upcoming flooding. At 1:18 p.m. on July 3, 2025, the National Weather Service in San Antonio, Texas issued a Flash Flood Watch for Kerr County. Despite this warning and heavy rain that day, the campers in the Bubble Inn and Twins I & Twins II cabins (the cabins in which Plaintiffs' daughters were housed) were not moved to easily-accessible, safer locations. At 6:26 p.m. on July 3, the National Water Center issued its own warning of the potential for "rapid onset flooding" and "locally considerable impacts" into early morning of July 4. At approximately 1:14 a.m., the National Weather Service issued an Emergency Flash Flood Warning stating that the area was already experiencing "life threatening flash flooding." Dick Eastland and other Defendants received or quickly learned of the NWS Flash Flood Warning.

The Defendants did not immediately scramble to evacuate any of the campers in their care, including the youngest, most helpless eight-and-nine-year-old girls in the Bubble Inn and Twins cabins. Instead, and despite these multiple dire warnings, for roughly over an hour as the waters rose over the Flats, Defendants failed to evacuate any helpless campers or counselors, although not without first taking measures to secure lawn equipment and canoes to safe locations.

Roughly over an hour after receiving the “life threatening flash flooding” warning, and only after panicked girls in other cabins insisted on escaping to higher ground or structures—as their cabins filled up with water – did Defendants begin reluctantly facilitating an evacuation, allowing them to wade through the rising waters. As the flood waters continued to rise inside their cabins, still other groups of older girls defied orders and escaped through windows to climb up an adjacent hill to safety. All of those girls who stayed on the hill survived.

14. Even though many campers escaped to higher ground, Defendants instructed that the youngest campers in Bubble Inn and Twins I & Twins II be kept in the cabins although water was rapidly rising within the cabins. There were multiple ways Plaintiffs’ daughters could have been evacuated to escape the rising flood waters. Within only 20 yards from the Bubble Inn door was a hill. The girls in Bubble Inn could have run to the higher ground in a matter of a few seconds. The following photograph was taken from the door of Bubble Inn.



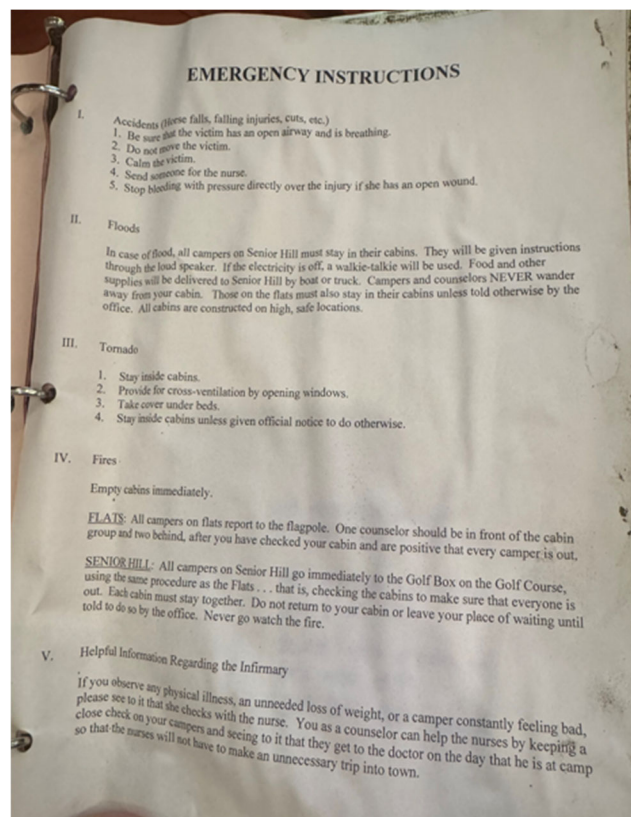
Within approximately 20 yards from Twins I & Twins II was a two-story “Commissary” building with external steps to the upper floor. Camp Mystic staff just yards away from the youngest campers in Bubble Inn and Twins I & Twins II remained in their residence above the Commissary building and survived.



Defendants' gross negligence in instructing Plaintiffs' daughters in Bubble Inn and Twins I & Twins II to remain in their cabins, failing to maintain proper emergency protocols and evacuation plans, especially in pre-warned impending weather emergencies, directly caused their senseless deaths as they were finally swept away in raging flood waters.

15. Despite the flood warnings on the early afternoon of July 3, the girls were not evacuated earlier in the day before the severe rain began. Once the situation became dire, even in the absence of advanced planning, common sense should have dictated that the girls be taken 20-yards away to high ground. No flood evacuation plans were in place before the girls arrived at Camp Mystic. Plaintiffs' daughters were housed in cabins in the flood plains. Defendants initially focused first on saving their tools and equipment rather than evacuating eight and nine-year-old girls. Further, Tweety Eastland and Mary Liz Eastland prioritized their own safety and survived.

16. Camp Mystic's so-called "Emergency Instructions" was a single page document addressing all types of emergencies that might arise during camp sessions. A snapshot of the scant "Floods" section is provided below. Tragically, the last two sentences of Camp Mystic's instructions caused the loss of Plaintiffs' children's lives. To instruct children to stay in a cabin with rising flood waters was ultimately a death sentence. Further, to state that "[a]ll cabins are constructed on high, safe ground" was patently false, misleading created a false sense of safety. Upon information and belief, the following copy of the "Emergency Instructions" was found in one of the counselor's flooded trunk that contained her belongings.



Tragically, due to lack of planning, the absence of any evacuation plans, lack of training, inadequate warning systems, and other acts and omissions of recklessness and gross negligence, Plaintiffs' daughters suffered terrifying, brutal, and horrific deaths. Defendants falsely led

Plaintiffs to believe that Camp Mystic was safe. They concealed the fact that Camp Mystic was located in and near dangerous floodplains, and lacked of safety and emergency planning. Plaintiffs trusted and relied on Defendants to provide a safe environment for their young daughters. Sadly, Plaintiffs now live everyday with the grief and guilt of leaving their daughters in the care, custody, and control of Defendants.

17. Wynne, Hadley, Virginia, Janie, Lucy, and Kellyanne did not have to die. They should not have lost their lives at the tender age of eight and nine years. Defendants' recklessness, negligence, and gross negligence were the direct and proximate cause of the deaths of these innocent young girls and resulting damages suffered by their parents and families.

VI. CHRONOLOGY OF THE JULY 2025 TRAGEDY

18. The Defendants' negligence, gross negligence, and recklessness is clearly illustrated in the timeline of events which unfolded unbeknownst to Plaintiffs, in the last hours of their daughters' lives and events thereafter.

July 2, 2025, at 5:47 p.m.: In anticipation of flooding in the region, the Texas Department of Emergency Management (TDEM) activated a State of Emergency response, deploying swift water rescue assets to the area.

July 3, 2025: TDEM Region 6 contacted the county judges and mayors of the predicted flooding areas and officially notified them of the potential weather threats. The National Weather Services issued a Flood Hazard Outlook for Kerrville. At 10:48 a.m., the National Weather Service issued a Flood Watch for the area and pushed this information through social media, newscasts, and other emergency communication systems at 2:35 p.m. At 6:10 p.m. the National Weather Service issued an assessment for meteorologists referencing flash flooding.

July 3, 2025, at 11:13 p.m.: A Flood Advisory was posted for Kerr County. The National Weather Service issued an assessment of significant flooding likely.

July 4, 2025: Despite the rain and early weather advisories, several counselors and workers had left Camp Mystic for their routine night off. Several counselors have indicated that counselors and workers began returning to Camp Mystic starting by at least 12:40 a.m.

July 4, 2025. At 01:14 a.m.: Dick Eastland and the Camp Mystic staff received the National Weather Service Flash Flooding alert.

According to Edward Eastland, Dick Eastland had a home weather station that he monitored. Edward Eastland remembered being awoken by Dick Eastland, via handheld radio, telling him that they had received 2 inches of rain in the last hour. Reportedly, Glenn Juenke, the Camp Mystic night watchman was the first to receive the warning. Based on these accounts, Camp Mystic was undoubtedly aware of the issued warning of Flash Flooding.

July 4, 2025, at 01:45 a.m.: According to reports from Glenn Juenke, some of Camp Mystic's workers who had been previously stranded outside of camp due to a mechanical issue with their van, returned to the camp in another vehicle sent by Camp Mystic. Glenn Juenke provided an interview to the New York times which identified that these workers returned "*after a harrowing drive. The roads had been passible, but by then the rain had become intense.*"

Glenn Juenke in his account to the media identified that he was able to contact his wife and advised her that he would not be returning home at that time due to road conditions.

July 4, 2025, at or about 01:47 a.m.: Dick and Edward Eastland met with the Camp Mystic Grounds Crew and began securing equipment around the property (rather than securing the safety of the children).

July 4, 2025, at 02:00 a.m.: The Kerr County Sheriff's Department received its first emergency phone call about hazardous conditions. At this time, numerous campers identified that the intensity of the storm woke them up from their sleep. Edward Eastland advised that he attempted to send Glenn Juenke home because his shift was over, but the river had already risen too far for a car to pass over it safely.

July 4, 2025, at 02:10 a.m.: Counselors from the Bug House cabin arrived at the office advising staff that the cabins are flooding. They are told to return to their cabins and shelter in place. The cabins did not have an adequate number of counselors and new counselors had not been paired with experienced counselors. To compound issues, no counselors within the cabins were allowed to have any communication device. None of the cabins had a weather radio or a walkie-talkie for remote communication.

July 4, 2025, at 2:13 a.m.: Upon information and belief, Edward and Dick Eastland are still securing equipment around the camp. The Camp Mystic counselors and children were still sheltering in place at the direction of Defendants.

July 4, 2025, at 02:19 a.m.: Camp Mystic's staff became aware that the Bug House cabin was also taking on water. According to Edward Eastland, he, Dick Eastland, and the counselors drove to the Bug House cabin to check the conditions. Edward Eastland confirmed that water was entering the cabin but instructed the counselors to put towels down at the base of the doorway and stay in the cabin.

July 4, 2025, at or about 02:25 a.m.: Edward Eastland received a frantic call via handheld radio from the gatekeeper, Francis Blackwell, stating that the gate house was taking on water, Edward tells Francis to get out of the gatehouse. Edward Eastland stated that he knew at this time that the situation was "very serious."

July 4, 2025, at 02:30 a.m.: Glenn Juenke, in his account to the New York Times, stated evacuation of some of the cabins had begun. He further stated that the conditions were so severe at this point that he felt taking a vehicle to aid in the rescue would not be safe. This is one hour and fifteen minutes after receiving the warning that “life threatening flash flooding” was occurring and thirty minutes after being told by counselors of active flooding within the cabins.

Several counselors at Camp Mystic recall Glenn Juenke driving to their cabin and asking if their cabin was flooding. Despite the fact the cabins were flooding, he then told them to just stay in their cabin.

July 4, 2025, at or about 03:00 a.m.: Counselors in some cabins were awakened by the storm. This is one hour and forty-five minutes after Camp Mystic first received notice that conditions were worsening and that danger was imminent. These counselors awakened on their own accord and began the process of waking up their campers and quickly exiting with them to the hillside to the east of the cabins.

July 4, 2025, at 03:11 a.m.: Camp Mystic counselors positioned in higher elevation levels provided several accounts that this was the time they were woken up to start evacuation of the cabins near the river. This action is almost two hours after the Camp Mystic staff were initially notified of the impending dangerous conditions.

July 4, 2025, at 03:26 a.m.: Time-stamped photos from Camp Mystic at 3:26 a.m. illustrates that the camp was flooding but the campers were still able to walk to safer, higher grounds.



July 4, 2025, at 03:30 a.m.: The Kerrville emergency service received numerous calls for airlift assistance.

July 4, 2025, at 03:44 a.m.: On or about this time cabin doors were breaking open and water began rushing in.

July 4, 2025, at 03:51 a.m.: Reportedly, this is the time that Dick Eastland's Apple Watch registered that it was submerged in water.

July 4, 2025, at 03:59 a.m.: Emergency services received an emergency call from Camp Mystic.

July 4, 2025, at 04:09 a.m.: Reportedly, this is the time that Edward Eastland's Apple Watch was submerged in water.

July 4, 2025, at 09:44 a.m.: Mary Liz Eastland, in a Camp Mystic text group, stated that they were still searching for girls.

July 4, 2025, at 10:57 a.m.: Mary Liz Eastland advised via text that there were rescue boats searching the river for the children.

19. As illustrated by the timeline, literally hours of inaction by the Defendants resulted in mayhem and bedlam. As the water rose within the Bubble Inn and Twins I & Twins II cabins, the terrified girls began climbing up the top bunk beds or treading water to try to keep their heads above water. As the pictures below from the Twins cabin illustrate, the water rose so close to the ceiling (5 $\frac{3}{4}$ inches) the girls ran out of air space and were tragically swept into the raging flood waters. Lucy Dillon, did not make it out of the cabin where she lost her life.





The flood waters ripped the children away from the roofs, doors, furniture, trees, and hands of each other into the raging river.

VII. DEFENDANTS' NEGLIGENCE, RECKLESSNESS, AND WRONGFUL CONDUCT

20. Defendants knew or should have known that the camp's location presented a serious and foreseeable risk of catastrophic flooding. Despite this knowledge, Defendants failed to implement adequate safety measures, emergency response procedures, and evacuation plans to protect the children in their care.

21. Specifically, Defendants were negligent and reckless in the following respects:
- a. **Failure to Maintain Adequate Emergency Plans:** Defendants failed to develop, implement, maintain, or follow adequate emergency response and evacuation plans for flooding events, despite the foreseeable and well-known risk of flooding at the camp's location.
 - b. **Failure to Evacuate:** Defendants failed to evacuate the children from dangerous areas when flooding was imminent or when flood warnings were issued, and failed to evacuate once flooding began.
 - c. **Failure to Move Children to Safety:** Once flooding commenced, Defendants failed to move the children to higher ground or other safe locations in a timely manner.

- d. **Dangerous Location of Cabins:** Defendants negligently housed children in cabins that were located in the flood plain and/or in areas known to be at high risk for flooding.
- e. **Failure to Warn Parents:** Defendants failed to provide adequate advance warnings to parents about the historical flooding danger and the specific risks associated with the camp's location in flood plains.
- f. **Failure to Monitor Weather:** Defendants failed to adequately monitor weather conditions and flood warnings to enable timely protective action.
- g. **Inadequate Training:** Defendants failed to adequately train staff on emergency flood response procedures and evacuation protocols.
- h. **Failure to Maintain Communication Systems:** Defendants failed to maintain adequate communication systems to alert staff and campers of the flooding danger and coordinate evacuation efforts.
- i. **Negligent Hiring and Supervision:** Defendants negligently hired, trained, and supervised staff members who were responsible for the safety of the children.
- j. **Violation of Industry Standards:** Defendants failed to comply with applicable industry standards for summer camps, including standards related to site selection, emergency preparedness, and risk management.

VIII. CAUSES OF ACTION

COUNT 1: NEGLIGENCE

22. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

23. Defendants owed a duty to Plaintiffs' daughters to exercise reasonable care for their safety while they were attending Camp Mystic. Defendants owed a heightened duty of care because Plaintiffs' daughters were minor children who were entrusted to Defendants' care, custody, and supervision. Given the camp's location in a high-risk flood area known as "Flood Alley," Defendants owed a duty to take reasonable precautions against the foreseeable risk of catastrophic flooding.

24. Defendants breached their duties of care as more fully set forth in paragraphs 20 (a) through (j) above. Defendants' breaches of duty were the direct and proximate cause of the

deaths of Plaintiffs' daughters. As a direct and proximate result of Defendants' negligence, Plaintiffs have suffered severe damages as detailed below.

COUNT 2: GROSS NEGLIGENCE

25. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

26. Defendants knew that cabins and facilities were in a designated flood zone. In fact, Defendants conceal this from the public. Specifically, Defendants appealed to FEMA to remove “100-year floodplain” designation from dozens of cabins. FEMA had included Camp Mystic in a “Special Flood Hazard Area” in its National Flood Insurance map for Kerr County in 2011. Because of this designation, Defendants were required to have flood insurance for Camp Mystic. The removal of these cabins from the FEMA floodplain map allowed Defendants to avoid or reduce flood insurance requirements and lower its insurance premiums.

But more importantly, removal of cabins from the FEMA flood plain allowed Defendants to advertise that Camp Mystic’s facilities were “safe” from a known flood risk. This conduct cannot be legitimately viewed as anything other than the Defendants’ motive, to prioritize profits over the safety of the campers, and transparency to parents and the public.

Defendants' conduct constituted gross negligence under Texas law. Defendants acted with conscious indifference to the rights, safety, and welfare of Plaintiffs' daughters and others. Defendants knew or should have known of the extreme degree of risk posed by operating a children's camp in "Flood Alley" without adequate safety measures and emergency response procedures. Despite this knowledge, Defendants proceeded with conscious indifference to the safety of the children in their care.

27. Defendants' gross negligence includes, but is not limited to:

- a) Operating a children's camp in a known flood hazard area without implementing adequate flood safety and evacuation procedures;
- b) Housing children in cabins located in the floodplain despite knowing the area's history of catastrophic flooding;
- c) Failing to evacuate children when flooding was imminent or underway, despite the obvious and extreme risk to their lives;
- d) Failing to warn parents about the specific and serious flood risks associated with the camp's location; and
- e) Failing to implement or follow any reasonable emergency response plan despite the known and extreme danger.

28. Defendants' gross negligence was the direct and proximate cause of the deaths of Plaintiffs' daughters.

29. As a direct and proximate result of Defendants' gross negligence, Plaintiffs are entitled to exemplary damages in addition to actual damages.

COUNT 3: BREACH OF EXPRESS AND IMPLIED WARRANTIES

30. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

31. By accepting Plaintiffs' children as campers and accepting payment for camp services, Defendants made express and implied warranties regarding the safety and quality of the services to be provided.

32. Defendants expressly warranted through their marketing materials, website, brochures, and other communications that Camp Mystic provided a safe environment for children and that appropriate safety measures were in place.

33. Defendants impliedly warranted that the camp services would be fit for the particular purpose of providing a safe summer camp experience for minor children.

34. Defendants impliedly warranted that the camp services would be of merchantable quality and fit for the ordinary purposes for which such services are used.

35. Defendants breached these express and implied warranties by:

- a. Failing to provide a safe environment;
- b. Failing to implement adequate safety and emergency response measures;
- c. Operating the camp in a dangerous location without adequate safeguards;
and
- d. to protect the children from foreseeable harm.

36. Defendants' breaches of warranty were a producing cause of the deaths of Plaintiffs' daughters and Plaintiffs' resulting damages.

COUNT 4: FAILURE TO WARN

37. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

38. Defendants had superior knowledge of the serious flood risks;

39. Defendants knew or should have known that the flood risks were not obvious to Plaintiffs or other reasonable parents considering enrolling their children at Camp Mystic.

40. Defendants had a duty to warn Plaintiffs of the specific and serious flood risks associated with the camp's location, including the camp's location in an area known as "Flood Alley" with a well-documented history of catastrophic flooding.

41. Defendants failed to provide adequate warnings to Plaintiffs regarding these serious and foreseeable risks and Camp Mystic's lack of emergency and evacuation plans;

42. Had Defendants provided adequate warnings, Plaintiffs would not have enrolled their daughters at Camp Mystic.

43. Defendants' failure to warn was a producing cause of the deaths of Plaintiffs' daughters.

COUNT 5: PREMISES LIABILITY

44. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

45. Plaintiffs' daughters were invitees on Defendants' premises.

46. Defendants, as owners, operators, and/or controllers of the Camp Mystic premises, owed a duty to Plaintiffs' daughters to keep the premises in a reasonably safe condition and to warn of dangerous conditions that were not open and obvious.

47. The dangerous conditions of the premises—specifically, the location of cabins and camp facilities in a floodplains— was known to Defendants or should have been known through the exercise of reasonable care.

48. The dangerous conditions posed an unreasonable risk of harm to children attending the camp.

49. Defendants failed to adequately protect against this danger or to provide adequate warnings.

50. Plaintiffs' daughters did not know of the danger and could not reasonably have protected themselves from the danger given their age and the circumstances.

51. The dangerous condition of the premises was a producing cause of the deaths of Plaintiffs' daughters.

COUNT 6: WRONGFUL DEATH

52. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

53. Plaintiffs bring this action pursuant to the Texas Wrongful Death Act, Texas Civil Practice and Remedies Code § 71.001 et seq.

54. The wrongful acts, negligence, carelessness, unskillfulness, and gross negligence of Defendants caused the deaths of Plaintiffs' daughters.

55. As a direct and proximate result of Defendants' wrongful conduct, Plaintiffs have suffered damages as set forth below, including but not limited to loss of companionship, society, love, affection, and support.

COUNT 7: SURVIVAL ACTION

56. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

57. Plaintiffs bring this action on behalf of the estates of their deceased daughters pursuant to the Texas Survival Statute, Texas Civil Practice and Remedies Code § 71.021.

58. Before their deaths, Plaintiffs' daughters experienced conscious pain and suffering, horrific pre-impact terror, and mental anguish as the floodwaters rose and they faced imminent death.

59. The estates of Plaintiffs' daughters are entitled to recover damages for this conscious pain and suffering, mental anguish, and other injuries sustained before death.

COUNT 8: BREACH OF FIDUCIARY DUTY

60. Plaintiffs incorporate by reference all previous paragraphs as if fully set forth herein.

61. By accepting custody and care of Plaintiffs' minor daughters, Defendants assumed a fiduciary relationship and owed fiduciary duties to Plaintiffs and their daughters.

62. These fiduciary duties included the duty to act in the best interests of the children, to exercise the highest degree of care for their safety, and to disclose material information affecting their welfare.

63. Defendants breached these fiduciary duties by failing to protect the children from foreseeable harm, failing to implement adequate safety measures, and failing to disclose the serious flood risks.

64. Defendants' breaches of fiduciary duty were a producing cause of the deaths of Plaintiffs' daughters and Plaintiffs' resulting damages.

IV. DAMAGES

65. As a direct and proximate result of Defendants' wrongful conduct, Plaintiffs have suffered and will continue to suffer severe damages, including but not limited to:

A. **Wrongful Death Damages**

- a. Loss of companionship, society, comfort, love, and affection;
- b. Loss of advice, counsel, and guidance;
- c. Mental anguish, emotional distress, and grief;
- d. Loss of support and services;
- e. Loss of inheritance and future contributions; and
- f. All other elements of damages available under the Texas Wrongful Death Act.

B. **Survival Action Damages**

- g. Conscious pain and suffering experienced by Plaintiffs' daughters before death;
- h. Pre-impact terror and mental anguish;

- i. Physical injuries sustained before death; and
- j. all other elements of damages available under the Texas Survival Statute.

C. Exemplary Damages

- k. Due to Defendants' gross negligence and conscious indifference to the safety of Plaintiffs' daughters, Plaintiffs are entitled to exemplary damages pursuant to Texas Civil Practice and Remedies Code Chapter 41.

D. Pre-Judgment and Post-Judgment Interest

- l. Pre-judgment interest on all damages at the maximum rate allowed by law; and
- m. Post-judgment interest at the rate provided by law.

66. Plaintiffs seek damages in excess of the minimum jurisdictional limits of this Court but within the jurisdictional limits.

X. JURY DEMAND

67. Plaintiffs respectfully request a trial by jury on all issues so triable and have paid the requisite jury fee.

XI. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray that Defendants be cited to appear and answer, and that upon final trial, Plaintiffs have judgment against Defendants, jointly and severally, for:

- A. Actual damages in an amount within the jurisdictional limits of this Court;
- B. Exemplary damages as allowed by law;
- C. Pre-judgment interest at the maximum rate allowed by law;
- D. Post-judgment interest at the rate provided by law;
- E. Court costs;
- F. Reasonable and necessary attorney's fees as allowed by law; and

G. Such other and further relief, at law or in equity, to which Plaintiffs may show themselves justly entitled.

Respectfully submitted,



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