

3. At the time of her death, her surviving heirs-at-law, were Andy Cramb, father, and Joanna Cramb, mother.
4. Andy and Joanna Cramb bring this action on behalf of the Estate of Shelby Cramb, deceased, pursuant to K.S.A. 60-1801 et. seq. and the laws of the State of Kansas for the conscious pain and suffering Shelby endured.
5. Further, Andy and Joanna Cramb bring this action individually, as next friend of Gavin Cramb, and as heirs-at-law for the wrongful death of Shelby Cramb pursuant to K.S.A. 60-1901 et. seq. and the laws of the State of Kansas.
6. At all times material hereto, Pathway Church was registered in Kansas as a not-for-profit corporation. No service of process is requested on the defendant Pathway Church, which will voluntarily enter its appearance in this action through its attorney, Craig C. Blumreich of Larson & Blumreich, Chartered.
7. At all times material hereto, Matthew W. Washburn and Laurisa L. Washburn, were the owners of the residence located at 32221 North Ridge Port Circle, Wichita, Kansas 67205. No service of process is requested on the defendants Matthew W. Washburn and Laurisa L. Washburn, who will voluntarily enter their appearance in this action through their attorney, Brad S. Russell of Sanders Warren Russell & Scheer LLP.

JURISDICTION

8. This court possesses proper subject matter jurisdiction.
9. Venue is proper in the 18th Judicial District Court, Sedgwick County, Kansas.

ALLEGATIONS

10. In the Summer of 2017, Shelby Cramb received an invitation from Pathway Church to attend the end of summer “lake party” hosted by the defendants at the Washburn residence.
11. On August 27, 2017, Shelby Cramb was dropped off by her father at the Washburn residence at 2:00 p.m.
12. At approximately 5:00 p.m. Shelby Cramb was discovered to be missing. Her body was discovered in the lake at about 6:30 p.m.
13. Shelby Cramb was pronounced deceased at the scene. The coroner determined her cause of death to be drowning.
14. The defendants owed a duty to keep Shelby Cramb safe and breached that duty.
15. As a direct and proximate result of the defendants’ breach, Shelby Cramb and the plaintiffs sustained damages.
16. At a mediation conducted on October 18, 2018, the parties and their respective attorneys arrived at an amicable compromise settlement of all of the claims of the plaintiffs against the defendants. The parties request that the court approve the settlement, equitably apportion the settlement proceeds and approve reasonable attorney fees.

HITE, FANNING & HONEYMAN L.L.P.

/s/ Brad J. LaForge

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