

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

BLAKE and CAITLIN BONNER, §  
Individually and as Representatives of LILA §  
BONNER, Deceased; MATTHEW and §  
WENDIE CHILDRESS, Individually and as §  
Representatives of CHLOE CHILDRESS, §  
Deceased; RYAN and ELIZABETH §  
DEWITT, Individually and as §  
Representatives of MOLLY DEWITT, §  
Deceased; JOHN and ANDREA §  
FERRUZZO, Individually and as §  
Representatives of KATHERINE §  
FERRUZZO, Deceased; BEN and §  
NATALIE LANDRY, Individually and as §  
Representatives of LAINEY LANDRY, §  
Deceased; LINDSEY MCCRORY, §  
Individually and as a Representative of §  
BLAKELY MCCRORY, Deceased; §  
WARREN and PATRICIA BELLOWS, §  
Individually and as Representatives of §  
ANNA MARGARET BELLOWS, §  
Deceased; PATRICK and JILL MARSH, §  
Individually and as Representatives of §  
SARAH CATHERINE MARSH, Deceased; §  
CHRISTOPHER JACOB and §  
SAMANTHA JORDAN, Individually and as §  
Representatives of MARY KATHRYN §  
JACOB, Deceased, §

Plaintiffs, §

v. §

JENNIFER A. SHUFORD, TIMOTHY H. §  
STEVENSON, JEFFREY ADAM BUUCK, §  
ANNABELLE R. DILLARD, LINDSEY R. §  
EUDEY, and MARICELA TORRES §  
ZAMARRIPA, each of whom is an official §  
of the Texas Department of State Health §  
Services, in their individual capacities, §

Defendants.

Civil Action No. 1:26-cv-00413

**COMPLAINT**

Plaintiffs Blake and Caitlin Bonner, individually and as representatives of Lila Bonner, deceased; Matthew and Wendie Childress, individually and as representatives of Chloe Childress, deceased; Ryan and Elizabeth DeWitt, individually and as representatives of Molly DeWitt, deceased; John and Andrea Ferruzzo, individually and as representatives of Katherine Ferruzzo, deceased; Ben and Natalie Landry, individually and as representatives of Lainey Landry, deceased; Lindsey McCrory, individually and as representative of Blakely McCrory, deceased; Warren and Patricia Bellows, individually and as representatives of Anna Margaret Bellows, deceased; Patrick and Jill Marsh, individually and as representatives of Sarah Catherine Marsh, deceased; and Christopher Jacobe and Samantha Jordan, individually and as representatives of Mary Kathryn (“Mary Kate”) Jacobe, deceased, bring this action against defendants Jennifer A. Shuford, Timothy H. Stevenson, Jeffrey Adam Buuck, Annabelle R. Dillard, Lindsey R. Eudey, and Maricela Torres Zamarripa—officials of the Texas Department of State Health Services—in their individual capacities. Based on actual knowledge as to themselves and their own actions, and on information and belief as to all other persons and matters, plaintiffs respectfully allege as follows:

#### INTRODUCTION

1. Years ago, the Texas Legislature and Governor decided to require youth camps to have evacuation plans. They knew camps are not safe unless they have advance plans to evacuate cabins during an emergency, especially floods, which are so common in central Texas. They directed a specific state agency – the Department of State Health Services – to enforce the rule. Yet DSHS officials quietly decided *not* to enforce this requirement. For at least a decade, they licensed a camp on the banks of a river, in the heart of “Flash Flood Alley,” with *no* evacuation plan. In fact, officials knew the camp had an *anti*-evacuation plan – a “stay put” policy.

2. Last July 4th, the floods came and, inevitably, chaos ensued. Young campers and counselors were killed because the camp had no plan. The camp is responsible, but so are the state

officials who helped create this inexcusable risk to life by directing and executing a policy of non-compliance with Texas law.

3. Youth camp is a time-honored tradition in Texas, where children can unplug, make friends, and enjoy time in nature. But this tradition is possible only if campers go home safe and healthy. To that end, the Texas legislative and executive branches enacted a regulatory scheme to make camps safe for our most vulnerable Texans. The Legislature passed laws imposing minimum safety standards for the camps, and it tasked the executive branch with writing rules and regulations to ensure camps comply with state law. These rules turned a legislative mandate into specific safety requirements that camps must follow, and certain state officials must verify, before camps may be entrusted with Texas children. But as a matter of policy and practice, the defendant officials disregarded these safety requirements and caused the preventable deaths of 27 young girls.

4. For over twenty years, oversight of Texas camps has been an exclusive duty of DSHS and its officials. The DSHS Youth Camp Program “licenses, inspects, provides outreach and education, and *enforces rules and statutes* related to youth camps.” DSHS publicly holds itself out as responsible for ensuring “*safe facilities* and practices for the lodging, feeding, daily activities, and care of children.” When they became responsible for licensing camps and certifying their compliance with state law, DSHS and its officials took on a duty to act in accordance with Texas law and the protections of the U.S. Constitution.

5. The rules DSHS officials must enforce include minimum safety requirements for emergency planning at youth camps. The rules require camps to have a “written plan of procedures to be implemented in case of a disaster.” This written plan is mandatory. Among other elements, the plan “shall” include plans for “*evacuation of each occupied building* and the facility.” This is

mandatory. The rules require the plan to be posted in each cabin, and camp employees must be trained on it. None of this is discretionary. It is a prerequisite for licensure in Texas.

6. The reason for this requirement is obvious. These camps house children. We cannot rely on children to have the experience, maturity, mobility, or awareness to protect themselves in an emergency. And an evacuation plan saves lives. It ensures that adult camp staff – *in advance* – think through appropriate steps, know and practice the process, and communicate clearly, so that they can act immediately and effectively in a crisis to get campers and counselors to safety without panic. Without an existing evacuation plan, confusion, uncertainty, and fear can turn a manageable emergency into a mass casualty event.

7. Tragically, that is what happened at Camp Mystic. On July 4, 2025, young campers and counselors needlessly died in the flood. They died because the camp had *no plan* to evacuate the riverside cabins where the girls slept. Instead, the camp’s stated policy was for campers *not to evacuate* during a flood. So, as the waters rose in the early hours of July 4, the camp staff panicked and delayed moving girls to safety until it was too late. The lack of the state-required evacuation plan created chaos that cost 27 young lives.

8. In their grief, families who lost their daughters (now known as Heaven’s 27) asked a painful question. How can a Texas camp operate without the required plan for “evacuation of each occupied building”? The answer from DSHS officials was shocking: despite admitting that Texas law requires it, their established policy is *not* to confirm that an evacuation plan exists. In fact, DSHS officials decided years ago to license a camp so long as it has *any* sort of “emergency plan,” whether or not it calls for evacuation. In other words, the State agency and officials charged with enforcing Texas camp safety decided *not* to enforce Texas law requiring an evacuation plan, one of the very laws the agency was created to enforce.

9. This policy is no mere mistake. It was deliberate, longstanding, and directed down the chain by or to each defendant. It was in place and followed for years, including at Camp Mystic, which was licensed to operate with *no* required evacuation plan. Following this policy, the DSHS inspector who annually evaluated Camp Mystic’s emergency plan simply checked whether some “emergency plan” existed, not whether there was any *evacuation* plan. This DSHS policy violates state law; flouts DSHS’s duty to protect Texas youth; disregards a known, obvious, and excessive safety risk to the very people the rule was designed to protect; and caused the foreseeable and needless deaths of 27 young campers and counselors.

10. Officials responsible for the DSHS Youth Camp Program—defendants Shuford, Stevenson, Buuck, Dillard, and Eudey—directed and implemented this policy of non-compliance with state law. Because of their policy, inspectors like defendant Zamarripa systematically ignored required safety rules. Despite ample time and minimal burden, they chose year after year *not* to verify whether camps actually had plans to evacuate campers in case of a disaster, as required by Texas law, instead only confirming that camps had some sort of emergency plan posted in an on-site building. Indeed, at Camp Mystic, defendant Zamarripa did and had to view during her annual inspections the posted camp emergency plan, which states that evacuating cabins is *prohibited*.

11. Only through this DSHS policy of deliberate indifference to and disregard of Texas law were camps like Camp Mystic able to operate without evacuation plans before the July 4th floods. And by this policy, defendants created a serious and known risk of injury or death to all girls at Camp Mystic, which inevitably resulted in an irreparable loss of young lives.

12. Defendants’ actions caused a foreseeable tragedy. Campers Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Sarah Marsh, and Mary Kate Jacobe, and counselors Chloe Childress and Katherine Ferruzzo, were failed by Camp Mystic and

defendants, who were tasked by the State with ensuring camp safety but instead placed the girls in great peril. Even now, despite these failures, Camp Mystic remains licensed by DSHS. And it has applied to renew that license, seeking DSHS's permission to house more young girls next summer.

13. Through this lawsuit, plaintiffs seek to bring responsible state actors to account for their deliberate and reckless failure to follow Texas law, which deprived plaintiffs' daughters of their fundamental and long-established federal constitutional rights to life and bodily integrity, and to prevent similar harm from ever occurring again to other innocent youth in this State.

#### **PARTIES**

14. Plaintiffs Blake and Caitlin Bonner are individuals residing in Dallas, Texas. They are representatives of the estate of their deceased daughter Lila Bonner, who also resided in Dallas at the time of her death. No administration of her estate is pending, and none is necessary.

15. Plaintiffs Matthew and Wendie Childress are individuals residing in Houston, Texas. They are representatives of the estate of their deceased daughter Chloe Childress, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

16. Plaintiffs Ryan and Elizabeth DeWitt are individuals residing in Houston, Texas. They are representatives of the estate of their deceased daughter Molly DeWitt, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

17. Plaintiffs John and Andrea Ferruzzo are individuals residing in Houston, Texas. They are representatives of the estate of their deceased daughter Katherine Ferruzzo, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

18. Plaintiffs Ben and Natalie Landry are individuals residing in Houston, Texas. They are representatives of the estate of their deceased daughter Lainey Landry, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

19. Plaintiff Lindsey McCrory is an individual residing in Houston, Texas. She is the representative of the estate of her deceased daughter Blakely McCrory, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

20. Plaintiffs Warren and Patricia Bellows are individuals residing in Houston, Texas. They are representatives of the estate of their deceased daughter Anna Margaret Bellows, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

21. Plaintiffs Patrick and Jill Marsh are individuals residing in Birmingham, Alabama. They are representatives of the estate of their deceased daughter Sarah Catherine Marsh, who also resided in Birmingham at the time of her death. No administration of her estate is pending, and none is necessary.

22. Plaintiffs Christopher Jacobe and Samantha Jordan are individuals residing in Houston, Texas. They are representatives of the estate of their deceased daughter Mary Kate Jacobe, who also resided in Houston at the time of her death. No administration of her estate is pending, and none is necessary.

23. Defendant Dr. Jennifer A. Shuford is an individual residing in this District. She is the Commissioner of DSHS. She is sued in her individual capacity. This defendant may be served with process at 103 Westbrook Dr., West Lake Hills, Texas 78746, or wherever she may be found.

24. Defendant Dr. Timothy H. Stevenson is an individual residing in this District. He is Deputy Commissioner for the Consumer Protection Division of DSHS. He is sued in his

individual capacity. This defendant may be served with process at 16416 Christina Garza Dr., Manor, Texas 78653, or wherever he may be found.

25. Defendant Jeffrey Adam Buuck is an individual residing in Houston, Texas. He is Associate Deputy Commissioner for the Consumer Protection Division of DSHS. He is sued in his individual capacity. This defendant may be served with process at 7738 Betty Jane Lane, Houston, Texas 77055, or wherever he may be found.

26. Defendant Annabelle R. Dillard is an individual residing in this District. She is Director of the Environmental Hazards Program of DSHS. She is sued in her individual capacity. This defendant may be served with process at 13108 Bennington Lane, Austin, Texas 78753, or wherever she may be found.

27. Defendant Lindsey R. Eudey is an individual residing in Amarillo, Texas. She is Coordinator of the Youth Camp Program of DSHS. She is sued in her individual capacity. This defendant may be served with process at 102 Lago Vista Street, Amarillo, Texas 79118, or wherever she may be found.

28. Defendant Maricela Torres Zamarripa is an individual residing in this District. She is an inspector of DSHS. She is sued in her individual capacity. This defendant may be served with process at 805 Maple Street, Uvalde, Texas 78801, or wherever she may be found.

#### **JURISDICTION AND VENUE**

29. This action arises under 42 U.S.C. § 1983 and the United States Constitution. The Court has subject matter jurisdiction over all claims pursuant to 28 U.S.C. § 1331.

30. Venue is proper here. Under 28 U.S.C. §§ 1391(b)(1) and (b)(2), all defendants are Texas residents and the majority of defendants reside in this District, and a substantial part of the events or omissions giving rise to the claims occurred here.

## RELEVANT FACTUAL BACKGROUND

### I. The Texas Legislative and Executive Branches Coordinate to Regulate Youth Camps.

31. Oversight of youth camps implicates unique and heightened health and safety risks – large groups of children, shared living quarters, food service operations, and environmental and communicable hazards – which require close oversight to guard against preventable harm.

32. The current regulatory structure governing Texas youth camps has been in place since the early 2000s. In 2003, the Legislature reorganized the state’s health and human services agencies. The reorganization was driven by legislative findings that public-health duties had become diffuse, inconsistently enforced, and difficult to supervise across multiple boards and commissions. In this reorganization, the Legislature consolidated multiple health agencies into a new structure under the Health & Human Services Commission (“HHSC”), within the executive branch, which was vested with authority to create rules to implement Texas law.

33. At that time, the Legislature also created the Department of State Health Services, which is overseen by HHSC. DSHS is intended to be the “boots on the ground,” administering and enforcing the statutes created by the Legislature and rules created by HHSC. By consolidating statewide public-health enforcement authority into DSHS, the Legislature sought to clarify lines of responsibility, standardize enforcement of health and safety laws, and vest a single agency with the expertise and administrative capacity necessary to implement and police critical regulatory schemes created by the Legislature and HHSC to protect young Texans.

34. The State brought regulation of youth camps within this structure in two steps. First, the Legislature passed the Youth Camp Safety and Health Act (“Act”), codified in Tex. Health & Safety Code Chap. 141. The Act sets minimum safety standards for youth camps to be licensed in Texas and vests HHSC with authority to adopt rules to implement what the Act requires. In turn, HHSC fulfilled its mandate and adopted Youth Camp Safety & Health Rules (“Camp Safety

Rules”), codified in Tex. Admin. Code Chap. 265. These are detailed, specific, and mandatory rules that implement the minimum safety standards in the Act for youth camps.

35. From its inception, DSHS and its officials have been responsible for oversight of youth camps and enforcement of Camp Safety Rules. Agency officials are tasked with ensuring that all youth camps comply with the requirements of the Act and Camp Safety Rules.

## **II. Defendants are DSHS Officials Tasked with Ensuring Safe Youth Camps.**

36. DSHS is helmed by a commissioner appointed by HHSC. Defendant Shuford is the current commissioner and has been since 2022. She was an infectious disease physician prior to joining DSHS. As Commissioner, she is the chief executive and administrative officer of DSHS and oversees all divisions and programs. Her role is to run the agency, oversee its programs, and ensure enforcement of statutes and duly adopted rules. She oversees the licensing programs and inspection regimes applicable to Texas youth camps.

37. One division within DSHS is the Consumer Protection Division. Each division of DSHS may have multiple programs within it. One program in the Consumer Protection Division is the Environmental Hazards Program. The Youth Camp Program is a DSHS program within the Environmental Hazards Program.

38. Each DSHS division is led by a deputy commissioner and an associate deputy commissioner.

39. Defendant Stevenson is the current Deputy Commissioner of the DSHS Consumer Protection Division and has been since at least 2023. He was in the Army Veterinary Corps before retiring and joining DSHS. As Deputy Commissioner, he is responsible for running and overseeing the Consumer Protection Division and its programs, including the Youth Camp Program, and ensuring compliance with state statutes and rules.

40. Defendant Buuck is the current Associate Deputy Commissioner of the Consumer Protection Division and has been since at least 2024. As such, he is responsible for running and overseeing the Consumer Protection Division and its programs, including the Youth Camp Program, and ensuring compliance with state statutes and rules.

41. Defendant Dillard is the Director of the Environmental Hazards Program of DSHS and has been since at least 2024. As such, she is responsible for running and overseeing the Environmental Hazards Program, which includes the Youth Camp Program, and ensuring compliance with state statutes and rules.

42. Defendant Eudey is the Coordinator of the Youth Camp Program and has been since May 2025. As such, she is responsible for running and overseeing the Youth Camp Program and ensuring compliance with state statutes and rules.

43. Defendants Shuford, Stevenson, Buuck, Dillard, and Eudey are responsible for implementing Texas law and rules promulgated by HHSC and ensuring that the DSHS staff under their supervision comply with them. Each was aware of DSHS policies with respect to youth camp inspection and licensing and the applicable Texas statutes and rules.

44. In the Youth Camp Program, defendants Shuford, Stevenson, Buuck, Dillard, and Eudey are responsible for ensuring state-law-compliant annual inspections of Texas camps. The inspections are to evaluate emergency preparedness, sanitation, water quality, food service, supervision ratios, and overall environmental safety. The inspections are intended to identify and mitigate risks before harm to youth occurs.

45. Annual inspections occur in conjunction with licensing decisions, in which camps submit applications verifying compliance with state law. Licensure is not automatic. Under the Youth Camp Program, DSHS is responsible for reviewing a camp's application, evaluating

whether the camp meets minimum safety thresholds required by Texas law, and doing one or more inspections to verify compliance before authorizing licensure and operation.

46. DSHS employs inspectors who function as its frontline enforcement personnel. The inspectors are responsible for conducting on-site inspections of youth camps and other regulated facilities to assess compliance with Texas law, documenting observed conditions, and initiating enforcement actions when violations are identified. Their role is not merely advisory. Inspectors are authorized to make fact findings as to compliance, issue deficiency findings, require corrective actions, and where warranted, trigger administrative penalties, license suspension, or referral for further enforcement proceedings.

47. Defendant Zamarripa is a DSHS inspector charged with evaluating these factors and ensuring inspected facilities comply with state law. She inspected Camp Mystic annually from at least 2015 through 2025. In each year, Camp Mystic had *no* evacuation plan. In fact, its written policy was to *never* evacuate cabins in a disaster, the exact opposite of an evacuation plan.

### **III. Defendants Had an Unlawful Policy Regarding Required Emergency Plans.**

48. For over a decade, the Camp Safety Rules, codified in Tex. Admin. Code § 265.15, required youth camp operators to have “A written plan of procedures to be implemented in case of a disaster,” which “shall” include plans for “*evacuation* of each occupied building and the facility.”

49. The Camp Safety Rules do not define “evacuation,” but the point is obvious. According to the Merriam-Webster Dictionary, for example, evacuation is “the act or process of evacuating.” And evacuating means “to vacate” or “to remove the contents of.” Put simply, an evacuation plan for *occupied* buildings, by its plain terms, requires a plan for *vacating* or *emptying* each occupied building of the *people* inside it. Staying put in the building is the opposite of evacuating.

50. Youth camps are required by law to post the evacuation plan in their “administrative on-site office and in each permanent and semi-permanent occupied building” and to train camp staff concerning the plan.

51. According to DSHS, these written disaster procedures are “Required Emergency Plans.” Before DSHS may issue a youth camp license, its inspectors are required by law to confirm that the camp has all Required Emergency Plans, with all elements required by law, and has posted the plans in each occupied building.

52. Defendants Shuford, Stevenson, Buuck, Dillard, and Eudey, and DSHS staff at their direction, are responsible for developing inspection criteria to ensure camps comply with state law, including Camp Safety Rules. Despite this duty, for years it has been DSHS’s policy, implemented and overseen by defendants, that camp operators may develop their own Required Emergency Plans without regard to state law, and DSHS inspectors will not look for or confirm that the plans have an evacuation plan as is required by the Camp Safety Rules. Instead, the criteria defendants have developed ask inspectors to check only whether a camp has a “written plan of procedures,” with *no* mention of an evacuation plan.

53. DSHS details its inspection criteria in a youth camp inspection matrix that it posts online. The matrix shows the regulation DSHS is required to enforce and criteria defendants have chosen to verify compliance with that regulation as a matter of policy. This inspection matrix shows both defendants’ understanding that state law requires an evacuation plan of each occupied building *and* their policy of *not* enforcing this requirement in inspections and licensing decisions:

Violation	TAC § Number	Regulation	Criteria	Documentation
Required emergency plans	25 TAC §265.15(k)	"Emergency plans required. A written plan of procedures to be implemented in case of a disaster, serious accident, epidemic, or fatality shall be formulated and posted in the camp's administrative on-site office or location and in each permanent and semi-permanent occupied building. The plan shall include procedures for emergency shelter and for evacuation of each occupied building and the facility. Campers shall be instructed as to their actions in the event of fire, disaster, or the need to evacuate. These procedures shall be reviewed by the staff with specific assignments made to each staff member and counselor. All camp staff and volunteers shall be made aware of this plan during the staff-training program or volunteer briefing. Documentation of this training shall be kept at the camp's administrative on-site office or location."	<ul style="list-style-type: none"> <li>· Written plan of procedures to be implemented in case of a disaster, serious accident, epidemic, or fatality formulated and posted in the camp's administrative on-site office or location?</li> <li>· All camp staff and volunteers aware of this plan during the staff-training program or volunteer briefing?</li> <li>· Documentation of this training kept at the camp's administrative on-site office or location?</li> </ul>	Statement that there was no written plan of procedures was formulated and/or posted in the camp's administrative on-site office or location; and/or camp staff or volunteers were not made aware of this plan. <b>Note: Statement that documentation was not provided during the inspection is acceptable.</b>

54. Pursuant to policies directed, implemented, and overseen by defendants Shuford, Stevenson, Buuck, Dillard, and Eudey, DSHS inspectors did not review Required Emergency Plans to confirm that camps had the evacuation plans Texas law requires before licensing those camps to operate. Defendants had no discretion to enact these policies in violation of state law.

55. The risk of serious bodily harm and death to Texas youth is clear and foreseeable. Defendants employed a policy of licensing camps without any evacuation plans. Evacuation plans save lives in chaotic disaster events. Such plans are especially critical for youth camps, which can house hundreds of children with limited staff.

**IV. Defendants’ Oversight of Camp Mystic Created Serious Risks of Harm to Youth.**

56. Camp Mystic is a camp for girls that sits on 725 acres in the Texas Hill Country on the Guadalupe River. It was founded in 1926 and has been in continuous operation ever since. It has many occupied structures, including cabins for elementary school-aged campers, some which sit less than 250 feet from the river. The area is prone to deadly floods, earning the nickname Flash Flood Alley.

57. Camp Mystic has been under DSHS and the Youth Camp Program’s oversight for over 20 years, since DSHS began regulating Texas youth camps. Camp Mystic has been licensed to operate by DSHS all this time.

58. Since at least 2015, DSHS's Youth Camp Program has conducted annual inspections of Camp Mystic. Passage of these inspections (and curing violations) was required for annual renewal of the camp's license to operate. During this time, the DSHS inspector who inspected Camp Mystic each year to ensure compliance with applicable law and regulations was defendant Zamarripa.

59. Defendant Zamarripa is a Retail Foods Safety and Public Health Sanitation Supervisor employed by DSHS. Her work is supervised by officials of the Consumer Protection Division, Environmental Hazards Program, and Youth Camp Program, by and in accordance with the rules, policies, and procedures implemented by or at the direction of or under the oversight of defendants Shuford, Stevenson, Buuck, Dillard, and Eudey.

60. For years, defendant Zamarripa's inspection of Camp Mystic was supposed to evaluate whether it had Required Emergency Plans posted in every occupied building. Her DSHS-issued inspection reports required her to answer a series of "Yes" or "No" questions for the camp's Required Emergency Plans. Here is an excerpt from her DSHS report from July 5, 2024:

Required Emergency Plans	
<b>Is there a written plan of procedures to be implemented in case of a disaster, serious accident, epidemic, or fatality formulated and posted in the camp's administrative on-site office or location?</b>	Yes
<b>Are all camp staff and volunteers made aware of the plan of emergency to be implemented during the staff-training program or volunteer briefing?</b>	Yes
<b>Is there documentation of this training kept at the camp's administrative on-site office or location?</b>	Yes

61. From at least 2015 up to 2023, defendant Zamarripa’s inspections of Camp Mystic and its Required Emergency Plans reported no violation as to Camp Mystic’s Required Emergency Plans. DSHS never revoked or suspended the camp’s license for failure to have an evacuation plan.

62. Defendant Zamarripa’s continued approval of Camp Mystic’s Required Emergency Plans was a violation of state law because it had *no* evacuation plan. To the contrary, its official policy since at least 2015 has been to *never* evacuate. The Camp Mystic handbook for its youth counselors as of the July 4th tragedy provided “Emergency Instructions” in case of “Floods”: “Campers and counselors [are] NEVER [to] wander away from your cabin” but “must . . . stay in their cabins unless told otherwise by the office”:

## EMERGENCY INSTRUCTIONS

### II. Floods

In case of flood, all campers on Senior Hill must stay in their cabins. They will be given instructions through the loud speaker. If the electricity is off, a walkie-talkie will be used. Food and other supplies will be delivered to Senior Hill by boat or truck. Campers and counselors NEVER wander away from your cabin. Those on the flats must also stay in their cabins unless told otherwise by the office. All cabins are constructed on high, safe locations.

63. These Emergency Instructions of Camp Mystic have no procedures for “evacuation of each occupied building,” as Texas law requires. They do not tell campers and counselors how to *vacate* or *empty* the cabins in a flood, a necessary component of any evacuation plan. They do the opposite, telling them to “stay” and promising that the cabins are built on “high, safe locations.” Put simply: a plan to *stay* in occupied buildings during a disaster is not a plan for “*evacuation* of each occupied building.” It is, rather, a plan for tragedy.

64. Camp Mystic had no other Required Emergency Plans.

65. Defendants' approval of this never-evacuate plan was a violation of state law. It deprived Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobe of their constitutional rights.

**V. DSHS Officials Allowed Mystic to Operate Without the Required Evacuation Plan.**

66. On July 5, 2024, defendant Zamarripa did her annual inspection of Camp Mystic, just as she had in prior years. This was a year, almost to the day, before the fateful July 4, 2025 floods that took so many young lives. Despite the camp's lack of an evacuation plan, her inspection again found that Camp Mystic did have Required Emergency Plans and cited no violation:

Required Emergency Plans	
Is there a written plan of procedures to be implemented in case of a disaster, serious accident, epidemic, or fatality formulated and posted in the camp's administrative on-site office or location?	Yes
Are all camp staff and volunteers made aware of the plan of emergency to be implemented during the staff-training program or volunteer briefing?	Yes
Is there documentation of this training kept at the camp's administrative on-site office or location?	Yes

67. Pursuant to inspection criteria implemented by the Youth Camp Program under the supervision and oversight of defendants Shuford, Stevenson, Buuck, Dillard, and Eudey, neither defendant Zamarripa nor any other DSHS official checked Camp Mystic's Required Emergency Plans to ensure there was an evacuation plan for every occupied building, as Texas law requires.

68. Defendant Zamarripa only checked that there was a "written plan of procedures to be implemented in case of a disaster, serious accident, epidemic, or fatality formulated and posted in the camp's administrative on-site office or location"; "all camp staff and volunteers were aware of this plan during the staff-training program or volunteer briefing"; and "Documentation of this training [was] kept at the camp's administrative on-site office."

69. Defendant Zamarripa reviewed Camp Mystic's Required Emergency Plan and confirmed that it was posted in an on-site location. She knew that the camp's Required Emergency Plan had no procedures for "evacuation of each occupied building." Quite the opposite: she knew Camp Mystic's Required Emergency Plan required campers and counselors *not* to evacuate.

70. At the end of her inspection, she found "no deficiency/violation cited or noted within the scope of this inspection/visit."

71. Defendant Zamarripa had no discretion to approve the Camp Mystic Required Emergency Plan when it lacked the evacuation plan state law requires. She had no discretion to issue her finding of "no deficiency/violation," allowing the camp to renew its license and continue operations, when it lacked the evacuation plan that state law requires.

72. Because Camp Mystic passed the 2024 inspection, defendants renewed the camp's license for the next year. Defendants had no discretion to issue a license to Camp Mystic when it lacked the evacuation plan state law requires.

73. Defendants' license renewal allowed Camp Mystic to operate during a summer session including July 4, 2025, when the camp was hit by deadly flash flooding.

74. The DSHS-issued youth camp license is publicly available. Because Camp Mystic was licensed by DSHS, plaintiffs believed it had met all requirements under State law to operate and sent their daughters there. Defendants' policy of issuing licenses when a camp lacks state law-mandated evacuation plans, and doing so for Camp Mystic specifically, caused plaintiffs to send their daughters to sleep in riverside cabins at a camp in Flash Flood Alley with no evacuation plan, exposing them to serious danger without their or their daughters' knowledge or informed consent.

75. By refusing to enforce state safety laws, defendants created a serious and inevitable safety risk to the lives of all girls at Camp Mystic that its cabins on the banks of the Guadalupe River would become deathtraps in a flooding emergency.

**VI. Camp Mystic’s Lack of an Evacuation Plan Resulted in 27 Needless Deaths.**

76. Beginning July 3, 2025, the area around Camp Mystic began to get major rainfall. By 1:14 a.m. on July 4, the camp owners received a warning of “life threatening” flash flooding. *Because Camp Mystic had no state-mandated evacuation plan*, the camp owners took no action to evacuate girls as they watched the water rise. Instead, they spent over an hour evacuating camp equipment instead of working to save lives.

77. By 2:20 a.m., flood water reached the inside of a Camp Mystic cabin called Bug House. Camp owners were told by counselors that flood water was coming into Bug House. *Because Camp Mystic had no state-mandated evacuation plan*, the owners ordered the counselors to comply with the camp’s anti-evacuation plan: “*stay in your cabins unless told otherwise by the office.*” Camp owners said to put down towels. According to the nightwatchman, the camp told the girls to “stay put ‘because that’s the plan.’”

78. Shortly after telling the girls in Bug House to stay put, the camp owners got a frantic call from the front gatekeeper that water was rushing into her building. She could not open the door to escape. Her call then cut out.

79. By 2:30 a.m., camp owners decided to evacuate some campers and counselors. *But because Camp Mystic had no state-mandated evacuation plan*, it had no process for an orderly evacuation. Faced with rising flood waters and no plan to get girls to safety, camp owners began a panicked, chaotic, and incomplete evacuation of only some cabins and only certain girls.

80. Camp owners decided to evacuate campers and counselors to the Recreation Hall. They drove some girls through rising floodwaters. Other campers and counselors walked or ran

across the lawn on foot. This map of the area, which Camp Mystic called “the flats,” was posted outside the cabins. It shows the Rec Hall on the left in green, and the cabins on the bottom and right in blue.



81. From Bug House (the furthest cabin), Rec Hall is less than 1000 feet away. Driving from Bug House to Rec Hall takes 40 seconds. Walking takes 3 minutes for an adult at a normal pace. There was ample warning and time for all girls to evacuate safely, had defendants required and the camp put in place the state law-mandated evacuation plan.

82. *Because Camp Mystic had no state-mandated evacuation plan, despite the short distance, from 1:00 to 3:30 a.m., camp owners evacuated just five cabins to Rec Hall: Bug House, Look Inn, Hang Out, Tumble Inn, and Jumble House. They did not evacuate the other cabins: Nut Hut, Chatter Box, Wiggle Inn, Giggle Box, Twins, and Bubble Inn. In accordance with their “emergency plan,” camp owners told campers and counselors in these other six cabins not to evacuate and to stay put.*

83. *Because Camp Mystic had no state-mandated evacuation plan*, as flood waters continued to rise, counselors and campers in the other six cabins waited for evacuation orders from camp owners. None came.

84. *Because Camp Mystic had no state-mandated evacuation plan*, by 3:30 a.m., the scene was chaos. Nut Hut counselors tried to walk to get help, but they could not make it. They decided to evacuate their campers on their own. When they could not open their cabin door due to rising waters, they broke windows to escape and ran up a nearby hill with their girls. Counselors in Chatter Box and Giggle Box pulled girls through cabin windows and climbed to safety on their own. They ran through pouring rain and lightning to the top of a hill where they waited for rescue. Every girl survived. While evacuating, they heard screams for help from their sisters, friends, and fellow campers in other cabins.

85. *Because Camp Mystic had no state-mandated evacuation plan*, by 3:30 a.m., camp owners' indecision had become panic. They saw the deadly risks to girls in Bubble Inn and Twins, which housed the youngest campers. But the owners had never written, distributed, or practiced an evacuation plan – much less an effective one. So, Camp Mystic faced life-threatening flooding, and its owners had no idea how best to protect the girls. And yet defendants had licensed the camp to care for and protect hundreds of young girls for weeks on end during the flood season.

86. One camp owner tried an ill-fated evacuation of the Bubble Inn cabin, loading girls into his Tahoe as raging flood waters rose above the tires. The car was swept away and smashed up against a tree. He and the girls inside the car were killed. In the end, 13 campers and 2 counselors from Bubble Inn were swept into the Guadalupe River and died.

87. At the same time, the camp director refused to evacuate the Twins cabins. Earlier that night, girls in those cabins watched as friends and sisters walked past them to Rec Hall. When

the director arrived at about 3:35 a.m., the girls pleaded to evacuate. He again told them to stay put because the water would recede. The flood waters rose. The girls did what they could. Some got on their top bunks, as the water pressed them against the cabin ceiling. Some tried to swim out to avoid drowning in the cabin, and others were swept out by rushing water. Several girls and the director were able to survive by holding on to trees. Some girls never made it out of the cabin. Eleven campers from Twins died.

88. *Because Camp Mystic had no state-mandated evacuation plan, all girls in Bubble Inn, and nearly half from Twins, died in the flood waters.*

89. This tragedy was entirely preventable. The Bubble Inn and Twins cabins are only 300 feet from Rec Hall and 70 feet from a nearby hill. It takes 60 seconds for an adult to walk from the cabins to Rec Hall and 40 seconds to walk to the hill. There was ample warning and time to save every girl at Camp Mystic. *But there was no state-mandated evacuation plan to follow.*

90. If defendants had required and ensured that the camp's Required Emergency Plans had a written "evacuation [plan] of each occupied building," as the Camp Safety Rules require, no girl would have died. Camp staff would have had *hours* to follow that plan to evacuate the girls to a safe location. Camp employees and counselors would have been trained on evacuation protocol. Everyone would have followed the plan in the early hours of July 4. Instead, the camp did nothing, told girls to "stay put," evacuated a few cabins, left other cabins to fend for themselves, and finally, in a panic, pursued a haphazard "rescue" that ended in the loss of 27 young lives and the life of a camp owner himself.

91. This fatal situation arose because state officials charged with enforcing the Camp Safety Rules chose not to enforce state law. Defendants' deliberate actions foreseeably and inevitably created the ultimate risk to 27 innocent girls at the camp, resulting in the preventable

deaths of Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobe.

**VII. Defendants Ratify the Camp’s Non-Compliant Emergency Plans After the Loss.**

92. After the July 4th tragedy, defendants took actions and made statements to endorse and ratify their policy of disregarding state law and allowing youth camps, including Camp Mystic, to violate the state-law requirement to have critical evacuation plans.

93. Defendant Zamarripa visited Camp Mystic for its 2025 inspection on July 2, 2025. This was two days *before* tragedy struck. She issued a DSHS inspection report to the Consumer Protection Division on Sunday, July 6, 2025. This was two days *after* the deadly July 4th floods.

<b>CAMP MYSTIC INC</b>	
<b>133010 / 113 / 15818</b>	
<b>7/6/2025</b>	
<b>Page:2</b>	
Inspector/Sanitarian: ZAMARRIPA, MARICELA 	Owner/Operator/Manager/PIC: Edward Eastland 
Date: 07/02/2025	Date: 07/02/2025

94. Even though the camp had *no* evacuation plan, and 27 girls had just died because they were not safely evacuated, defendant Zamarripa submitted her inspection report finding “Yes,” the camp did have the necessary “Required Emergency Plans”:

Required Emergency Plans	
Is there a written plan of procedures to be implemented in case of a disaster, serious accident, epidemic, or fatality formulated and posted in the camp's administrative on-site office or location?	Yes
Are all camp staff and volunteers made aware of the plan of emergency to be implemented during the staff-training program or volunteer briefing?	Yes
Is there documentation of this training kept at the camp's administrative on-site office or location?	Yes

95. Defendant Zamarripa affirmed the camp's compliance with state law. "There is no deficiency/violation cited or noted within the scope of this inspection/visit."

 <p style="text-align: center;"><b>TEXAS DEPARTMENT OF STATE HEALTH SERVICES</b> Consumer Protection Division PO Box 149347, Austin, TX 78714 (512) 834-6660</p>			
Facility Name	CAMP MYSTIC INC	License Type	Youth Camp License
Facility Address	2689 HWY 39 HUNT TX 78024	License Number	133010
Inspection Type	Discretionary/Special	Inspection Number	15818
Inspector	ZAMARRIPA, MARICELA	Inspection Date	07/02/2025
<p style="font-size: small;">This notice is to acknowledge that the Texas Department of State Health Services (DSHS) conducted an inspection of or visited your business on the date listed above. The information that has been gathered is subject to further department review, and you may receive additional correspondence as a result.</p> <p style="font-size: small;">There is no deficiency/violation cited or noted within the scope of this inspection/visit.</p>			

96. This inspection and report on Camp Mystic's Required Emergency Plans was consistent with the policy overseen and implemented by defendants Shuford, Stevenson, Buuck, Dillard, and Eudey that inspectors *not* check or verify that every youth camp have an evacuation plan as required under the Camp Safety Rules and Texas law.

97. In the aftermath of the July 4th floods, legislators asked DSHS officials, including defendants Buuck and Stevenson, how Camp Mystic could be licensed to operate when it had no required evacuation plan.

98. Defendant Buuck testified to state senators that DSHS is *not* “the organization that approves those emergency plans.” They simply “verify that they meet certain criteria, such as, to be implemented in the case of a disaster, serious accident, epidemic, or fatality.” Asked whether a policy to “stay put” is “an acceptable plan for an evacuation requirement,” he dodged. “With the current rules, each camp is responsible for developing their own plan. *We don’t approve the plan.* We just verify that it meets the requirements of, you know, addressing the four big things, which is disaster, serious accident, epidemic, or fatality. And then they must post their plan in every building. And that’s what our inspectors verify.”

99. Defendant Stevenson testified similarly to state representatives. He admitted to the legislators that state law mandates that Required Emergency Plans include plans for “evacuation of each occupied building in the facility:”

**Emergency Plan Requirements**

- [25 TAC 265.15\(k\)](#): Emergency plan “to be implemented in case of a disaster, serious accident, epidemic, or fatality... [and] shall include procedures for emergency shelter and for evacuation of each occupied building in the facility.”
  - Each camp is required to maintain records of its plan.
  - Each camp is responsible for developing its own plan.
  - Plan must be posted in every building.
  - All camp staff must be made aware of the plan.
  - Campers shall be instructed on what to do in event of “fire, disaster, or need to evacuate.”
  - Emergency drills are not required.



11

100. But he confirmed that DSHS officials do *not* check that camps have any evacuation procedures. As he told legislators, “we verify that [camps] have *a plan*,” but they do not ensure each camp has the required evacuation plan.

101. Even after the Camp Mystic deaths, defendants refused to acknowledge their role in the tragedy. Faced with the plain requirements of the Camp Safety Rules, they are forced to

admit what state law requires: every youth camp must have an evacuation plan. Yet for years, they have implemented a policy that allows camps to operate with a dangerous and unlawful “stay put” plan. In so doing, these state actors consciously and recklessly put at risk the lives of all girls at Camp Mystic, including plaintiffs’ innocent daughters—the very class of people the laws at issue were designed to protect.

102. Defendants Stevenson and Buuck tried to shift the burden of compliance with state law to the youth camps, which they claim are responsible for “developing their own plans.” But it is defendants (not the camps) who decide whether to *license* a camp, allowing it to operate and care for children. It is defendants (not camps) who are charged by state law with ensuring that camps comply with the law before issuing a license. Defendants cannot disclaim responsibility for doing what state law requires of them.

103. Despite not having state-mandated evacuation plans, Camp Mystic is licensed by DSHS *to this day*. Its license was not suspended or revoked after July 4. Nor was it issued any fine or penalty after causing the deaths of 27 young girls.

104. Shockingly, Camp Mystic has announced plans to reopen next summer. Its current DSHS license expires on March 6, 2026. For it to reopen, defendants must renew the license. It remains to be seen whether they will continue to disregard state law and renew Camp Mystic’s license to operate, putting more girls’ lives at risk.

## CLAIMS

### COUNT I

#### **42 U.S.C. § 1983 – SUBSTANTIVE DUE PROCESS – STATE CREATED DANGER**

105. Plaintiffs reiterate and incorporate all material allegations above.

106. Plaintiffs are citizens of the United States. Defendants are persons for purposes of 42 U.S.C. § 1983.

107. At all relevant times, defendants acted under the color of law in their individual capacity as state officials. Their acts and omissions were done within the scope of their official duties and employment.

108. Plaintiffs have a clearly established right to not be deprived of life, liberty, or property without due process of law under the Fourteenth Amendment. At all relevant times, this right was, and is, well established.

109. Defendants acted to implement and maintain a policy that DSHS not review youth camps' Required Emergency Plans to confirm that camps had the evacuation plans Texas law requires prior to issuing their licenses to operate.

110. Defendants licensed Camp Mystic to operate despite its failure to comply with Texas law requiring that it have a plan for "evacuation of each occupied building."

111. Defendants' act of licensing Camp Mystic to operate resulted in it being able to operate on July 4, 2025, without a state-law mandated evacuation plan.

112. Defendants' actions created or enhanced the life-threatening dangers that faced Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobe on July 4, 2025.

113. By licensing Camp Mystic to operate despite its failure to comply with state law, defendants falsely represented to plaintiffs and the public that Camp Mystic was safe and satisfied state law's requirements for licensure, including having state law-mandated evacuation plans.

114. Defendants' actions created or enhanced grave dangers specific to Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobe, as campers and counselors at Camp Mystic. They were members of the class of persons that these Texas laws and rules were designed to protect.

115. As a result of defendants' actions, plaintiffs' daughters were injured, died, and deprived of their rights under the Fourteenth Amendment, including their right not to be deprived of life without due process of law. Defendants' actions were willful, reckless, or made with deliberate indifference to the constitutional rights of these girls. Defendants' actions shock the conscience of plaintiffs and any reasonable person.

116. Defendants' actions were the cause of Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobs' injuries and deaths.

117. In maintaining and implementing a policy of not ensuring, or even checking, that youth camps comply with state law and issuing Camp Mystic's license despite its failure to comply with state law, defendants consciously disregarded a known, excessive, and obvious risk of harm to campers and counselors, including plaintiffs' daughters. Defendants knew or reasonably should have known that this policy that they oversaw, maintained, and implemented, and their licensure of Camp Mystic despite its non-compliance with state law, would cause constitutional harm.

118. Defendants had no discretion to issue a license to a youth camp that failed to have the evacuation plans required by Texas law. Defendants had no discretion to maintain, oversee, or implement a policy that its inspectors' evaluation of Required Emergency Plans need not ensure compliance with Texas law requiring an evacuation plan for each occupied building.

119. As a direct and proximate result of defendants' unlawful actions and omissions, plaintiffs' daughters suffered severe injuries and death, for which full recovery is warranted of the survival and wrongful death damages sought by their estates and parents.

**COUNT II**  
**42 U.S.C. § 1983 – SUBSTANTIVE DUE PROCESS – BODILY INTEGRITY**

120. Plaintiffs reiterate and incorporate the material allegations above.

121. Plaintiffs are citizens of the United States. Defendants are persons for purposes of 42 U.S.C. § 1983.

122. At all relevant times, defendants acted under the color of law in their individual capacity as state officials. Their acts and omissions were done within the scope of their official duties and employment.

123. Plaintiffs have a clearly established right to bodily integrity under the Fourteenth Amendment. At all relevant times, this right was, and is, well established.

124. Defendants maintained and implemented a policy in violation of state law by not requiring state youth camps to maintain Required Emergency Plans that comply with the Act and Camp Safety Rules. Defendants licensed Camp Mystic to operate even though it never complied with state law requiring an evacuation plan—the camp actually had an *anti*-evacuation policy to “stay in cabins”—that defendants were dutybound to enforce and ensure.

125. Defendants violated the fundamental constitutional right to bodily integrity of plaintiffs’ deceased daughters, Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobe. Defendants created a serious and foreseeable risk of harm by licensing Camp Mystic to operate year after year despite lacking any evacuation plan for each occupied building as required by Texas law. As a result, defendants caused these girls to sleep in cabins that lacked required evacuation plans without their informed consent, where they ultimately were swept away in a flood and died.

126. The State of Texas requires youth camps to be licensed to operate. Defendants are charged with and have undertaken responsibility for confirming that Texas law’s requirements are met before licensing a camp to operate and must do so in compliance with the requirements of the Constitution. By issuing Camp Mystic’s license to operate, defendants stamped its non-state law

compliant Required Emergency Plan with approval. This violated Lila Bonner, Molly DeWitt, Lainey Landry, Blakely McCrory, Margaret Bellows, Chloe Childress, Katherine Ferruzzo, Sarah Marsh, and Mary Kate Jacobe's right to be free from intrusions to their bodily integrity.

127. As a result of defendants' actions and omissions, plaintiffs' daughters were injured, died, and deprived of their rights to bodily integrity. Defendants' actions were willful, reckless, or made with deliberate indifference to the constitutional rights of these girls. Defendants' actions shock the conscience of plaintiffs and any reasonable person.

128. In maintaining and implementing a policy of not ensuring, or even checking, that youth camps comply with state law, defendants consciously disregarded a known and excessive risk of harm to campers and counselors at Camp Mystic, including plaintiffs' daughters. Defendants knew or reasonably should have known that this policy they oversaw, maintained, and executed would cause constitutional harm.

129. Defendants had no discretion to issue a license to a youth camp that failed to have the evacuation plans required by Texas law. Defendants had no discretion to maintain, oversee, or implement a policy that its inspectors' evaluation of Required Emergency Plans need not ensure compliance with Texas law requiring an evacuation plan for each occupied building.

130. As a direct and proximate result of defendants' unlawful actions and omissions, plaintiffs' daughters suffered severe injuries and death, for which full recovery is warranted of the survival and wrongful death damages sought by their estates and parents.

#### **WRONGFUL DEATH AND SURVIVAL ACTIONS**

131. Pursuant to 42 U.S.C. § 1988(a), plaintiffs bring these actions pursuant to the Texas Wrongful Death Act, Tex. Civ. Prac. & Rem. Code § 71.001, et seq, and the Texas Survival Statute, Tex. Civ. Prac. & Rem. Code § 71.021.

**JURY DEMAND**

132. Plaintiffs demand a jury trial on all claims for which trial by jury is available.

**PRAYER FOR RELIEF**

Plaintiffs respectfully request that the Court enter a judgment in their favor, an award of general and compensatory damages, an award of their reasonable attorney fees and costs incurred in bringing this action under 42 U.S.C. § 1988(b), and all other relief that is equitable.

Dated: February 23, 2026

/s/ Richard Warren Mithoff

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