

IN THE CIRCUIT COURT FOR FRANKLIN COUNTY, TENNESSEE

ELIZABETH BANDY, JAMES BANDY,
MELANEE BANDY, LILY BOWERS, KYLE
BOWERS, JILL BOWERS, JENNA
BALLARD, JOHN BALLARD, BRANDY
BALLARD, HANNAH CRAWLEY, KENT
CRAWLEY, RACHEL CRAWLEY,
CASSANDRA NICOTERA, JANET
NICOTERA, FREDRICK NICOTERA,
HOLLYN FOX, CHRIS FOX, KELLIE FOX,
RANDY LEE, JENNIFER LEE, and ABIGAIL
LEE,

Plaintiffs,

v.

SEWANEE, UNIVERSITY OF THE SOUTH,
XYZ CORPORATION/ COMPANY 1-5,

Defendants.

Case No.: 2025-CV-179
JURY DEMAND

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FRANKLIN COUNTY, TN

PLAINTIFFS' ORIGINAL COMPLAINT

Students at the University of the South have the right to expect safe air in their dorms. And when parents pay \$75,000 per year for tuition, room, and board, they have the right to expect that the University will provide safe and habitable housing. And yet for years, Sewanee has neglected its dorms to the point that they became a running joke amongst students. Sewanee continued to place freshmen into Johnston Hall — a dorm long known for its infestation with toxic mold — causing life-changing illness to many of the students entrusted in their care.

The University of the South, though small, is well funded and one of the most selective colleges in the country. It admits fewer than ten percent of applicants and promotes an 85–95% medical, law, and business school acceptance rates respectively. Tuition, room, and board cost

more than \$75,000 a year. Sewanee markets itself as one of the most beautiful campuses in the world, a place where students live in historic limestone dorms, enjoy a close-knit community, and find lifelong belonging. Its motto, taken from the Psalms, is *Ecce Quam Bonum* — “Behold how good and pleasant it is when kindred live together in unity.”

But over time, Sewanee students have simply accepted that mold “has been a part of their entire Sewanee experience.”¹ Residents have even gave it a name — the “Johnston Cough.” Stories of inadequate, hot, and musty dorms are just a way of life at Sewanee.

Sewanee knew Johnston Hall was unsafe². In January 2024 the University ordered two students to evacuate Room 7 in Johnston Hall because of black mold covering their walls and belongings. Instead of fixing the problem, Sewanee ignored the mold, permanently closed and locked a third-floor room infested with toxic mold, made no repairs, and in August 2024, filled the dorm again with new Freshman girls.

Students reported problems in the dorm. They noticed walls too wet to hold posters. They noticed vents coated in black and gray growth. They noticed humidity so high it felt like a greenhouse inside their rooms. By September 2024, Johnston Hall was filled with sick students. Freshmen who had come to Sewanee to learn and grow were now too ill for class, missing practices, and collapsing into bed after attending even one class. When parents asked questions, the administration claimed the students were at fault — that they had left windows open in the rain or needed to clean their rooms more.

¹ <https://thesewaneepurple.org/2024/02/09/sewanee-the-school-of-the-mold-a-critique-of-residential-life/> (last visited, Sept. 23, 2025).

² See <https://thesewaneepurple.org/2019/10/09/the-luck-of-the-room-draw-a-student-perspective-on-residence-hall-inequalities/> (last visited, Sept. 23, 2025). See also: <https://thesewaneepurple.org/2024/02/09/sewanee-the-school-of-the-mold-a-critique-of-residential-life/> (last visited, Sept. 23, 2025).

In October 2024, under pressure from residents and the upset families of sick girls, mold inspectors conducted a small sampling of the rooms in Johnston Hall, and the University of the South finally admitted what students already knew: Johnston Hall was full of dangerous, toxic mold.

The University ordered an immediate evacuation. But even then, Sewanee mishandled the crisis, forcing students to pack while industrial fans in doorways were placed in doorways of the most contaminated rooms, blowing inward and spreading mold through the halls and into the air. Families described breathing the moldy air during move-out day as “breathing in a powdered donut” and several students, previously unharmed, started to complain of illness and fatigue. By the time students were relocated, their health was already affected, their belongings contaminated, and their trust shattered.

Sick students and their families now bring this action for accountability, compensation, and deterrence.

JURISDICTION AND VENUE

1. The basis of this Complaint arises from negligence; gross negligence, willful and wanton conduct; negligent hiring, supervision, and training; negligent infliction of emotional distress; intentional infliction of emotional distress; private nuisance; violation of Tennessee Consumer Protection Act (TCPA); and seeks punitive damages.

2. Personal and subject matter jurisdiction are proper in the Circuit Court of Franklin County, Tennessee.

3. Venue is proper in the Circuit Court of Franklin County pursuant to Tenn. Code Ann. § 20-4-101 as Franklin County is the situs of the cause of action arose.

PARTIES

4. Plaintiff Elizabeth “Liza” Bandy is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Robert “Bobby” Bandy is Elizabeth’s father and an individual who resided in Davidson County, Tennessee at the time of the accrual of this cause of action. Melanee Bandy is Elizabeth’s mother and an individual who resided in Davidson County, Tennessee at the time of the accrual of this cause of action.

5. Plaintiff Lily Bowers is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Kyle Bowers is Lily Bowers’ father and an individual who resided in Shelby County, Tennessee at the time of the accrual of this cause of action. Jill Bowers is Lily Bowers’ mother and an individual who resided in Shelby County, Tennessee at the time of the accrual of this cause of action.

6. Plaintiff Jenna Ballard is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. John Ballard is Jenna Ballard’s father and an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Brandy Ballard is Jenna Ballard’s mother and an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action.

7. Plaintiff Hannah Crawley is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Kent Crawley is Hannah Crawley’s father and an individual who resided in Knox County, Tennessee at the time of the accrual of this cause of action. Rachel Crawley is Hannah Crawley’s mother and an individual who resided in Knox County, Tennessee at the time of the accrual of this cause of action.

8. Plaintiff Hollyn Fox is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Chris Fox is Hollyn Fox’s father and an

individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Kellie Fox is Hollyn Fox's mother and an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action.

9. Plaintiff Abigail "Abby" Lee is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Randy Lee is Abigail Lee's father and an individual who resided in Bexar County, Texas at the time of the accrual of this cause of action. Jennifer Lee is Abigail Lee's mother and an individual who resided in Bexar County, Texas at the time of the accrual of this cause of action.

10. Plaintiff Cassandra "Cassie" Nicotera is a Lee is an individual who resided in Franklin County, Tennessee at the time of the accrual of this cause of action. Janet Nicotera is Cassie's mother and an individual resided in Davidson County, Tennessee at the time of the accrual of this cause of action. Frederick Nicotera is Cassie's mother and an individual who resided in Davidson County, Tennessee at the time of the accrual of this cause of action.

11. Upon information and belief, the Defendant, the University of the South ("Sewanee"), is a not-for-profit educational institution in Sewanee, Tennessee. Service of process via certified mail through the registered agent, Scott Wilson, at 735 University Ave, Sewanee, TN 37383-1000.

12. Plaintiffs are ignorant of the true names and capacities of Defendants sued herein as "John Doe Companies 1-5." Plaintiffs allege that each fictitious company Defendant was engaged in ownership, maintenance, inspection, repair, or remediation activities related to the dormitories described in this Complaint, and that each is legally responsible for the occurrences alleged. Plaintiffs will amend this Complaint to state the true names and capacities of these Defendants once ascertained.

PRESERVATION OF EVIDENCE

13. Plaintiffs request and demand the defendant preserve and maintain all evidence pertaining to any claim or defense related to the incident made the basis of this lawsuit, or the damages resulting therefrom. This request and demand includes any statements, photographs, video footage, audio, surveillance, remediation or repair records, business records, maintenance and repair requests, mold testing reports, construction defect testing reports, invoices, checks, correspondence, facsimile, email, voicemail, text messages and any evidence involving the incident in question. Failure to maintain such evidence will constitute a “spoliation” of evidence.

FACTUAL ALLEGATIONS COMMON TO ALL PARTIES

A. Sewanee “School of the Mold”

14. The University of the South is a private liberal arts college located in Sewanee, Tennessee. Founded in 1857, this 13,000-acre University sits on the Cumberland Plateau, an area known for significant humidity and rainfall throughout the year. At least 1,693 students attend Sewanee yearly, and 99 percent of students are required to live in University residential halls or small houses, making the University of the South one of the largest landlords in the State of Tennessee.

15. The University boasts of financial stability in its official publications, advertising net assets of \$763 million in 2021, with a significant portion of its \$116 million increase in 2022 coming from growth in investments.

16. The University holds disproportionate power over the local town and area, given: the financial strength of the institution, students and faculty represent over 50 percent of the population of the town of Sewanee, and the University owns all the land in and around the town of Sewanee, which includes private businesses and homes. Any private business or home situated on the 13,000-acre campus can never own the land upon which they sit but instead must

lease the land from the University³. The University acknowledges this effective control over the local area, stating its Vice-Chancellor of the University “also serve[s] as the de facto mayor of Sewanee.”⁴

17. The University also showcases impressive statistics for its incoming and graduating classes. Sewanee accepts less than 10 percent of applicants and more than 50 percent of Sewanee Students go on to get a Master’s Degree, with a 90-95 percent acceptance rate for law schools and business school respectively, and an 85 percent acceptance rate for medical school.⁵ These rates are meant, in part, to justify the more than \$75,000 per year students pay to attend Sewanee, with over \$15,000 on average going to room and board⁶.

18. Student life and well-being form a large part of the school’s marketing materials to prospective students. Sewanee’s motto is derived from Psalm 133 and the Latin Phrase “Ecce Quam Bonum”, which means “Behold how good and pleasant it is when kindred live together in unity.” Much of these marketing materials highlight student wellness and a close-knit community. In fact, the University advertises one of the perks of attending Sewanee is the tradition of living in one of the beautiful and historic residences, each with a façade of Tennessee sandstone and a unique flag to represent the residence hall’s history.⁷

19. However, these impressive statistics and colorful marketing materials showing happy students in a pristine environment omit a crucial fact about the University of the South; its dormitories are riddled with toxic mold, and the Administration knows it.

³ <https://new.sewanee.edu/files/resources/university-disclosure-01-2019.pdf> (last visited, Sept. 23, 2025).

⁴ https://new.sewanee.edu/files/resources/117_22_mc-vc-search-recruitment-brochure_web4.pdf (last visited, Sept. 23, 2025).

⁵ https://new.sewanee.edu/files/resources/054_23_adm_senior-field-guide-2023-24_text.pdf (last visited, Sept 23, 2025).

⁶ <https://new.sewanee.edu/admission-aid/cost-financial-aid/tuition-fees/> (last visited, Sept. 23, 2025).

⁷ <https://new.sewanee.edu/campus-life/living/residential-life/residence-halls/> (last visited, Sept. 23, 2025).

20. Reports of pervasive, toxic mold on campus are not a recent concern, but a consistent part of student life going back many years. As the University Newspaper “The Sewanee Purple” reported, “many upperclassmen state that mold has been a part of their Sewanee experience.”⁸ Reports of mold have been common for years, but the University failed to take action and properly remediate these toxic dorms and would routinely ignore complaints from students ranging from moldy air conditioners to wild animals roaming the dorms.⁹ Additionally, both Residential Life offices and the Universities facilities management were slow to respond to student concerns, if any response came at all. The University ignored the complaints of students and toxic mold began to grow at a rapid rate in one of the historic dorms on Campus, Johnson Hall.

21. Johnson Hall, built in 1926, is one of the oldest residence halls at the University of the South. Renovated in 2014 through 2015, the dorm housed about 56 female students and provided carpeted rooms, carpeted common areas, vinyl wallpaper, and has a “mini-split” air conditioners in each room.¹⁰ Upon information and belief, these “mini-split air” conditioners were added in 2022.

22. In January 2024, two students on the first floor of Johnson hall were told to pack their “mold ridden clothes and bedding” and ordered to evacuate due to black mold infesting their room, coming through the floors, falling off the ceiling, and coating the wall.¹¹ Despite frequent complaints of mold for weeks starting before Christmas break, these two students were

⁸ <https://thesewaneepurple.org/2024/02/09/sewanee-the-school-of-the-mold-a-critique-of-residential-life/> (last visited, Sept. 23, 2025).

⁹ *Id.*

¹⁰ <https://thesewaneepurple.org/2024/11/17/school-of-mold-episode-ii-mold-strikes-back/> (last visited, Sept. 23, 2025).

¹¹ *Id.*

suddenly evacuated in a snowstorm due to the impending health risk, but the rest of the residents in Johnson hall were unaware of the looming health hazard growing within their shared walls and rooms.¹² This mold-infested dorm room was vacant as of January 2024 until the start of the 2024-2025 academic year, despite the second-largest freshman class in school history. Room 47 on the third floor of Johnson also remained vacant due to mold and moisture issues.

23. According to the Sewanee Purple, a student lived next to this evacuated dorm room in Johnson Hall and she recalled returning to school after Christmas break only to find her dorm walls were so wet, her posters had fallen off.¹³ After her neighbors were suddenly evacuated, this student and her roommate began inspecting their room and found a “weirdly grayish-black and fuzzy” substance growing on her air conditioner. Fearing mold, the resident placed a work order to Facilities Management to inspect her AC; she never received a reply.¹⁴

24. According to the school newspaper, other residents of Johnson Hall recalled having ongoing health issues during the school year, which the students called the “Johnson Cough”.¹⁵ Complaints of painful breathing, coughing, coughing up blood, and sinus infections were widespread in the dorms and, indeed, across campus.

25. University of the South students receive treatment at the University Health Services (UHS), a seven-employee, student-only medical treatment facility on campus. At Sewanee, UHS treats almost all the student population and, given the school’s isolation, means that this is the sole medical provider for most of the students on campus¹⁶. These Johnson Hall

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ <https://www.youtube.com/watch?v=RzQ5p18pQxE&t=980s-> at 27:40, last accessed on (last visited, Sept. 23, 2025).

residents, exposed to toxic mold, were told the symptoms they experienced were because of allergies, despite these allergies and symptoms disappearing when the students were at home and away from their dorm. This was a common student experience. Ironically, in an online Webinar to families about student wellness, UHS admitted three of the top four reasons students come to UHS are for respiratory issues, headaches, and fatigue: all common symptoms of toxic mold exposure.¹⁷

26. In August 2024, Freshman girls began to move into all but two dorm rooms in Johnson Hall, necessitated by a second-largest Freshman class in University history and two dormitories unoccupied for planned renovations.¹⁸ Shortly after moving into the Johnson Hall, these Freshman began to complain about mold in their rooms, with mold spreading at an alarming rate.¹⁹ It would be two months before the University took any steps to remediate the toxic mold in the dorm rooms, eventually admitting the mold was so severe that students needed to be evacuated.²⁰

27. While the University waited until it was forced to act, these Freshman women were exposed to toxic levels of mold and became extremely ill. The University did nothing until forced to act despite the knowledge that Room 47 closed the year prior due to a mold infestation.

28. In August and September 2024, the University continued to deny there was a mold crisis at Johnson Hall. According to Robert Benton, the Associate Vice President for Facilities Management, the University's Director of Risk Management, Chris Smith, personally assessed each of the complaints of mold in Johnson Hall in the Fall of 2024 and determined the

¹⁷ <https://www.youtube.com/watch?v=RzQ5p18pQxE> at 16:05 (last visited, Sept. 23, 2025).

¹⁸ <https://thesewaneepurple.org/2024/11/17/school-of-mold-episode-ii-mold-strikes-back/> (last visited, Sept. 23, 2025).

¹⁹ *Id.*

²⁰ *Id.*

complaints were either isolated incidents or no mold was present.²¹

29. As an example, in the middle of September Lilly Bowers reported a mold spot on her carpet which kept growing. When Chris Smith inspected Lily Bower's room, Room 21, he stated the patch of mold on her carpet was "just dirt." The University's own mold testing in October would reveal the amount of toxic mold in Room 21 was hazardous to human health.

30. On September 30, When Chris Smith came to inspect reports of growing mold in the dorm room of Elizabeth "Liza" Bandy and Hollyn Fox in Room 29—the epicenter of the Johnson Hall mold infestation—he noticed a window was open, and stated this was the cause for elevated moisture levels in the room. The humidity in Hollyn and Liza's room was 82 percent—a moisture level which allows mold to thrive. However, the pictures of Liza and Hollyn's room on September 30 tell a different story.



Photos from Room 29, Hollyn and Liza's Room, on September 30, 2024. This shows visible mold growing on the carpet and bookshelves.



²¹ Id.

31. As the complaints of mold across the dorm grew and concerned parents began to demand formal testing, the University was finally forced to act. Initially the University planned to simply replace the carpet of Room 29 with vinyl flooring and paint the walls without mold testing, but this concerned Hollyn and Liza's parents. Upon the insistence of Bobby Bandy, Liza's father, to the University Administration, and upon seeing the visible mold growth of Room 29 in Johnson Hall, Sewanee hired Marion Environmental Inc. (MRI), a Nashville company, to conduct mold sampling on October 3, 2024 in four rooms in Johnson Hall, including Room 29.

32. These tests determined the amount of toxic molds *Penicillium*/*Aspergillus* inside Liza and Hollyn's room were hazardous to human health, effectively 2,264 times higher than those found outside. These results indicated a dangerous level of mold and rendering the room, and entire dorm, uninhabitable and unsafe for human habitation.

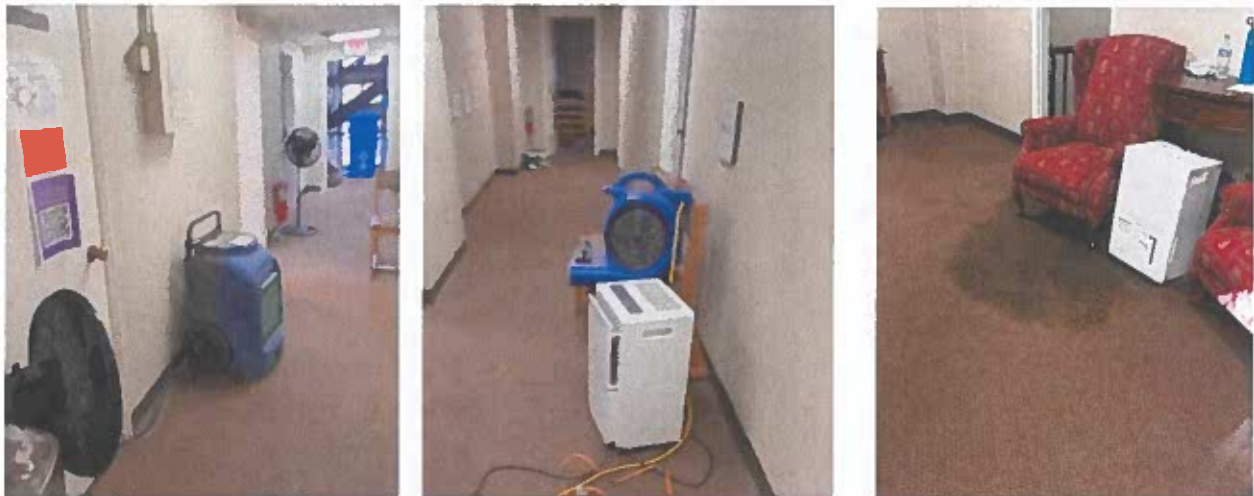
33. *Penicillium* and *Aspergillus* are toxic to humans and are known to cause medical symptoms such as wheezing, brain fog, extreme fatigue, coughing up blood, and chest pain. These MRI test results were later confirmed by Tennessee Mold Inspectors (TMI), hired by Bobby Bandy to independently test Liza's room during the Johnson Hall evacuation. TMI described the amount of mold and mycotoxins in Hollyn and Liza's room in their October 10, 2024, testing report as:

The Bedroom (Room 29) air sample had Elevated Total Fungi compared to the Outdoor sample. There were potential mycotoxin producing mold spores (*Aspergillus*/*Penicillium*) present in this sample (that were not outside or at trace amounts). *Aspergillus*/*Penicillium* was elevated. This space should be professionally remediated following IICRC methods to bring these numbers down. **This space is not safe for human occupation. Due to the Total Fungal counts in this space, it should not be occupied until remedial work is complete. This space is not safe for human occupation.**

34. When finally confronted with data they couldn't ignore, the University was forced

to act. The residents of Johnson Hall were evacuated and relocated in a haphazard manner, with some students having to sleep on mattresses in the hallway. The University planned to move some of the Johnson Hall students into McCrady Hall, another older dorm which was previously closed for “renovations”, but elevated mold levels were also detected in the McCrady rooms, rendering them uninhabitable.

35. During the evacuation from Johnston Hall, the University did not follow EPA guidelines for preventing further injury to the students or to contain the mold. No containment barriers were placed to prevent the further spread of toxic mold in the dorm. Students and parents



Oscillating and industrial fans in Johnston Hall during the October 2024 evacuation, along with overflowing dehumidifiers.

were neither provided nor instructed to wear protective masks and gloves when in the dorm. Instead, the University propagated mold by placing fans in the contaminated rooms which blew mold-ridden air into the hallways and the faces of the students and parents moving out. Dehumidifiers were overflowing and leaking into the carpet. This exacerbated, or in some instances caused, further mold exposure and symptoms for students and parents alike.

36. On October 6, 2024, the University held two Zoom meetings regarding the mold results and evacuations from Johnson Hall, one for the students and one for the parents. During that meeting, Provost Scott Wilson told the parents “While our initial understanding was this

might be a single incident, we began to think this was a systemic issue beginning on Thursday [Oct 3, 2024]...” However, the University knew or should have known this was a systemic issue, given the numerous complaints lodged by students for months and years, and multiple Sewanee Purple articles about mold.

37. During this parent Zoom call, the University attributed the moisture from Hurricane Helene and problems with Johnson Hall HVAC and air intake system as the cause of elevated mold levels in the dorms. Initially the University believed a blocked fresh air duct created negative pressure which pushed alleged rain-dampened air into the building.

38. In the same October 6, 2024, parent Zoom meeting, the University also stated a malfunctioning humidity monitor was not communicating when levels of humidity inside Johnson Hall rose above 70 percent. However, even if the humidity monitoring system functioned properly, the University did not hire any personnel to monitor the humidity alarms.

39. During a chance meeting between the Domain Manager at Sewanee and Chris and Kellie Fox, Hollyn’s parents, at the local Piggly Wiggly grocery store near Sewanee on February 23, 2024, the manager said, “it’s a shame this whole situation could have been avoided.” According to Chris and Kellie, this employee warned the University repeatedly that they needed to fill the position for somebody to monitor dorm humidity alerts.

40. During October 3, 2024, Zoom call, Robert Benton, the facilities manager at Sewanee, assured parents the air intake issues were fixed. However, when Bobby Bandy arrived at Sewanee on October 10, 2024, to evacuate his daughter Liza, he discovered the repairs to the air intake system never occurred. He found the air intake ductwork was detached from the outside vent, causing the HVAC intake to pull air from the basement of the dorm.



The “repaired” Johnson Hall air intake system on October 10, 2024. The ductwork (middle) between the outside, red vent (left) and the air intake (right) is detached and the air intake filter was moldy and unclear.

41. Further, Bobby—a former architect—noticed the second-floor hallway air intake and air return vents were too close to effectively circulate air to the individual dorm rooms. This means the mini-split air conditioners, known to be difficult to clean and prone to mold, never received fresh air and were recycling moist, stale air in the individual dorm rooms.

Compounding these problems, the University placed vinyl wallpaper on the exterior walls and most of the interior walls in Johnson Hall. Vinyl wallpaper attached to porous sandstone is known to trap moisture and air, causing condensation between the wallpaper and the wall, which leaks down to the floor, wicks into the carpet, and provides an environment for mold to thrive. Upon information and belief, these defects and lack of HVAC maintenance, coupled with a contaminated and leaking third floor room, created the health and safety crisis.

B. Water damage and mold affect health.

42. The U.S. Centers for Disease Control and Prevention (CDC), the National Institute of Health (NIH), the Institute of Medicine of the U.S. National Academy of Sciences, the American Academy of Allergy, Asthma & Immunology (AAAAI), and the World Health Organization (WHO) all agree that living or working in a building with mold-damaged building

materials results in increased health risks to its occupants.

43. Mold is a fungus that reproduces by creating spores or microscopic cells. The spores and cells generate in large numbers and in chains that easily disperse into the air. Mold spores are generally invisible to the human eye. If adequate moisture is present when a mold spore lands on a suitable carbon containing food source, such as the paper on drywall, furniture, clothing, and furnishings, it begins to grow. Mold can grow with liquid water and even simply due to the presence of high relative humidity in the air. At Sewanee, the mold growth is pervasive enough to be seen with the naked eye.

44. When certain species of mold grow and process nutrients, they produce chemicals called mycotoxins and excretory chemicals. Mycotoxins are known to be used as chemicals in biological warfare. These microscopic microbes and their chemistries can be toxic to human cells and to cause immune and other organ inflammation, injury, and disease. Mycotoxins attack the nervous, respiratory, immune, and muscular systems and can enter the body either via ingestion, inhalation or direct skin contact and can lodge in the digestive tract, lungs or brain.

45. Several mold species, including *Penicillium*, *Aspergillus*, *Cladosporium* and *Stachybotrys*, produce a wide variety of mycotoxins that are poisonous or toxic to virtually all people who come in contact with them. Critically here, the levels of *Penicillium* / *Aspergillus* were extremely elevated, impacting all the Johnson Residents. Apart from being toxic, exposure to microbes and chemistries is known to cause inflammation and immune system injury or dysfunction. Often, due to the latency periods between exposure and disease, one may be harmfully exposed and contacted, but the symptoms and disease may not be apparent for years. Medical monitoring is essential to deal with the effects of the chemical and microbial assault.

46. Initial symptoms of mold and microbe exposure can include upper respiratory

infections, coughs, sore throats, headaches, nausea, fibromyalgia, fatigue, hemorrhaging, convulsions, skin irritation, cancer, and organ and tissue damage including liver, kidney, neurological and immunologic disease.

47. For all these reasons, water damage and mold must be immediately and properly remediated. At a minimum, proper remediation requires the removal of water damage and mold source. In general, the process includes (i) identification of the mold source; (ii) containment of the affected area; (iii) removal of the mold and contaminated materials under containment; (iii) cleaning the contaminated area; and (iv) clearance testing. Failure to do so could lead to serious health implications, as is evident by how the following freshman girls suffered after their time in Johnson Hall.

C. INDIVIDUAL FAMILIES' FACTUAL ALLEGATIONS

a. The Bandy Family

48. Elizabeth "Liza" Bandy was a driven high school student who dreamed of attending Sewanee ever since a high school field trip when she witnessed the beautiful campus and pristine environment upon which the University sits. Little did she know it was these same beautiful buildings that would make her sick.

49. Growing up in East Nashville, Liza was a straight-A student, graduating high school with a 3.85 cumulative GPA. She was a kickboxer, painter, poet, and musician while also being an active member in her church youth group. Liza was thrilled to be accepted into Sewanee and prepared to begin her freshman year, planning to major in music composition and literature. Like all freshman students, Liza was required to live in the university dorms, at a non-negotiable cost of more than \$15,000 a year, and was assigned a roommate, Hollyn Fox. The two students exchanged emails and calls back and forth to prepare for decorating their dorm room and the start of the fall semester.

50. On August 24, 2024, Liza Bandy moved into Room 29 in Johnson Hall with Hollyn Fox and both women were excited at the size of their room. They felt lucky. Both girls were excited about the new semester and their future.

Liza and Hollyn in Room 29 on Move-In Day at Sewanee



51. Neither these young women, nor their parents, were aware that the room above them, Room 47, was closed and shuttered the year before with moisture dripping from the walls. Neither of these young women, nor their parents, were aware that the room below was the same room where two students were forcibly evacuated in January 2024 due to toxic mold infesting the room.

52. For the first two weeks of her freshman year, Liza was in her element. She was making friends, enjoying her classes, joined a local church, and even started a poetry group on campus. Life at Sewanee felt promising.

53. After the second week of being in her dorm room, Liza's health started to decline

without explanation. She found walking to class, usually a pleasant and easy twenty-minute walk across campus, was now challenging due to extreme fatigue and nausea. Every day, the walk to classes or to the cafeteria became increasingly difficult, as if her muscles were struggling to respond. One day during class, Liza found herself weak, faint, her heart racing, and she was unable to speak or form words. She found a receptionist at Gary Hall and tried to communicate, but no words could come out. The receptionist drove Liza to the University Health Services (“UHS”). Despite her confusion and inability to speak, UHS personnel did not screen Liza for a stroke or brain damage. Instead, they conducted several blood tests, told her she could be seen later in the week, and sent her on her way. Liza returned to her room to try and rest and recover.

54. Liza’s unexplained fatigue, confusion, shortness of breath, and lightheadedness continued, while her UHS labs provided no indication of her illness. She tested negative for mono, thyroid issues, and her blood results did not provide a clear etiology of her illness.

55. The next week, Liza rarely left her dorm room because of her exhaustion and symptoms. Walks to the cafeteria, class, or her university-provided counseling sessions became an ordeal, requiring multiple breaks and almost fainting numerous times on what used to be a quick walk across campus. Out of concern for Liza, one of her counselors contacted her teachers to request accommodations for her unexplained illness. Studying, a prior place of comfort and refuge, was now an all-day affair, requiring hours to complete what before would have taken maybe a half hour, punctuated with naps due to exhaustion.

56. By her fifth week on campus, Liza’s condition had deteriorated significantly. Once a vibrant, engaged student, she now spent most days confined to her dorm room in Johnson Hall, unable to walk across campus without near collapse. Simple acts—such as attending class, walking to the cafeteria, writing a letter, or even getting out of bed—became insurmountable. On

several occasions Liza nearly fainted on her way to class, and even emails or conversations with family and friends became multi-hour efforts due to extreme fatigue and brain fog.

57. Despite repeated visits to UHS, Liza received no definitive diagnosis and no effective treatment. Her symptoms—including exhaustion, dizziness, difficulty speaking, shortness of breath, and profound cognitive impairment—continued to worsen as she remained in Johnson Hall.

58. On September 29, 2024, after weeks of escalating illness, Liza went home to Nashville for medical treatment and parental support. The very next day, her roommate Hollyn discovered significant mold growth spreading across the carpet of Room 29 and sent a photo saying “I think I know what is making you sick.”

59. Prompted by this photo and Liza’s illness, Bobby Bandy contacted the University and requested they test Room 29 for mold. Shortly thereafter, October 3, 2024, mold testing by MRI revealed that Liza’s dorm room contained 224,000 spores per cubic meter of *Penicillium/Aspergillus*—over 2,000 times the levels measured outside—demonstrating that she had been living in an environment unfit for human habitation.

60. Once at home in Nashville, Liza’s condition did not immediately improve. She remained suffering with extreme fatigue, brain fog, and vertigo-like symptoms, requiring her mother to provide meals, room cleaning, and basic care as Liza was unexplainedly bedridden. Medical testing soon revealed the presence of mycotoxins in her system, confirming toxic mold exposure.

61. To this day, Liza continued to suffer from debilitating symptoms including postural orthostatic tachycardia (POTS)-like episodes, extreme exhaustion, and persistent brain fog. She is unable to return to school, to work, or to engage in normal social or physical

activities. Once a kickboxer, painter, musician, and composer- a year later she can no longer sustain physical exertion or concentrate on creative work.

62. Liza's injuries have required extensive medical care, specialized testing, supplements, and neurological treatment, much of which has not been covered by insurance and has cost her family thousands of dollars. Her parents have borne financial and caregiving burdens, including reducing work and personal commitments to care for their daughter full-time.

63. As a direct and proximate result of Defendants' gross negligence and reckless disregard for student safety, Liza has suffered life-altering injuries, such as loss of her education, loss of independence, mental anguish, loss of physical and cognitive functioning, loss of future employment, and loss of enjoyment of life. Her prognosis remains uncertain, and she continues to require ongoing medical treatment now and into the future for the effects of toxic mold exposure at Sewanee- all of which could have been avoided had the University taken mold seriously.

A formerly outgoing girl, Liza can't even talk to friends without having to rest during social interactions in June of 2025



64. Robert "Bobby" and Melanee Bandy live in Nashville Tennessee and are the parents of Liza Bandy. Bobby, a former architect, now owns a residential and commercial recycling company. Melanee, a recent empty nester, was looking forward to joining the workforce or volunteer, expecting that her daughter would attend Sewanee full time.

65. From the moment their daughter's health began to decline, they both became deeply involved in trying to identify the cause of her sudden illness. There was no explanation why their over-achieving daughter who was taking salsa lessons and budgeting classes weeks before she left to college returned bedridden and ill. Melanee assumed the role of full-time caregiver for her daughter, cooking, cleaning, and tending to her basic needs while managing an exhausting regimen of medical appointments, testing, and treatment.

66. For Bobby and Melanee, determining what was happening to their daughter and in Johnson became a second job. Bobby's persistence and demands that the University conduct mold testing is what unearthed the extent of the Johnson Hall mold infestation, ultimately forcing Sewanee to acknowledge a crisis it had long ignored.

67. The University's delayed response to the mold crisis in Johnson Hall forced the Bandys to shoulder the trauma of witnessing their daughter's physical and mental decline and unexpected financial burdens. They have paid tens of thousands of out-of-pocket dollars for specialized medical care, supplements, and testing not covered by insurance. Bobby and Melanee endured the personal stress of demanding transparency from the University. They devoted hundreds of hours to documenting the University's failures, moderating a parents' group of more than 30 families, and advocating for safer housing for current and future Sewanee students. All the while, they suffered extreme distress and anxiety watching their daughter's journey to recovery from being poisoned at her \$75,000 per-year college. The Bandys continue to grapple with the injuries their daughter sustained from simply living in her assigned dorm room at the University of the South.

b. The Fox Family

68. Hollyn Fox entered Sewanee in the fall of 2024 as an exceptional student and athlete. She graduated high school with a 4.16 GPA, was in the top 10 percent of her class, and

had scholarship offers at multiple universities, including substantial scholarships at University of Tennessee, Knoxville and Maryville College. She cheered for nine years, played volleyball for six, and had been active in youth leadership, honor societies, and early college coursework at Chattanooga State. Her accomplishments earned her a scholarship to Sewanee, her dream school since childhood, where she planned to major in biology with a pre-medical focus and minor in psychology. She arrived in August of 2024 eager to begin as a student and as a member of the Sewanee cheerleading team, expecting to thrive both in the classroom and on the sidelines.



Hollyn at High School Graduation accepting an award for being top 10 percent of her graduating class.

69. Initially, Hollyn and her family asked multiple University administrators for an exemption to live at her home, which was less than 14 miles to campus. As locals, Hollyn and her parents sought to avoid the \$64,000 expense for four-years of room and board when they lived so close. In response, the University denied their request, stating “[l]iving away from campus [SIC] could be vital to your student’s Sewanee experience and the love our students have for campus in general.” The University’s mandate forever altered Hollyn’s education and health.

70. Hollyn moved into Room 29 in Johnson Hall with her assigned roommate, Liza

Bandy. At first, the two Freshmen were excited to room together, coordinating their dorm room decorations and anxious to start college. By mid-September, as Liza became increasingly ill, Hollyn also began experiencing ever-worsening sore throat, nasal congestion, nosebleeds, and chest tightness.

71. Thinking it was a cold or virus, Hollyn tried numerous over the counter remedies and became so desperate, she tried alternative remedies like drinking pickle juice to make her throat feel better. As the weeks went by, she developed red nodules, itchy eyes, headaches, and fatigue so profound she often slept through the day. Hollyn would suffer unexpected nosebleeds which caused embarrassment, as she would start bleeding in the middle of conversations with her friends. Her breathing became labored for the first time in her life, and she found herself unable to perform even simple tasks without exhaustion. This was a new and frightening experience for a successful high school athlete who, weeks before, was selected to be on a college cheer team. These symptoms were consistent with mold exposure but were dismissed by Sewanee staff as “allergies” or the so-called “mountain flu.”

72. On September 30, Hollyn discovered mold visibly spreading across the carpet in her room (Room 29), photographed the growth, and informed Liza and her parents of what was happening. Hollyn then reported the visible mold to the administration and, within hours, Sewanee’s Director of Risk Management, Chris Smith, entered her room for an inspection. Liza, having already returned home, was not present. Initially, Mr. Smith attributed the elevated moisture and mold in the room to an open window and stated the University would move the girls temporarily, replace the flooring and clean the room, and the two girls could move right back in.

73. When Johnson Hall was finally evacuated in October, Hollyn and her family

packed her room while the University ran industrial fans and dehumidifiers in the dorm, spreading contaminated air throughout the hallways. The University placed a fan in Hollyn's doorway that was blowing air out of her room and into the faces of the evacuating students. Hollyn and her family were not provided personal protective equipment, such as masks or gloves, to handle the contaminated bedding and furniture. Chris Fox described the experience of breathing the Johnson Hall air as "like inhaling a powdered donut," leaving the family with sore throats, headaches, and inflammation after the move.

74. After evacuation, Hollyn endured multiple relocations, first to Gorgas Hall and then McCrady Hall, both of which also had mold and moisture problems. Nervous of future mold exposure, Hollyn asked if the dorm was safe and the University staff assured her that McCrady was "mold-free." However, the relocation to McCrady was delayed when University testing showed that dorm also had elevated and dangerous levels of toxic mold.



After evacuating Johnson Hall, Hollyn was assigned to Gorgas Hall. This was her bathroom (right) and community kitchen (left) adjacent to her room. Note the water damage to the ceilings.

75. At her new dorm, Hollyn missed meals because she was too fatigued to walk to the dining hall, over a mile away, often relying on friends or her parents to bring food. Her social life collapsed. She suffered depression, panic attacks, and what doctors called "mold rage"—anger and irritability followed by memory lapses.

76. By early October, shortly after the evacuation order, the skin on the soles of Hollyn's feet began to peel away after weeks of unknowingly walking barefoot on mold-infested carpet in her dorm room, a condition that worsened with each passing day and caused a painful, burning sensation all over her feet. Hollyn suddenly developed terrible acne for the first time in her life, and it has been unexplainedly resistant to treatment.

77. Hollyn's physical decline continued into her second semester and impacted every aspect of her freshman year. She could no longer cheer, losing the sport she had worked toward for nearly a decade. Once energetic and highly involved, she now struggled to walk across campus or attend class. Hollyn's academics, once a source of pride, became impossible. She fell behind academically—struggling to concentrate, remember material, or finish assignments—dropping from a straight-A student to a 1.16 GPA her first semester. She was unable to rush a sorority, missing formative opportunities with peers. Even her part-time job at her parents' clothing boutique had to be reduced as she could not work full shifts without exhaustion.

78. Hollyn's grades suffered because of her toxic mold exposure. She was initially placed on academic probation, suspended from cheer, and finally placed on academic suspension from Sewanee when her GPA failed to recover despite her best efforts. Hollyn sought academic support, pleading with her Academic Dean for extensions, extra credit, or alternative assignments. The Academic Dean, Betsy Sandlin, however, refused to grant her any such relief, citing rigid "University policy" and telling her it was too late to make up assignments, despite her professors' willingness to help. Ironically, this same Dean assured Hollyn's parents at the Freshman orientation that "you can trust that your students are in good hands in Sewanee and will be safe and well taken care of."

79. Medical intervention confirmed the seriousness of her illness. After worsening

symptoms, Hollyn underwent chest X-rays and, later, a brain scan by specialists in Atlanta, which revealed brain inflammation and damage consistent with toxic mold exposure. She was prescribed medications to address depleted serotonin and neurological dysfunction. Her doctors informed Hollyn that her brain “never rested,” remaining overactive even during sleep and triggering her fight-or-flight response. Her condition left her fearful, anxious, and cognitively impaired.

80. Once on track to graduate from an excellent university, Hollyn was forced to leave Sewanee, abandon the cheer program she had worked toward for years, and start over at a new school. She transferred to Chattanooga State, where she now receives academic accommodations, but her trajectory toward medical school and her dream of cheering in college are no more. Hollyn’s illness from toxic mold exposure now disrupts every aspect of her life. The bright, ambitious student who entered Sewanee with confidence has been left with lingering fatigue, brain fog, anxiety, depression and panic attacks that continue to impair her studies and quality of life.

81. The toll on Hollyn’s parents, Chris and Kellie Fox, has been extraordinary. As small business owners in Monteagle, they were forced to repeatedly close their store and lose income to care for their daughter. They made multiple trips to Atlanta for specialized testing and brain scans, often staying overnight and absorbing the costs of hotels, gas, and missing work. They rearranged their schedules to attend Zoom appointments, manage prescriptions, and coordinate with doctors, all while trying to keep their family business afloat.

82. Both Chris and Kellie became physically ill themselves after helping Hollyn pack out of contaminated rooms, suffering sore throats, headaches, and inflammation. Chris and Kellie have shouldered substantial financial burdens for their daughter’s medical care and counseling,

while also enduring the deep emotional anguish of witnessing Hollyn's ongoing pain and cognitive decline. They worry constantly about her ability to recover and thrive as an adult, both now and in the future.

83. As a direct and proximate result of Defendants' negligence and gross negligence, Hollyn has suffered severe and permanent injuries, including the loss of her health, the derailment of her college education, and the collapse of her long-term academic and professional goals. Chris and Kellie Fox have suffered emotional anguish and financial losses, forced to support their daughter in rebuilding a life shattered by Sewanee's disregard for student safety.

c. The Ballard Family

84. Jenna Ballard entered Sewanee in the fall of 2024 as a driven and high-achieving student. She graduated high school with a GPA above 4.4, was ranked in the top five of her class, and served in leadership roles with Future Business Leaders of America, Health Occupations Students of America, Mu Alpha Theta, and Student Council. She was also a dancer until her sophomore year. Jenna chose Sewanee over other options, including Vanderbilt and the University of Tennessee, because she believed it would give her the strong academic and social foundation she had worked toward throughout high school. Her plan was to major in mathematics with a business minor, combining her analytical ability with her leadership experience.

85. Upon moving into Johnson Hall, Jenna was assigned to Room 28 - just next door to Hollyn Fox and Liza Bandy in Room 29 - placing her at the epicenter of the mold contamination. After moving in, she and her roommate began to notice musty smells, dampness, and waking up with soaked bedding because of the moisture in the dorm. When Jenna ultimately found mold spots and complained about mold in her room, University maintenance staff told her the black and grey spots on the vents and the carpet were "just dust."

86. During the October evacuation from Johnson Hall, when fans and dehumidifiers were running in the hallways, Jenna spent hours each day exposed to mold-filled air. She quickly became ill after moving, developing severe allergy symptoms and asthma flares which made her sick for weeks. Her allergy symptoms required further medical diagnosis and allergy testing. Ultimately, she discovered her body now goes into an anaphylactic reaction when exposed to mold.

87. Jenna's experience with both the mold in the dorm, and the University's reaction to the mold crisis, derailed her once-promising academic trajectory. Although she initially excelled—making the Dean's List with all A's her first semester while taking Calculus II and Economics—her health and mental state spiraled after repeated relocations between Johnson, Gorgas, and McCrady Halls, all of which have mold problems. She suffered anxiety, panic attacks, brain fog, and continued physical symptoms.

88. By Christmas break, Jenna no longer believed she could continue at Sewanee. Jenna and her parents petitioned the University administration that she be able to live at home, as she was local and it was a short drive to school. The University denied this request, telling her she needed to stay on campus housing despite her deteriorating condition and her University-provided therapist recommending she live at home. Jenna was assigned, and paid for, a dorm room on campus, but she spent maybe one or two nights in her new dorms, preferring to stay at home where she felt safe.

89. Frustrated, ill, and isolated, Jenna ultimately withdrew from Sewanee. Instead of thriving at a prestigious university, she was left disillusioned, working at a florist and later at her mother's family practice to support herself while trying to manage her health. The "college experience" she worked so hard towards has left her education delayed and her career goals

uncertain.

90. John and Brandy Ballard have been devastated by their daughter's downward spiral. They watched a child who once devoted herself to her studies and sacrificed socially to pursue her academic goals reduced to exhaustion, illness, and despair. Brandy, in particular, mourned the collapse of Jenna's dreams, knowing how much she had sacrificed to achieve them. John was left frustrated by the financial strain and lack of accountability from the University. The evacuation of Johnson Hall was difficult and stressful, even for a local family. Both parents feel betrayed by Sewanee, the University that promised to care for their daughter.

91. As a direct and proximate result of Defendants' negligence and gross negligence, Jenna has suffered severe and permanent injuries, including the loss of her health, the derailment of her college education, and the collapse of her long-term academic and professional goals. John and Brandy Ballard have suffered emotional anguish and financial losses, forced to support their daughter in rebuilding a life shattered by Sewanee's disregard for student safety.

d. The Bowers Family

92. Lily Bowers entered Sewanee in the fall of 2024 as a high-achieving student with an impeccable academic record. She had never earned a grade below an A, excelled in honors and AP coursework, and graduated with a GPA above 4.0. At Sewanee, she immediately proved herself, maintaining straight A's and earning membership in the Order of the Gown, a distinction recognizing academic excellence. Lily selected Sewanee as her dream school, drawn to its programs in psychology and environmental science, the beauty of the campus, and the promise of a safe, close-knit community.

93. Lily was assigned to Room 20 in Johnson Hall, across from Room 29, the epicenter of the Johnson Hall mold contamination. From the outset, she noticed musty smells and

dampness, and by mid-September she began developing cold-like symptoms, fatigue, and sinus problems. Though she initially attributed these issues to seasonal changes, her condition worsened as she stayed in the dorm until the eventual October evacuation. As somebody who never required medical treatment in the least, the sudden and unexplained downturn in her health was frightening. Lily spent extensive time next door in her friend Gigi's room, Room 22. Gigi and her proctor told Lily they reported growing black and grey spots on her floor to University staff, who told them the spots were "dirt." Soon after moving into Johnson Hall, Lily experienced sudden exhaustion, missed classes, and required medical evaluation at UHS. When MRI later conducted mold testing in Gigi's room a few days after she moved out, they found it contained over 25,000 *Penicillium*/ *Aspergillus* spores per cubic meter and deemed the room hazardous to human health.

94. In the late afternoon on October 3, 2024, when Sewanee abruptly informed students that they would be relocated due to mold contamination, Lily called her mother in tears, panicked about her health and safety and uncertain about where she would live. During the evacuation, Lily remembers industrial fans running all over Johnson Hall, with multiple fans blowing moist air out of Room 47, which had been shuttered and locked all year.

95. For days, she was shuffled between temporary housing, including a hotel, an empty faculty house, and ultimately into McCrady Hall. Lily was forced to move her belongings by herself multiple times in the first semester. These constant moves, combined with the fear of unknown health consequences, caused Lily emotional distress.

96. Though Lily continued to earn excellent grades, she did so under extreme strain. The chaos of relocations, coupled with her illness and anxiety, made schoolwork far more difficult. She attended counseling sessions throughout the semester to manage her stress and fear,

and she has since reported lasting increases in her anxiety levels. Once confident and enthusiastic about Sewanee, she now associates her freshman year with upheaval, illness, and fear.

97. Kyle and Jill Bowers, Memphis natives, made financial sacrifices to send their daughter to Sewanee, trusting it would provide both a high-quality education and a safe environment. They took out significant loans to make her attendance possible, believing the University's promises of care and community. Instead, they watched their daughter fall ill, cry in fear, and endure repeated housing displacements caused by the University's negligence. Jill experienced devastation hearing her daughter crying hysterically on the phone, unsure if her health was in danger, and feeling powerless to help.

98. During the October evacuation, Jill had to take off work and drove from Memphis to Sewanee with Lily's grandmother to move Lily out of the dorms. and was subject to toxic mold exposure when moving her daughter out of Johnson Hall. Jill, Lily, and Lily's grandmother all became ill after the evacuation, with sinus congestion and unexplained fatigue. Lily recalls being exhausted and feeling sick for weeks after the relocation. No protective equipment was offered to the Bowers family by the University. This experience caused the Bowers family to lose the peace of mind that had justified their sacrifices to send Lily to Sewanee, and their trust in the University.

99. As a direct and proximate result of Defendants' negligence and gross negligence, Lily suffered illness, fear, and emotional distress that disrupted her college experience and burdened her mental and physical health. Kyle and Jill Bowers endured financial expense and profound anxiety for their daughter's well-being, only to discover that the institution they relied upon had failed in its most basic duty: to provide safe and habitable housing for its students.

e. The Crawley Family

100. Hannah Crawley entered Sewanee in the fall of 2024 as a strong student with a

3.8 GPA and a record of high achievement. Growing up in a military family, she lived all over the United States and developed resilience and focus through frequent moves. In high school, she captained her mock trial team, served on student council, completed a capstone project, and was active in clubs and community service, all while working jobs from age 16. Hannah chose Sewanee after falling in love with its campus, small classes, and supportive faculty. She began her college career intending to pursue pre-law before shifting to psychology, with hopes of becoming a guidance counselor.

101. Hannah was assigned to Room 41 in Johnson Hall, which shared a bathroom with a room later found to contain more than 75,000 *Penicillium*/*Aspergillus* spores per cubic meter while her own room had over 25,000 spores per cubic meter. Both levels are hazardous to human health.

(left) Visible mold growing on Hannah's bed and (right) mold inside the mini-split AC unit in her shared bathroom.



102. Within weeks of moving into Johnson Hall, Hannah began suffering congestion,

fever, and exhaustion, particularly after a major rainstorm in mid-September that left the building soaked. By late September, as her hallmates Liza Bandy and Hollyn Fox became visibly ill, Hannah's symptoms intensified.

103. Hannah is the only person in her family history without asthma. Because of this, she is especially attentive to changes in her breathing and also noticed Johnson Hall friends were struggling to breathe, especially during the building's evacuation. She noticed she could no longer run or walk uphill without fighting for air, and she reported unusual fatigue and shortness of breath. She ultimately sought care at a walk-in clinic, where she was advised not to sleep in Johnson Hall again. Once she returned home outside of Knoxville and slept in a clean environment, her symptoms improved. Still, the experience left her fearful, exhausted, and academically overburdened as she juggled health challenges and repeated relocations.

104. After being moved to a hotel, then a smaller transient dorm, and then McCrady Hall within the same month, Hannah continued to struggle with exhaustion and anxiety. She attended counseling sessions throughout the fall semester to cope with the stress of relocation and the disruption to her freshman year. Though she worked hard and maintained strong grades—earning all A's her first semester and all A's and one B her second—the experience left her drained and alienated. After Johnson Hall was reopened in January 2025, Hannah went back to the “newly renovated” Johnson Hall to see the changes. While there, she noticed a wet spot on the wall between Room 41 and 42 and remembered seeing that same wet spot when living in Johnston Hall in 2024, confirming the University never fully addressed the hazards.

105. Hannah's parents, Kent and Rachel Crawley, felt deep betrayal and anguish. Kent, a retired Marine Corps Warrant Officer, now runs a small welding business. They trusted Sewanee to provide safe housing and a supportive environment but instead watched their

daughter's health falter without explanation. Kent missed work making calls and trying to find answers from the University.

106. Kent and Rachel bore the burden of missed work, emotional turmoil, and the devastation of knowing that Sewanee's actions placed their daughter at risk. Rachel and Hannah only had one day to evacuate Johnson Hall. The University never provided information about how to clean items or where to place their belongings. Nobody from the administration provided Rachel and Hannah with protective equipment or told them they needed such equipment when going into Johnson Hall. In fact, nobody from the University administration was present at the building during the evacuation.

107. On October 7, 2024, when Hannah and Rachel went to visit McCrady Hall, the conditions of the dorm were so appalling, Rachel broke into tears seeing where her daughter would be staying for the remainder of the semester. McCrady Hall had no air conditioning, was hot, smelled moldy, and was in disrepair. The renovations promised by the University were inadequate, and based on Rachel's personal observations, the rooms were simply being painted and the carpet replaced.



These photos from October 7, 2024, show the "renovation" and "remediation" of McCrady Hall. (Left) is a dorm with vinyl flooring newly installed, on the right is a room with the original carpet. The middle picture is the shared shower between the "renovated"(left) and "original" (right) room.

108. For them, the institution's refusal to take responsibility or to properly remediate the mold stripped away their peace of mind.

109. As a direct and proximate result of Defendants' negligence and gross negligence, Hannah suffered illness, respiratory distress, and emotional harm that derailed her first-year college experience. Kent and Rachel Crawley endured financial stress and emotional suffering, forced to watch their daughter struggle in an unsafe environment. Despite her resilience, persistence, and academic success, Hannah's experience at Sewanee was defined not by achievement and growth but by illness and mold.

f. The Lee Family

110. Abigail "Abby" Lee entered Sewanee in the fall of 2024 as an accomplished student and incoming college athlete on scholarship. She graduated from St. Mary's Hall, a prestigious high school in San Antonio, Texas with a 3.71 GPA, excelling in science courses while also pursuing photography. She was a dedicated multi-sport athlete, competing in field hockey, lacrosse, basketball, and track. Abby chose Sewanee for its academic rigor and sense of community, planning to major in biology with a pre-med focus. She had every reason to begin her college career with promise, confidence, and opportunity.

111. Abby first arrived at Sewanee three weeks before the start of classes for pre-season field hockey training. During that time, she lived in Room 30 of Johnson Hall—the room next door to Hollyn Fox and Liza Bandy and below the contaminated, shuttered Room 47 and above the previously evacuated room from January 2024.

112. After moving in, Abby noticed the room smelled musty, the carpet was stained and the air felt extremely moist and stagnant. Despite requests for the carpet to be cleaned or replaced, the University refused, dismissing concerns about the odor and visible issues.

113. While living in her dorm room during field hockey training, Abby noticed

overwhelming fatigue, difficulty practicing, and a worsening infection from her wisdom tooth surgery. She often had to stop participating in practice and camp because she felt so ill. She could not breathe out of her nose, and her throat was constantly irritated.

114. Abby's health deteriorated quickly. A wisdom tooth surgery weeks before field hockey training began to worsen after moving into Johnson Hall, leaving her with severe facial swelling, vomiting from repeated antibiotics, and unbearable pain. At one point, she was rushed to an oral surgeon in Winchester for emergency drainage. Her coaches witnessed her struggle to keep up with practices, and Abby often had to sit out because she was too ill to participate. She later reflected that had she not been out of the dorm so often for sports, she would have been just as sick as her hallmates Liza and Hollyn.

115. Over time, Abby found her ability to breathe was getting worse. She reported tightness in her chest, difficulty regulating her temperature, and her exercise-induced asthma was now constant, leaving her unable to climb stairs without gasping for air. At night, she endured sweating, sleeplessness, and frightening episodes of breathlessness. She recalled one night when she couldn't sleep because every breath required tremendous effort. Abby suffered random nosebleeds, headaches, and persistent fatigue, further compounding her suffering. Despite these obstacles, Abby forced herself to maintain her studies, spending long hours outside of her dorm in Biehl Commons.

116. When the University finally evacuated Johnson Hall in early October, Abby had already endured weeks of exposure. Moving her belongings was exhausting and stressful, disrupting her academics during midterms and contaminating her possessions with mold. Though she earned mostly A's and was named Academic Honor Roll for Field Hockey and was awarded "Order of the Gown" for her grades, her success came at the expense of her health and required

immense willpower and sacrifice. Even after relocation, she continued to suffer brain fog, slowed processing, and persistent fatigue, impairing her ability to concentrate and perform at her prior level.

117. After the Johnson Hall evacuation, independent testing by MRI confirmed Abby's dorm room, Room 30, contained over 75,000 *Penicillium/Aspergillus* spores per cubic meter—an elevated and dangerous level of toxic mold. This result was consistent with the findings from Room 29 next door, where Hollyn and Liza lived, which contained more than 224,000 spores per cubic meter. Both rooms were situated at the epicenter of Johnson Hall's mold infestation, exposing Abby daily to concentrations of mold known to cause respiratory illness, neurological symptoms, and immune disruption.

118. Abby's parents, Randy and Jennifer Lee, endured enormous stress as they watched their daughter's health unexpectedly decline. They were alarmed by her reports that she could not catch a breath and were fearful that her heart and lungs were at risk. They sought answers from the University, but the Administration discouraged direct involvement from parents, asserting it was the student's responsibility to take care of themselves as adults. Jennifer sought therapy twice a week during this period to cope with the trauma of seeing her daughter so ill and unsupported.

119. As a direct and proximate result of Defendants' negligence, Abby has suffered serious physical injuries, emotional trauma, and loss of quality of life. Once a thriving student-athlete, she now struggles with lingering brain fog, fatigue, and breathing difficulties that undermine her academic and personal life. Randy and Jennifer Lee have borne financial costs for medical care and counseling, as well as profound emotional distress from watching their daughter's suffering. The damage to Abby's health, education, and family stability was entirely

preventable had the University fulfilled its duty to provide safe and habitable housing.

g. The Nicotera Family

120. Cassandra “Cassie” Nicotera entered Sewanee in the fall of 2022 as a strong student with a love of science, literature, and the arts. In high school, she earned a 3.8 GPA while taking numerous honors courses, and she was deeply involved in band, weightlifting, and hiking. Cassie arrived at Sewanee following in the footsteps of her older sister, a 2022 Sewanee graduate, determined to thrive academically, pursuing a degree in biology with a concentration in ecology. While at Sewanee, Cassie also joined the University’s Jazz Band, and would occasionally perform at college parties, literary journal editing, and poetry.

121. For her first two years at Sewanee, Cassie lived in Benedict and Humphreys Halls without incident. Her health was stable, her grades strong—hovering around a 3.5 GPA—and she participated fully in the campus community. That changed in her junior year of college, August 2023, when she was assigned to Room 46 in Johnson Hall—next to Room 47 which was shut and locked from moisture and mold.

122. From the beginning of her junior year, Cassie noticed troubling, unexplained symptoms: shortness of breath when climbing stairs, elevated heart rate reaching often 189 beats per minute with normal exertion, dizziness, brain fog, fatigue, and an increase in migraines. She sought help at the UHS for breathing problems her junior year but was told her lungs sounded fine.

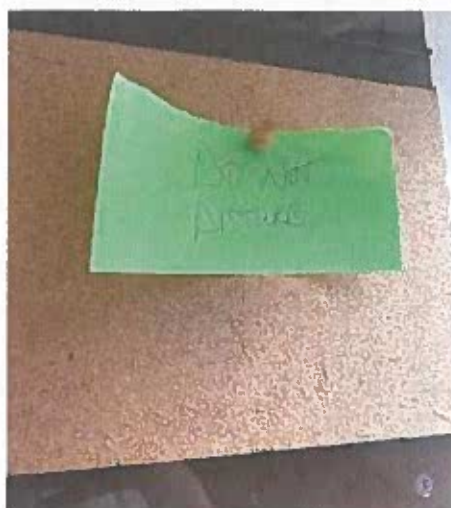
123. Over the course of her junior year, Cassie’s health deteriorated further. Once an active student who hiked, played music, and participated fully in Sewanee’s campus life, she now spent hours confined to her room or in bed, unable to recover from overwhelming exhaustion. Her migraines became more frequent and severe, requiring academic accommodations for “attendance leniency”, but this only partially addressed her difficulties. On

multiple occasions, Cassie nearly fainted after walking uphill across campus.

124. During her junior year, Cassie and the other third floor Johnson Hall residents endured repeated bathroom leaks and high humidity in the dorm. Cassie submitted three requests for her mini-split HVAC unit to be cleaned. During each cleaning, she observed black debris falling from the AC vent into her room. The Sewanee maintenance staff said the black debris falling from her mini-Split AC was “dirt.” Because of her persistent symptoms while living in Johnson Hall, Cassie went to her family doctor seeking an answer for her recent symptoms. She was diagnosed with POTS-like symptoms, given compression socks and told to drink Gatorade. Each time Cassie went home to Nashville, her symptoms improved and upon returning to Johnson Hall, they slowly came back.

125. Cassie arrived at Johnson Hall in August 2024 for her senior year, now on the second floor in Room 24. After moving in, her symptoms reappeared: severe fatigue, chest tightness, shortness of breath, increased heart rate, difficulty breathing, , brain fog, and cognitive decline. Previously excited about an outdoor environmental studies class, she had to disenroll because her body could now not withstand the exertion or heat. By early October 2024, the University finally admitted mold contamination was widespread in Johnson Hall, and an evacuation was required. The University only told some residents they needed to leave immediately, giving other students, such as Cassie, until October 10, 2024, to leave. The University did not inform Cassie of the extent of the mold exposure, offer to move her belongings for her, or offer her any protective equipment. University staff instead placed a note on Cassie’s door to prevent her belongings from being moved as the other students moved out of the dorm.

University Staff placed this note on Cassie's door during the October evacuation while Cassie remained in the dorm, waiting for her new room assignment.



126. During the chaotic evacuation of Johnson Hall, the University opened all the doors and placed industrial fans and oscillating fans in the hallways, blowing contaminated air through the hallways while Cassie, unaware of the danger and at the direction of the University, stayed in her room waiting for a new room assignment on campus.

127. Janet, Cassie's mother, had to drive from Nashville and rent a room to help her daughter move two more times over the course of the semester. When Janet was moving Cassie out of her dorm on October 10, a University employee at the door recommended parents stay outside, but did not elaborate as to why, so Cassie moved her belongings out of the room by herself. Neither Cassie nor Janet were offered protective equipment. As they packed and relocated, industrial blowers blew in their faces and overflowing dehumidifiers lined the hallways.

128. Cassie posted in the Johnson GroupMe thread that she noticed she was feeling worse after moving out of the dorm, with many of the former Johnson Hall residents saying they felt the same, with increased fatigue, sore throats, difficulty breathing, and headaches. These symptoms would persist for weeks.

129. Cassie was relocated to Emery Hall, where Janet noticed an air conditioner vent in the new room, over her bed, had a black mold-like growth coming out of it. Janet warned her daughter to aim the vent away from her head and adjust how she slept in the room. The pair then cleaned the dorm room, which was dirty upon moving in. Now at Emery Hall and farther from central campus, Cassie cried daily from isolation and continued health fears. Cassie was unable to make the half mile walk from Emery to central campus because of breathing issues. She could no longer play in Jazz Band, as the walk and exertion were too much when carrying her instrument.

130. After persistent complaints that the University was not honoring Cassie's previously approved medical accommodation for living central to campus, she moved again into the Barnwell Apartments, professor housing, plagued by fleas and raccoons. Despite these challenges, Cassie managed to graduate in 2025, though her GPA had fallen below 3.0 and she nearly failed her senior seminar due to medically related absences. After moving out of Johnson Hall and away from Sewanee her symptoms improved, but Cassie still suffers from POTS-like symptoms, fatigue, inability to breathe, and migraines.

131. Cassie's parents, Janet and Fredrick "Fred" Nicotera, both professionals at Vanderbilt University in Nashville, endured enormous stress and financial strain as they tried to support their daughter. Janet, a nurse, repeatedly took off work, rented hotels, and made the trip to Sewanee to help Cassie evacuate or relocate at her own expense.. Fred, a data manager at Vanderbilt, bore the financial and emotional weight of watching his daughter's health collapse in what should have been her most successful years.

132. As a direct and proximate result of Defendants' negligence and gross negligence, Cassie has suffered serious and lasting injuries, including respiratory illness, postural orthostatic

tachycardia syndrome (POTS)-like symptoms, migraines, cognitive impairment, and emotional harm. She has lost confidence, peace of mind, and endured increased anxiety and mental suffering. Janet and Fred have endured financial hardship, emotional anguish, lost wages, and the trauma of watching their daughter nearly lose her health and her future.

CAUSES OF ACTION

A. Negligence

133. The foregoing factual allegations are reasserted as though set forth herein at length.

134. This is an action for personal injury and personal property damage caused by water intrusion, water damage, and elevated indoor humidity that caused dangerous mold growth in the Johnson Hall dorm.

135. The University was responsible for properly maintaining the dormitory. They negligently failed to meet the standard of care in performing those duties.

136. The defendants further failed to remediate defects that they knew or should have known with the exercise of reasonable diligence, would cause moisture intrusion, elevated indoor humidity, and microbial growth. The defendants also failed to follow proper mold remediation protocols when evacuating Johnson Hall, exposing parents and students to toxic mold.

137. Among the duties breached by the defendants are:

138. The duty to act as a reasonably prudent person under the same or similar circumstances, considering the reasonably foreseeable risk or probability of injury to persons situated as the plaintiffs;

139. The duty to perform a contract with care and skill;

140. The duty to perform construction, installation, and inspection services in a good

and workmanlike manner;

141. The duty to inspect the dorm to ensure its safety;

142. The duty to perform reasonable care to inspect the property and assess damage, and remediate water, moisture, and mold inside Johnson Hall;

143. The duty to comply with Tennessee Building Codes, applicable industry standards and product instructions;

144. Failure to ensure that agents complied with the promised contractual terms of performance;

145. Failure to properly screen, interview, investigate, and select competent agents who would be likely to perform their work in a good and workmanlike manner;

146. Failure to determine whether agents performed the work in a good and workmanlike manner;

147. The duty to establish appropriate policies and procedures intended to prevent injuries to students; and

148. The duty to establish appropriate policies and procedures intended to prevent damage to the personal property in dorm rooms.

149. The defendants knew, or should have known, that the failure to adequately repair, remediate, clean, and inspect the property would lead to continued water and moisture damage. The defendants also knew, or should have known, that water and moisture damage lead to dangerous microbial growth, including toxic mold.

150. As a direct, proximate, and foreseeable result of the defendants' negligence, the plaintiffs suffered severe personal injuries, economic damages, pain and suffering, lost wages, and incurred past and future medical expenses from these defects and harmful conditions.

151. The plaintiffs have suffered and will continue to suffer adverse health consequences from the microbes and microbial chemistries that contaminated their dorm. The microbes contaminated their personal property, the air within their living space, the surfaces of their rooms, including on or in goods intended for bodily consumption. The conditions caused personal injury including, but not limited to, inflammation and damage to their bodily organ systems and brain.

B. Negligent Hiring, Supervision, and Training

152. The foregoing factual allegations are reasserted as though set forth herein at length.

153. The defendants owed the plaintiffs a duty to hire, supervise, and train competent employees. At all times, the defendants had an employee-employer relationship with people who inspected, repaired, and worked on the dorm.

154. Among the duties breached by management are;

- a. The duty to use ordinary care in determining whether a prospective employee/independent contractor is competent to be hired;
- b. The duty to use ordinary care in adequately supervising employees/independent contractors; and
- c. The duty to use ordinary care in adequately training its employees/independent contractors.

155. The defendants owed those duties as described herein.

156. Their failure to use such care constitutes negligence, and the defendants' breaches proximately caused the plaintiffs' injuries.

C. Gross Negligence, Willful and Wanton Conduct

157. The foregoing factual allegations are reasserted as though set forth herein at length.

158. In addition, Sewanee's conduct constitutes gross negligence. The University of the South demonstrated a lack of care that tends to show conscious indifference with respect to the welfare of their students. The University had actual and/or constructive knowledge of the hazards of the conditions of the dorm, including rampant microbial growth inside Johnson Hall starting on or before January 2024.

159. Each of the foregoing acts and omissions, whether taken singularly or in any combination, was a proximate cause of the plaintiffs' injuries and damages described herein.

160. The willful and wanton conduct or gross negligence of the defendants, as set forth herein, directly and proximately caused the plaintiffs to suffer serious and debilitating injuries.

161. The defendants made a conscious decision to not timely repair and remediate the conditions of the dorm, even after they were aware of the harmful microbial contaminated conditions, and even after two previous students the Spring semester before were moved out of the Johnson Hall for the same issue and one room on the third floor was vacant due to water intrusion and mold growth.

162. As a direct and proximate result of the defendants' willful and wanton conduct and gross negligence, the plaintiffs suffered debilitating injuries, incurred and will continue to incur great expense for their medical care and treatment now and into the future, and suffered and will continue to suffer great pain of body and anguish of mind, loss of employment, and had their ability to enjoy life significantly adversely affected.

163. By reason of the malicious, intentional, willful and wanton, and gross negligent conduct, the plaintiffs are entitled to recover punitive damages.

D. Negligent Infliction of Emotional Distress

164. The foregoing factual allegations are reasserted as though set forth herein at

length.

165. Defendants owed a duty of reasonable care to all students and their families to provide safe, habitable, and healthy housing, to properly inspect and remediate dangerous conditions, and to communicate truthfully about hazards known to the University.

166. Defendants breached this duty by allowing students to live in dormitories contaminated with toxic mold and excessive humidity, by failing to remediate moisture and ventilation problems, and by dismissing, minimizing, or concealing the dangers when complaints were raised.

167. As a direct and foreseeable result of Defendants' negligence, each Plaintiff and Plaintiff's families suffered severe emotional distress. Parents were forced to witness the decline of their children's health, their struggles with physical illness, panic, depression, academic failure, and social isolation. Students themselves endured fear, anxiety, shame, and despair as their once-promising futures were derailed by illness caused by unsafe housing.

168. In addition to emotional anguish, Plaintiffs sustained financial losses, including costs of medical care, counseling, testing, relocation, and lost income from time away from work to care for their children.

169. The emotional injuries suffered by Plaintiffs are serious, medically significant, and objectively supported by circumstances including medical diagnoses, prescriptions, counseling, and documented physical manifestations of stress.

E. Intentional Infliction of Emotional Distress

170. The foregoing factual allegations are reasserted as though set forth herein at length.

171. Defendants' conduct toward Plaintiffs was intentional, reckless, and outrageous.

With knowledge of widespread mold contamination and unsafe housing conditions in Johnson Hall and other dormitories, Defendants nonetheless required students to live in those environments, denied reasonable requests for relief, and misrepresented the true causes of their suffering.

172. Defendants dismissed repeated pleas for help, blamed students for conditions beyond their control, and refused academic accommodation for the illnesses caused by the University's reckless conduct, including but not limited to forcing local students to reside in dangerous dorm rooms.

173. Such conduct exceeds the bounds of decency tolerated in a civilized society. Defendants knew, or were substantially certain, that their actions would cause severe emotional harm to students and their families.

174. As a direct result of Defendants' outrageous conduct, Plaintiffs suffered profound emotional distress, including anguish, despair, and fear for their health and futures, with resulting disruption to their education, livelihoods, and family stability.

F. Private Nuisance

175. The foregoing factual allegations are reasserted as though set forth herein at length.

176. The plaintiffs had a right to inhabit, use, and enjoy their dorm rooms.

177. The grossly negligent or intentional conduct of the defendant created conditions in the dorm that substantially interfered with the plaintiffs' use and enjoyment of the property.

178. The water intrusion, and resultant microbial growth created unreasonable discomfort, annoyance, illness, emotional distress, and fear to the plaintiffs, who were attempting to use the dorm.

179. The plaintiffs suffered private nuisance injuries as a result, including annoyance,

discomfort, illness, and fear of harm.

180. The defendant knew, or should have known, that ignoring or failing to repair the water and moisture damage, and subsequent toxic mold, constitutes an invasion of the plaintiffs' interests in real property.

G. Violation of the Tennessee Consumer Protection Act

181. Pursuant to Tenn. Code Ann. § 47-18-109, plaintiffs seek damages for defendants' violations of the Tennessee Consumer Protection Act, Tenn. Code Ann. § 47-18-101 et seq. Defendants engaged in unfair and deceptive acts and practices in the conduct of trade or commerce, including but not limited to:

a. Representing that dormitories and campus housing were safe, sanitary, and fit for habitation when, in fact, defendants knew or should have known that dormitories such as Johnson Hall and McCrady Hall were contaminated with mold, humidity, and water intrusion, in violation of Tenn. Code Ann. § 47-18-104(b)(7), misrepresenting that goods or services are of a particular standard, quality, or grade when they are of another.

b. Failing to disclose material facts by omitting information about widespread mold problems in dormitories, ventilation deficiencies, and humidity readings above 80%, thereby misleading plaintiffs into believing their children would be provided with safe housing in Johnson Hall, in violation of Tenn. Code Ann. § 47-18-104(b)(5), representing that goods or services have characteristics, uses, or benefits that they do not have.

182. As a direct and proximate result of these unfair and deceptive practices, plaintiffs have sustained ascertainable losses including: (a) tuition, room, and board paid for unsafe housing; (b) medical expenses for diagnosis, treatment, and counseling of illnesses caused by mold exposure; (c) relocation costs, travel expenses, and lost income from time away from work; and (d) loss of scholarship opportunities, educational advancement, and the safe college

experience that defendants represented plaintiffs would receive.

183. The defendant's unfair and deceptive acts and practices were willful and knowing violations of the Tennessee Consumer Protection Act. As a result, plaintiffs are entitled to an award of treble damages, together with reasonable attorney's fees and all other relief permitted by law.

H. Punitive Damages

184. Plaintiffs reallege and incorporate by reference all preceding paragraphs as if fully set forth herein.

185. At all times relevant, the University owned, controlled, and maintained the student housing facility where plaintiffs resided, and by policy, required students to live in said housing.

186. The University knew, or in the exercise of reasonable care should have known, of the dangerous and unsafe housing conditions in the dormitory, including but not limited to mold contamination and related hazards.

187. Despite this knowledge, defendants acted with wanton and reckless disregard for the health and safety of its students, including plaintiffs, by:

188. a. Failing to inspect, remediate, or repair the known hazardous conditions;

189. b. Concealing or minimizing the dangers associated with the conditions; and

190. c. Forcing students, including plaintiffs, to remain in unsafe housing as a condition of enrollment.

191. Defendants' conduct demonstrated a conscious indifference to the foreseeable and serious risk of harm to plaintiffs and other students, rising above mere negligence and constituting wanton, reckless, and grossly indifferent misconduct.

192. As a direct and proximate result of defendants' actions and omissions, plaintiffs

suffered injuries and damages as previously described.

193. Pursuant to Tenn. Code Ann. § 29-39-104, plaintiffs specifically requests an award of punitive damages against defendants to punish such wrongful conduct and deter similar conduct in the future.

DAMAGES

194. Plaintiffs seek to recover monetary relief over \$20,000,000.00.

195. Plaintiffs will be entitled to Judgment against the defendant for the actual and special damages suffered by the plaintiffs as a result of the defendants' misconduct, in an amount within the jurisdictional limits of this Court, including:

- a. Past and future physical pain, suffering and mental anguish;
- b. Past and future physical impairment;
- c. Past and future loss of enjoyment and quality of life;
- d. Past and future medical expenses;
- e. Past and future care expenses;
- f. Lost wages;
- g. Future lost wages;
- h. Inconvenience;
- i. Moving expenses;
- j. Room and board costs for an uninhabitable dormitory room and/or alternative living expenses;
- k. Monies expended to ascertain the extent of mold growth in the dorm;
- l. Loss of personal property due to microbial contamination;
- m. Fear and trauma;
- n. Damages recoverable under the Tennessee Consumer Protection Act, to include treble damages and attorney's fees;

o. A judgment for punitive damages against defendants for intentional, reckless, and fraudulent conduct in the amount of two times compensatory damages or \$500,000, whichever is higher. Should the factors in Tenn. Code Ann. §29-39-104(a)(7) apply, plaintiffs will seek punitive damages in excess of that provided in Tenn. Code Ann. §29-39-104(a)(5);

p. Attorney fees, filing fees, costs, expenses, and all other discretionary costs, including expert fees incurred in the pursuit of this action;

q. Attorneys' fees through trial, with further contingent awards in the event of any appeals;

r. Prejudgment and post-judgment interest as provided by law, at the maximum legal rate; and

s. For such other, further and general relief as this Court may deem just and appropriate under the circumstances.

JURY DEMAND

196. Plaintiffs request a jury of twelve (12) people be empaneled to try this cause.

PRAYER

197. Plaintiffs pray that the defendants be cited to appear and answer herein, and that upon final hearing of the cause, judgment be entered for the plaintiffs against defendants for damages in an amount within the jurisdictional limits of the Court, together with pre-judgment interest at the maximum rate allowed by law, post-judgment interest at the legal rate, court costs, and such other and further relief to which the plaintiffs may be entitled at law or in equity.

Dated: September 23, 2025

Respectfully submitted



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/s/ Chris LaCour

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Pending*)

TX State Bar No. 24080780

Christopher A. LaCour (*Pro Hac Vice Application
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TX State Bar No. 24130737

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ATTORNEYS FOR PLAINTIFF

Cost Bond

The undersigned hereby acknowledges himself surety for costs in the above cause of action not to exceed \$500.



Andy Peters Davis