

CAUSE NO. D-1-GN-25-010016

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

200th JUDICIAL DISTRICT

**CAMP MYSTIC DEFENDANTS' ORIGINAL ANSWER SUBJECT TO MOTION TO
TRANSFER VENUE**

To the Honorable District Court Judge:

Come now, 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, hereinafter referred to as CAMP MYSTIC DEFENDANTS, and file their Original Answer to Plaintiffs' Original Petition filed subject to their Motions to Transfer Venue, and would respectfully state the following:

I. TRCP 92 DEFENSES

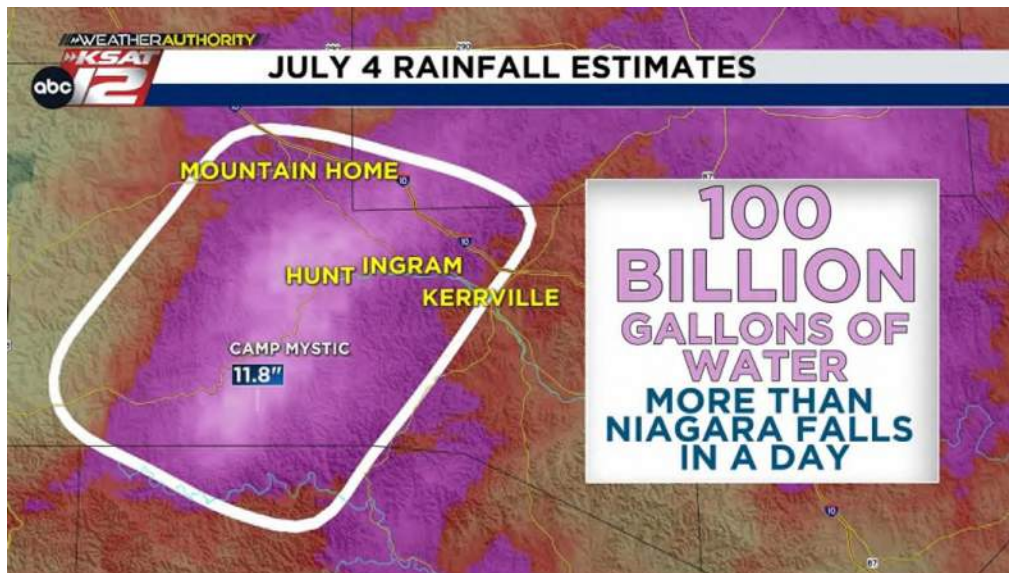
1. Camp Mystic defendants, pursuant to Texas Rule of Civil Procedure 92, invoke the protections available to them under Texas Law and demand legally sufficient proof of the accusations asserted against them by a preponderance of the legal evidence or clear and convincing evidence where required by Texas law, as opposed to speculation or conjecture. Camp Mystic defendants respectfully request that the Court hold Plaintiffs to the burden required by the laws and the constitution of the State of Texas.

II. BACKGROUND AND AFFIRMATIVE DEFENSES

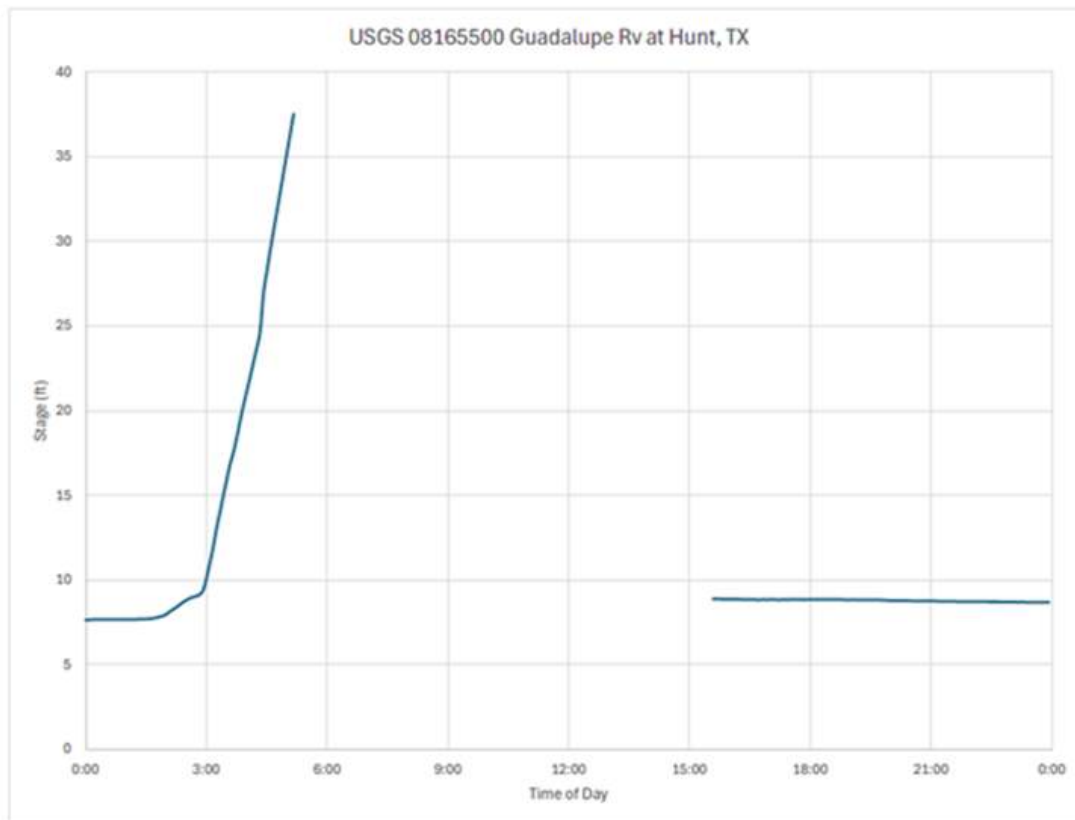
Camp Mystic defendants answer and provide background information and affirmative defenses in response to Plaintiffs' pleadings.

2. On the morning of July 4, 2025, the most devastating flood known in the history of Kerr County, TX occurred. Extreme rainfall and massive surges of rapidly moving floodwaters devastated Kerr County, and the communities of Hunt, Ingram, and Kerrville, Texas. At least 135 people lost their lives, including 28 lives lost at Camp Mystic. Weather data from multiple scientific sources confirmed and determined that a convergence of severe weather systems, rather

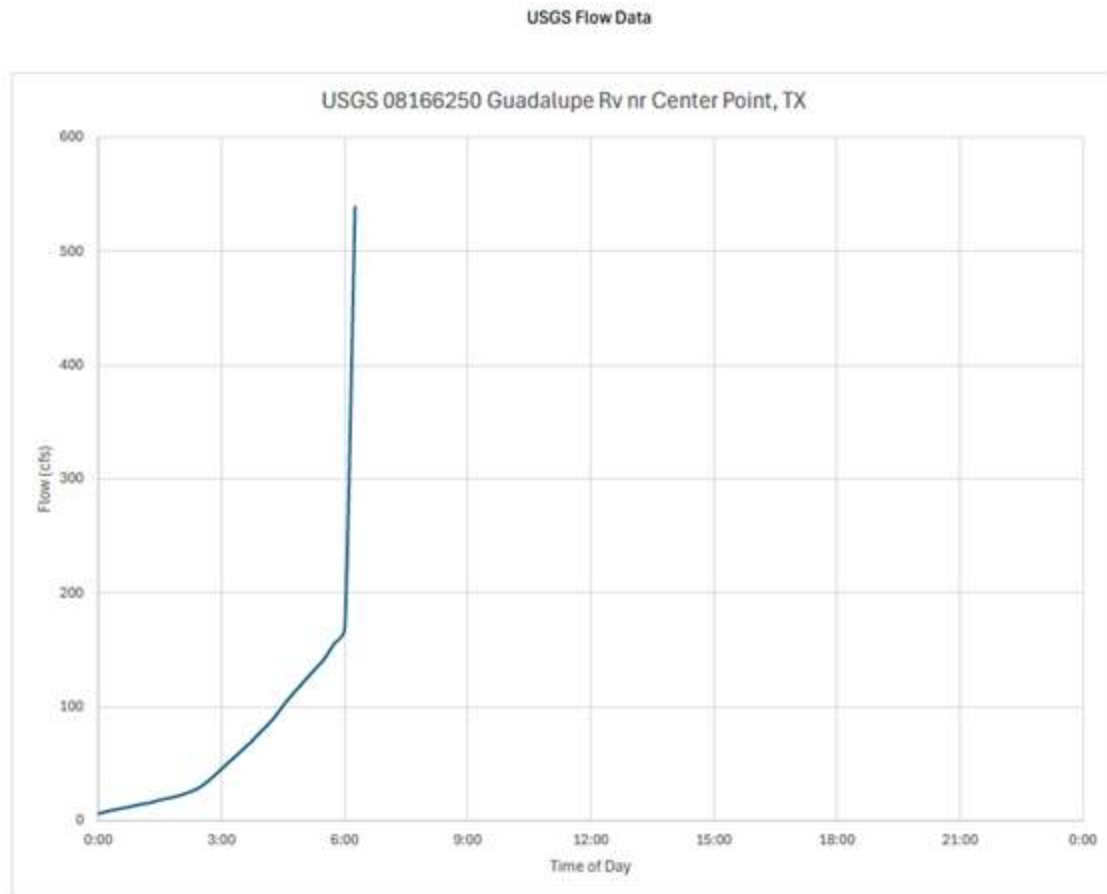
than continuing to move through the area (as was anticipated by weather and radar information), literally stopped and sat upstream and over Camp Mystic and surrounding areas, pouring over 100 billion gallons of water in the Kerr County area within hours.



USGS Stage Data

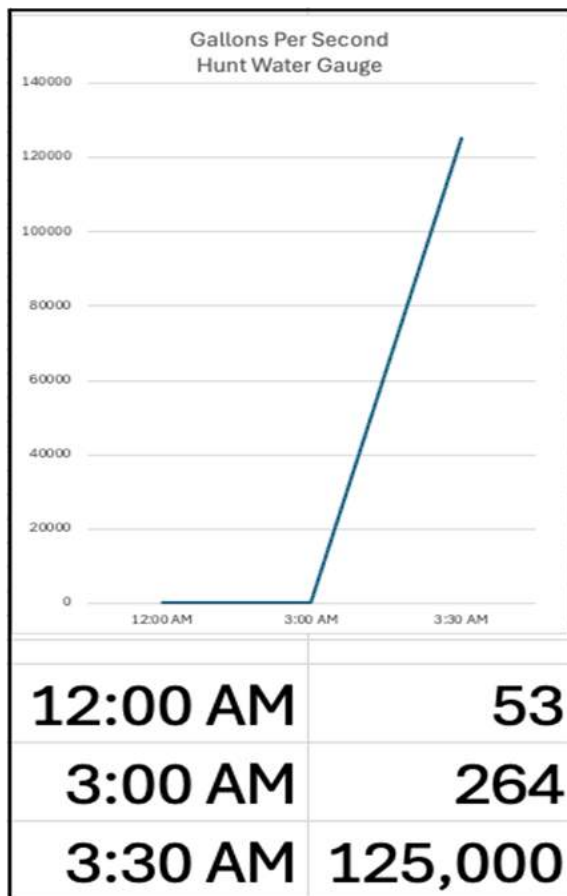


3. Notably, over 10 billion gallons of water fell in less than 3 hours in the South Fork of the Guadalupe River, upstream from Camp Mystic. This volume of water that fell in the South Fork is more than the amount of water that flows over Niagara Falls during the same time period.



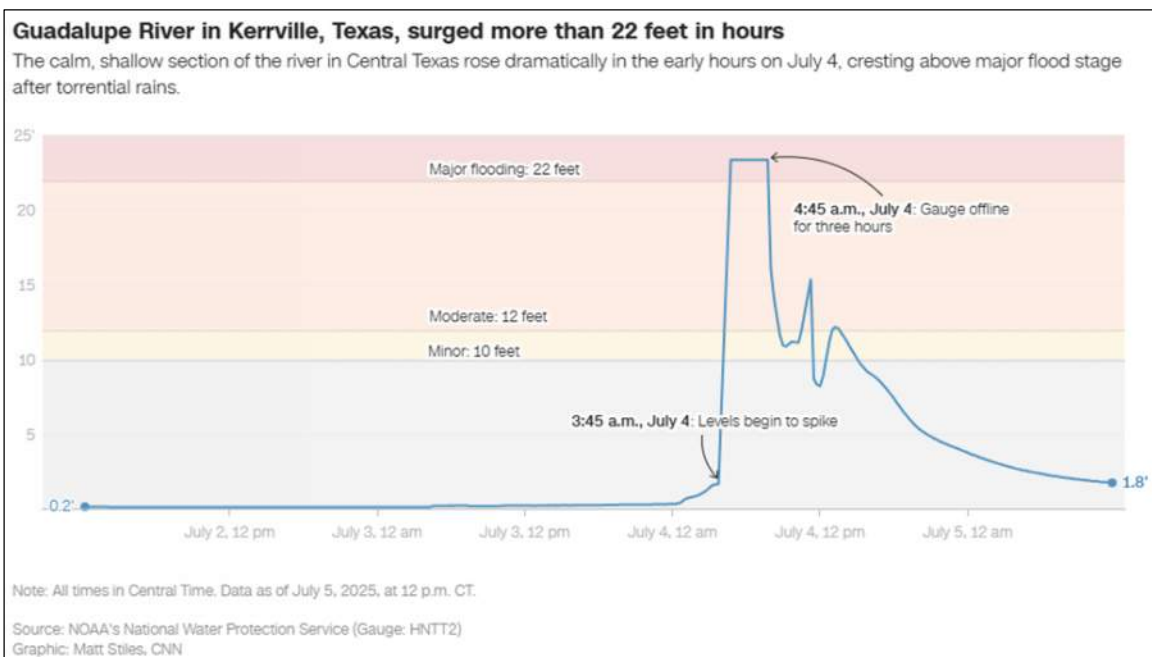
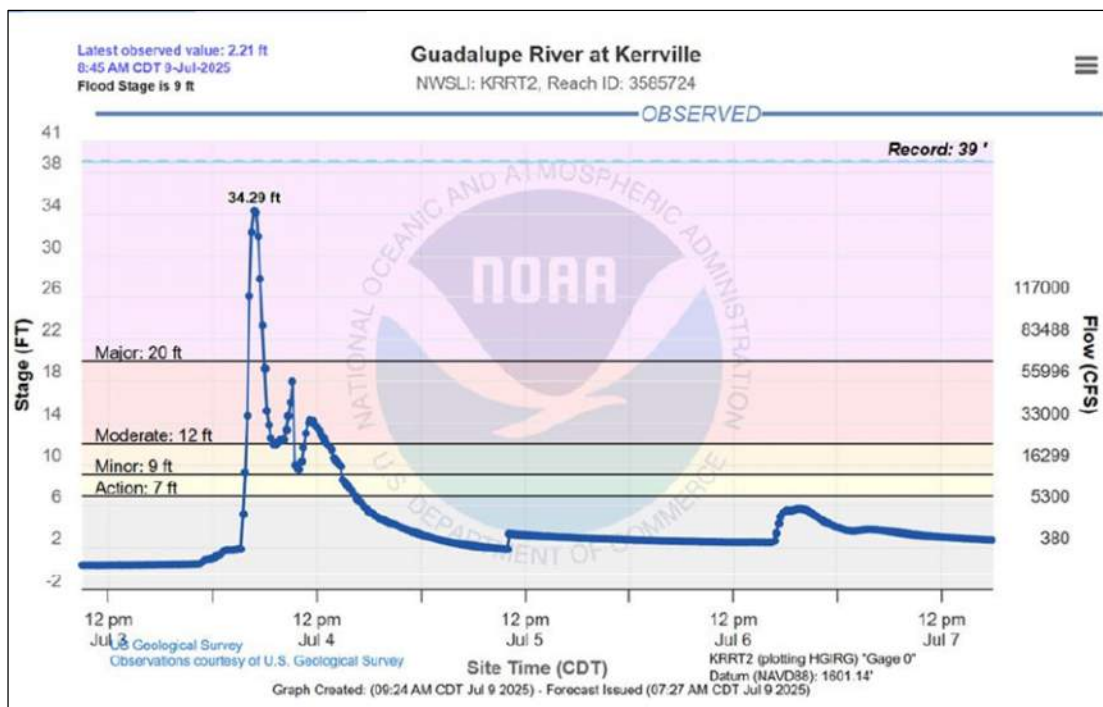
4. The Guadalupe River rose dramatically to more than 26 feet in less than 45 minutes. Kerrville recorded a rise in the Guadalupe River at over 32 feet in 1.5 hours. Camp Mystic, as well as other residences, experienced catastrophic and sudden flooding, combined with rapidly moving water that overwhelmed the camp, residences, and communities. As the chart below reveals, the gallons per second of rainfall was negligible at midnight. The gallons of rainfall per second at 3:00 AM had increased in intensity but would not have been expected to come near or reach any structures at Camp Mystic. Dramatically, and unexpectedly, according to weather

data, shortly before 3:30 AM, the rainfall became catastrophic, unprecedented, and quickly overwhelmed the Kerr County area. The graphic below charts the unprecedented sudden rainfall event.

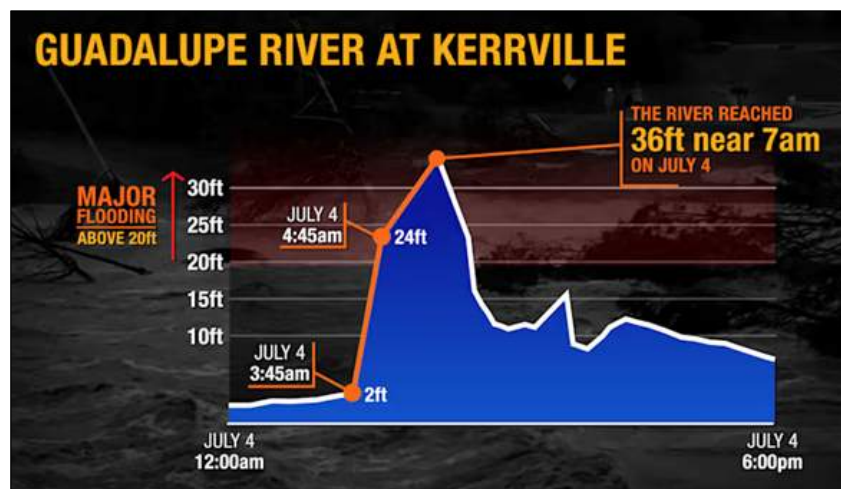


5. The graphic below is provided by the National Oceanic and Atmospheric Administration (NOAA). A NOAA National Water Protection Service Gauge data visibly demonstrates the sudden and dramatic rise in the surge of water that overwhelmed Camp Mystic, residences and communities within its destructive path. During the critical times of evacuating all campers, Camp Mystic was hit with a sudden and overwhelming surge of water that engulfed the camp. Within a matter of moments, water levels at the Guadalupe River rose from less than 5 feet

to over 20 feet. Further, the flood waters continued to violently rise to higher and higher levels, cresting at over 34 feet.



6. Scientific data further confirmed that this catastrophic flooding far exceeded any prior flood recorded in the Camp Mystic area by significant magnitudes. The historical data demonstrates that prior flood history, including the floods of 1932, 1978, and 1984 and 1987, were all below the elevations of Camp Mystic's Twins and Bubble Inn cabins, and below the 100-year floodplain. Twins Cabin has been in existence since at least 1927. Neither of these cabins had experienced previous flooding. On July 4, 2025, flood waters suddenly rose not only to the floor elevations of these cabins, but to the ceilings and beyond. Kerr County Engineers and officials documented and confirmed that the devastating flood is clearly beyond a 1,000-year flood event, completely off the charts, and never anticipated.

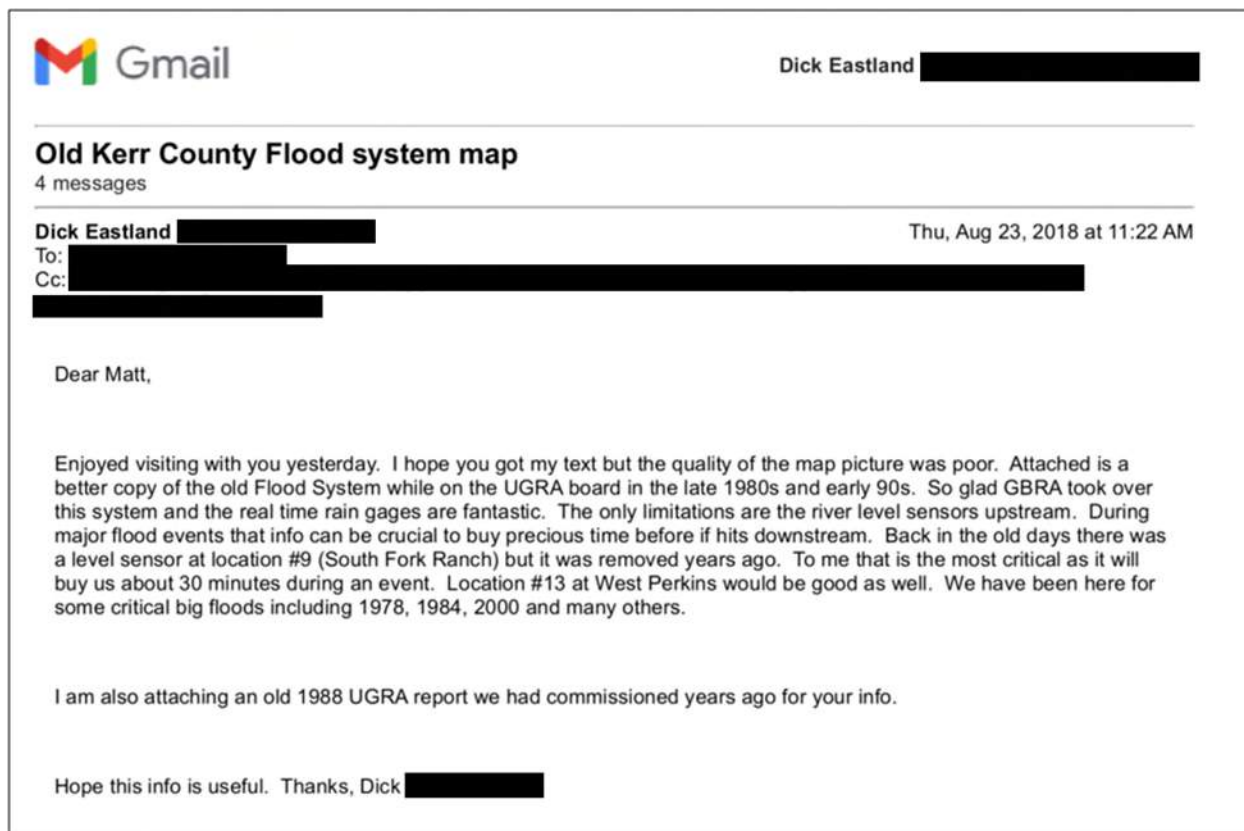


7. Camp Mystic defendants therefore deny Plaintiffs' allegations that the cabins where the children, counselors and camp director perished had experienced prior flooding. These allegations are false.

8. Camp Mystic was not provided with an evacuation notification until well after the sudden swell and surge of water had already engulfed the camp and lives were lost. Emergency personnel requested Code Red alerts at 4:22 AM; however, the authorization for such alert was not

issued until 40 minutes later, at approximately 5:02 AM. Regardless, Camp Mystic had suffered catastrophic flooding and loss of lives long before the evacuation alert.

9. Camp Mystic and surrounding residences were not provided with sirens, flood warning systems, or floodwater monitoring systems that could have provided warnings of the surging waters moving toward Camp Mystic. Despite recommendations and proposals for state-of-the-art warning systems, warning systems along the waterways were not provided. Along with other camp directors in the area, Dick Eastland—who died while trying to rescue campers from the raging floodwaters, —advocated for such systems to be put in place.

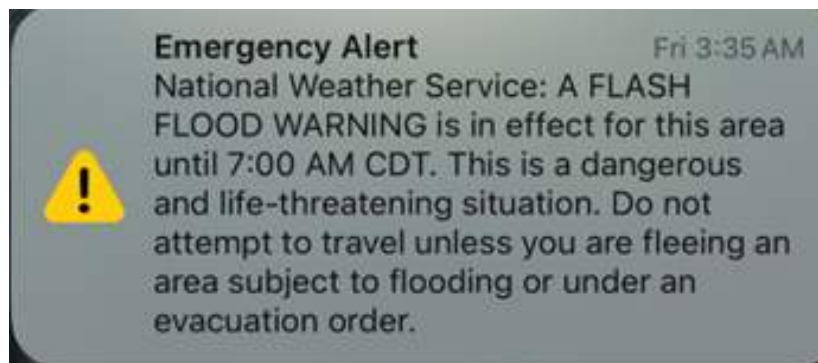


10. Weather alerts that were provided were issued after 1:14 AM. The notification was flash flood warning alerts for Highway 39. Highway 39 is located adjacent to the Guadalupe River around Camp Mystic, other camps, residences, and Hunt, TX.



11. The flash flood warning of 1:14 AM was not an evacuation notice or evacuation alert. It was not a life-threatening situation notice. There were no alerts to evacuate or leave the area before the sudden and unexpected rush of floodwater occurred.

12. While Camp Mystic was already engulfed by the surging waters at 3:35 AM, the National Weather Service issued a warning at 3:35 AM, noting an Emergency Alert flash flood warning that was a dangerous and life-threatening situation. The Emergency Alert continued to warn people not to attempt to travel.



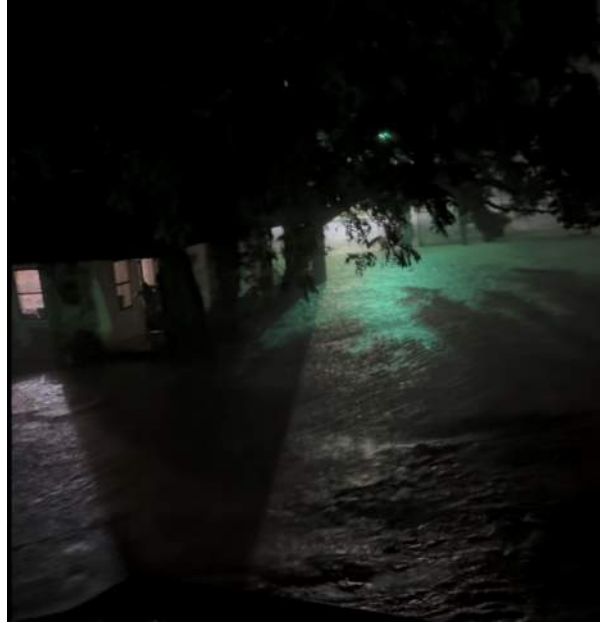
13. Camp Mystic had already begun evacuations from the cabins near 3:00 AM and prior to the 3:35 A.M. warning. Over 150 campers and counselors had been evacuated before the sudden surge and rise of rapid floodwaters came through the camp. As images demonstrate below, by the time the 3:35 AM flash flood life-threatening warning was issued, Camp Mystic was already

experiencing the sudden surge and rise of rapid floodwaters that went from ground level to levels that reached ceilings and beyond in several cabins.

14. The photograph below was taken at 3:23 AM and shows campers continuing to evacuate to the Rec Center.



The photograph below demonstrates that within a few minutes, the water level rose rapidly during the evacuations.



15. Plaintiffs' accusations that Camp Mystic defendants were warned to evacuate and did virtually nothing, is false.


16. Plaintiffs' accusations that Dick Eastland, deceased, Edward Eastland, and other Camp Mystic personnel failed to monitor weather conditions is also false. On the contrary, camp personnel monitored the weather. Dick Eastland and others monitored weather information multiple times from a camp weather station, through the internet, and through other communications. Some cell phone data shown below from Dick Eastland's cell phone is just one example of ongoing monitoring of the weather by the camp.

com.chaney.MyAcuRite	Start time: 7/4/2025 1:00:23 AM(UTC-5) End time: 7/4/2025 1:01:41 AM(UTC-5)		
com.geoterrestrial.noa aradar	Start time: 7/4/2025 12:56:36 AM(UTC-5) End time: 7/4/2025 1:00:22 AM(UTC-5)	com.chaney.MyAcuRite	Start time: 7/4/2025 1:15:44 AM(UTC-5) End time: 7/4/2025 1:16:25 AM(UTC-5)
com.chaney.MyAcuRite	Start time: 7/4/2025 12:55:15 AM(UTC-5) End time: 7/4/2025 12:56:08 AM(UTC-5)	com.apple.weather	Start time: 7/4/2025 1:13:44 AM(UTC-5) End time: 7/4/2025 1:15:11 AM(UTC-5)
com.geoterrestrial.noa aradar	Start time: 7/4/2025 12:53:06 AM(UTC-5) End time: 7/4/2025 12:55:10 AM(UTC-5)	com.geoterrestrial.noa aradar	Start time: 7/4/2025 1:13:08 AM(UTC-5) End time: 7/4/2025 1:13:40 AM(UTC-5)
com.chaney.MyAcuRite	Start time: 7/4/2025 12:42:38 AM(UTC-5) End time: 7/4/2025 12:45:18 AM(UTC-5)		

com.chaney.MyAcuRite	Start time: 7/4/2025 2:06:10 AM(UTC-5) End time: 7/4/2025 2:06:18 AM(UTC-5)	com.chaney.MyAcuRite	Start time: 7/4/2025 2:26:54 AM(UTC-5) End time: 7/4/2025 2:26:56 AM(UTC-5)
com.chaney.MyAcuRite	Start time: 7/4/2025 2:06:05 AM(UTC-5) End time: 7/4/2025 2:06:07 AM(UTC-5)	com.chaney.MyAcuRite	Start time: 7/4/2025 2:13:01 AM(UTC-5) End time: 7/4/2025 2:14:59 AM(UTC-5)
com.chaney.MyAcuRite	Start time: 7/4/2025 2:03:55 AM(UTC-5) End time: 7/4/2025 2:06:05 AM(UTC-5)	com.geoterrestrial.noa aradar	Start time: 7/4/2025 2:12:21 AM(UTC-5) End time: 7/4/2025 2:13:01 AM(UTC-5)

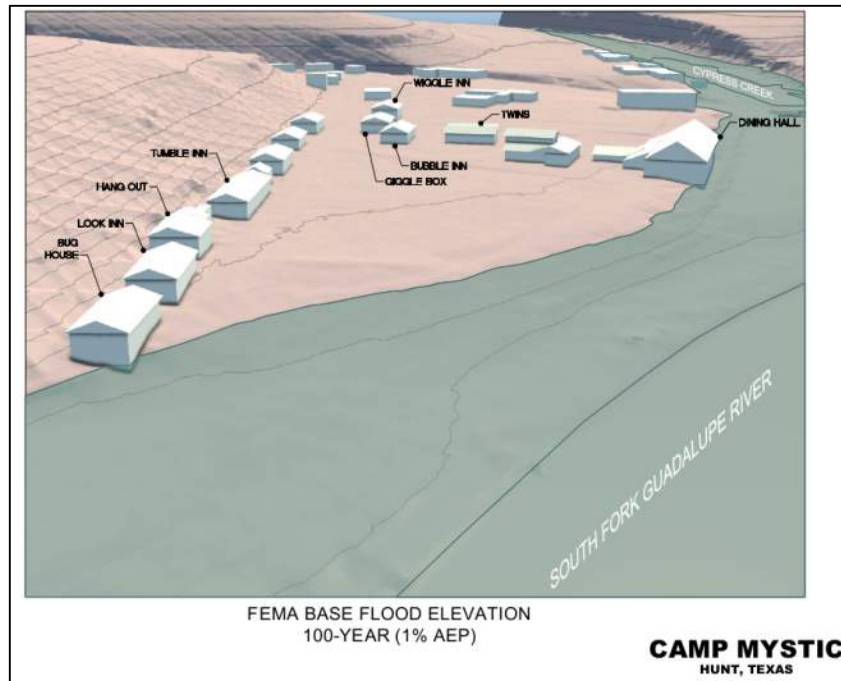
17. No weather service, no radar, and no governmental agency anticipated, forecasted nor expected the more than 1,000 year unprecedented and historic flood of July 4, 2025. The weather data demonstrates that the July 4, 2025 sudden flooding far exceeded any previous flood in the area.

18. Camp Mystic is regulated by the State of Texas through inspections of its facility, policies, and procedures. Two days prior to July 4, 2025, state inspections by DSHS were again conducted, and no deficiencies or violations were cited or noted.

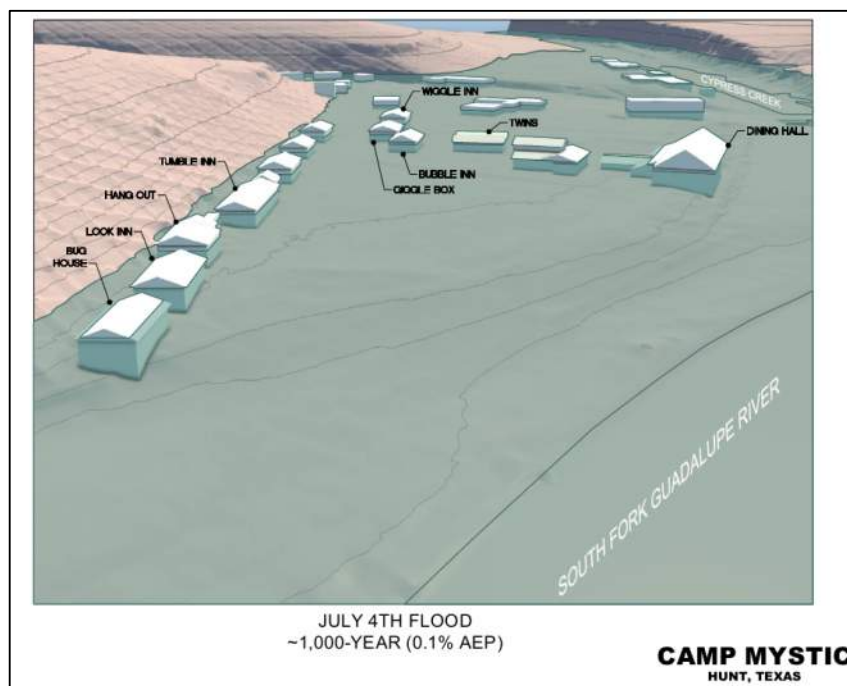
			
TEXAS DEPARTMENT OF STATE HEALTH SERVICES Consumer Protection Division PO Box 149347, Austin, TX 78714 (512) 834-6660			
Facility Name	CAMP MYSTIC INC	License Type	Youth Camp License
Facility Address	2689 HWY 39 HUNT TX 78024	License Number	133010
Inspection Type	Discretionary/Special	Inspection Number	15818
Inspector	ZAMARRIPA, MARICELA	Inspection Date	07/02/2025
<p>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>There is no deficiency/violation cited or noted within the scope of this inspection/visit.</p>			

19. Plaintiffs' accusation that the Twins and Bubble Inn cabins are within the 100-year FEMA determined flood zone is false. Engineering surveys confirm that all cabin floor elevations are above the FEMA determined elevations, including the Twins and Bubble Inn cabins.

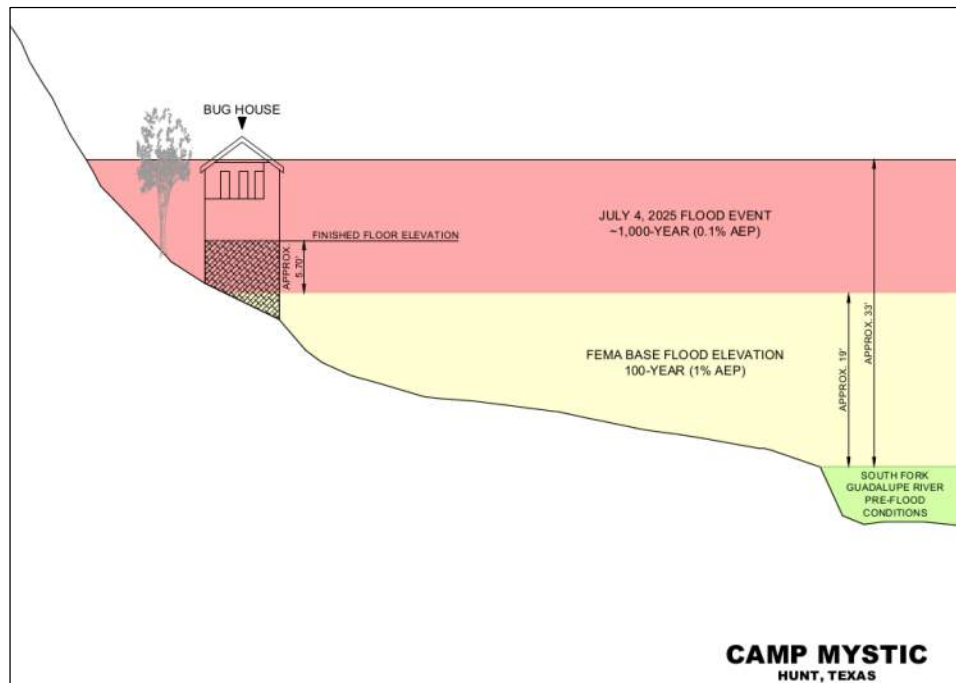
Below is an illustration of the FEMA base flood elevation levels shaded in green.




The illustrations below show the contrast between the FEMA base flood elevations and the historic flood levels of July 4, 2025, shaded in green.



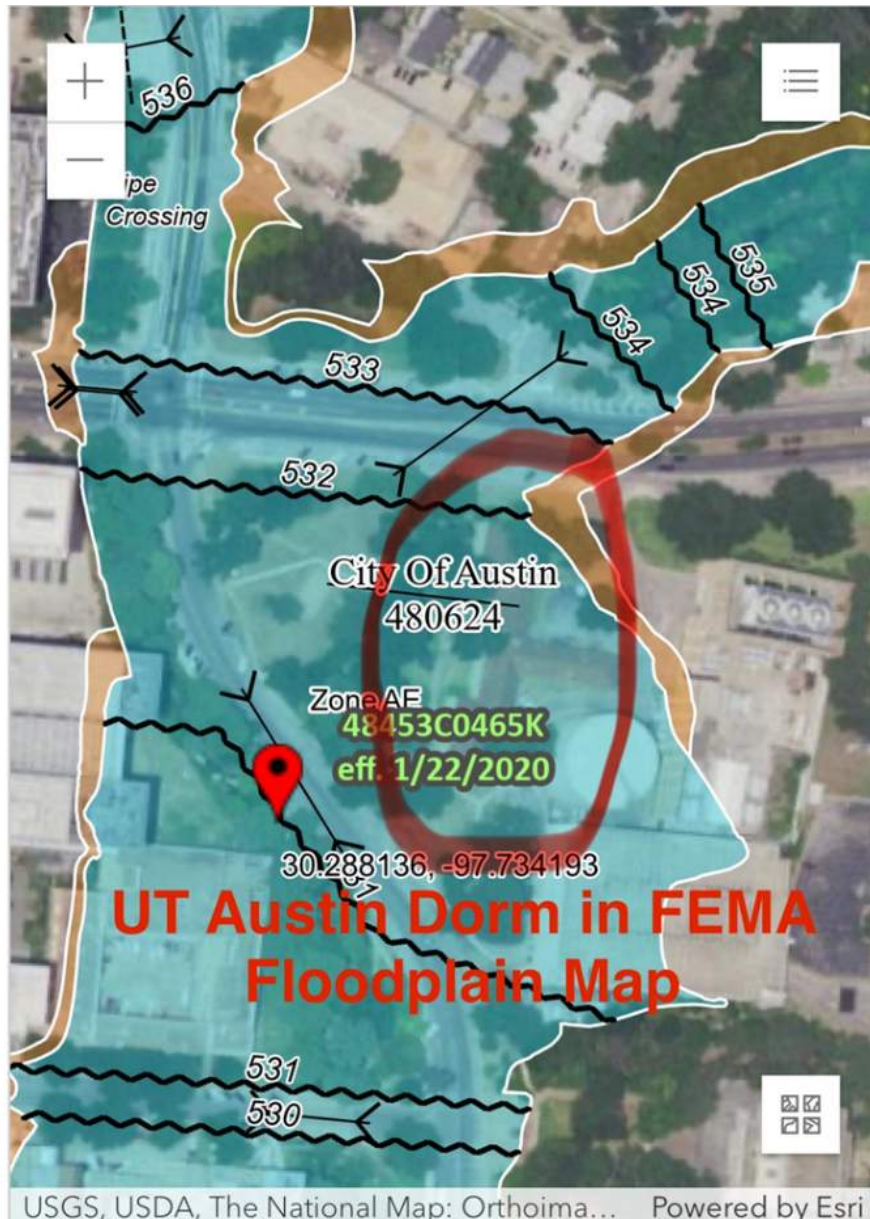
The illustration below further shows the historic flooding level of July 4, 2025 compared to the FEMA base flood elevation.



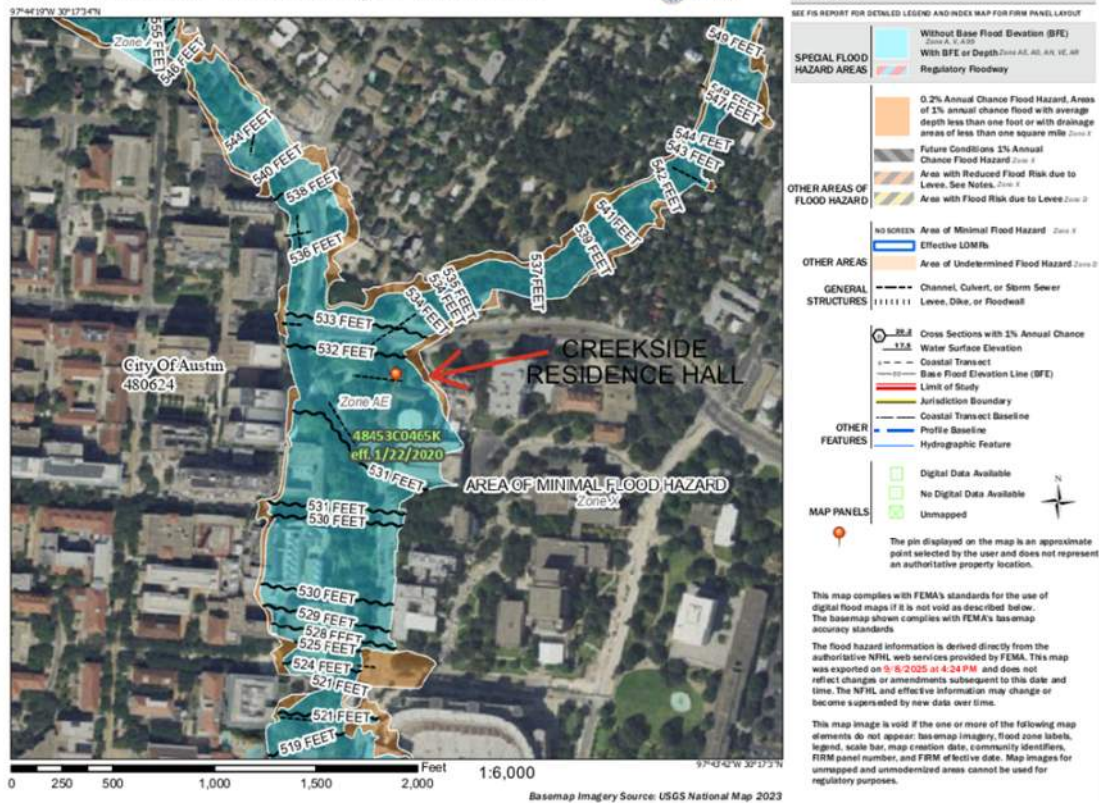
The accusation that Camp Mystic somehow changed or altered the FEMA determined 100-year floodplain elevation is false. 100-year Floodplain elevation altitudes are set and determined by FEMA. These elevations have not changed. Any engineering or surveying professional who has performed such a survey confirms that elevations of structures are above the 100-year floodplain. FEMA confirmed that the surveys were correct. Plaintiffs were offered the opportunity to conduct surveys and inspections to confirm these elevations and findings that FEMA has also confirmed.

DETERMINATION								
LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	--	2689 Highway 39	Structure (Building 13)	X (shaded)	1838.5 feet	1843.5 feet	--
Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).								
ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)								
DETERMINATION TABLE (CONTINUED) PORTIONS REMAIN IN THE FLOODWAY								
<p>This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan.</p> <p>This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.</p> <div style="text-align: center;">  Luis V. Rodriguez, P.E., Director Engineering and Modeling Division Federal Insurance and Mitigation Administration </div>								

20. Unlike Camp Mystic, according to the Texas Water Development Board, there are millions of people in Texas who live near or within a 100-year floodplain map. These structures include houses, dormitories, living quarters and related housing. These structures have been deemed to be reasonably safe and adequate for housing.



National Flood Hazard Layer FIRMette



21. Plaintiffs' accusations that Camp Mystic has experienced floods similar to the magnitude of July 4, 2025, are false. As previously noted, scientific data clearly demonstrates that prior floods, including the floods of 1932, 1978, and 1985, were well below the elevations of Camp Mystic's Twins and Bubble Inn cabins, and well below the 100-year floodplain. Twins Cabin, in existence since at least 1927, has no flooding history. Bubble Inn, adjacent to Twins, likewise has no flooding history. Plaintiffs' accusation that the cabins where the children, counselors, and Dick Eastland perished had experienced prior flooding is false.

22. Pleading further, Plaintiffs' damages were caused directly and exclusively by the violence of nature, without human intervention or cause, and could not have been prevented by reasonable foresight or care. Specifically, the damages for which Plaintiffs seek recovery were caused by a more than 1,000-year flood event which occurred on July 4, 2025.

23. The flood event underlying this lawsuit was an event not proximately caused by the negligence of any party to the occurrence.

24. Plaintiffs' damages were the result of independent, intervening, superseding, or supervening factors, occurrences, or conditions that were not caused by Camp Mystic, LLC.

25. Camp Mystic Defendants plead and rely upon the legislative limitations on damages under Texas law as set forth in all applicable provisions of the Texas Civil Practice and Remedies Code, including but not limited to Section 41.0105.

26. Camp Mystic defendants plead and rely upon the legislative limitations of liability and damages available under Chapter 75 of the Texas Civil Practice and Remedies Code.

27. Camp Mystic defendants plead and rely upon the provisions of Civil Practice and Remedies Code Sec. 171 applicable to this matter and assert all defenses available under these sections.

28. Camp Mystic defendants plead their compliance with FEMA's Letter of Map Amendment (LOMA), and as such, are excluded from FEMA's "floodplain," as defined in Section 762.001(4) of the Texas Health & Safety Code. Any allegation alleging Camp Mystic's role concerning FEMA's Letter of Map Amendment is therefore preempted by the Supremacy Clause of Article VI, Clause 2 of the United States Constitution.

29. Camp Mystic defendants hereby invoke the doctrine of comparative fault under applicable law, and request a determination of percentage of any responsibility among responsible third parties, any settling persons, and parties. Camp Mystic defendants plead any and all provisions of Chapters 32 and 33 of the Texas Civil Practice and Remedies Code applicable to this action.

30. Under Texas law, any award of prejudgment interest must be governed and limited by the provisions of Chapter 304, Subchapter B of the Texas Finance Code.

31. Camp Mystic defendants assert the affirmative defenses of waiver and release.

32. Camp Mystic defendants assert, where applicable, the exclusive remedy under Section 408.001 of the Texas Labor Code.

33. Defendants assert that Mystic Camps Family Partnership, Ltd. and Mystic Camps Management, LLC, are not liable in the capacity in which they have been sued.

34. Camp Mystic defendants reserve the right to assert such other defenses as continuing investigation and discovery may reveal, and the right to amend or supplement this Answer at any time.

35. Camp Mystic defendants further plead that any exemplary damages, if plead and found, must be capped under applicable Texas law, and the Due Process Clause of the United States and Texas Constitutions.

WHEREFORE, PREMISES CONSIDERED, Defendant Camp Mystic defendants pray for judgment in their favor, that Defendants recover costs, and for such other and further relief to which they may show themselves justly entitled.

Respectfully submitted,

WATTS LAW FIRM LLP

/s/Mikal Watts

MIKAL WATTS

State Bar No. 20981820

*Attorney for Natural Fountains Properties,
Inc.; Willetta A. Eastland, Individually and
as Director and Vice President of Camp*

Mystic, LLC; Mystic Camps Family Partnership, Ltd., and Mystic Camps Management, LLC

RAY | PEÑA, P.C.

/s/ Jeff Ray

JEFF RAY

State Bar No. 16604400

Attorney for Camp Mystic, LLC and George Albritton Eastland, as Representative of the Estate of Richard Eastland, Deceased

CASTAGNA SCOTT LLP

/s/ Lynn S. Castagna

LYNN S. CASTAGNA

State Bar No. 03980520

Attorney for Edward S. Eastland and Mary E. Eastland

**WRIGHT CLOSE BARGER &
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/s/Thomas C. Wright

Thomas C. Wright

State Bar No. 22059400

Jessica Z. Barger

State Bar No. 24032706

Kenneth J. Fair
State Bar No. 24007171

Attorneys for Camp Mystic, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served to all counsel of record in accordance with Texas Rule of Civil Procedure 21 on December 12, 2025.

/s/ Jeff Ray

JEFF RAY