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DROWNING LAWSUIT

Indiana Family Files Lawsuit After Drowning Deaths of 5 Members in Inner Tube Accident by Dam

By **Charlie Wojciechowski** • Published September 2, 2021 • Updated on September 2, 2021 at 6:30 pm



An Indiana family is filing a lawsuit against a North Carolina power company after five family members died in a river during an inner tube accident.

Five members of the Villano family died when the inner tubes they were riding in went over a small, low-head dam on the Dan River near Eden, North Carolina, according to the lawsuit.

"It's kind of miserable to even be here," said survivor Irene Villano. "It's just like, you're with these people all the time, and you're always around them, and then you're just not here anymore."

The Villano family, which has members from North Carolina to LaPorte, Indiana, is filing a lawsuit in North Carolina's Superior Court against Duke Energy, which is the power company that controls the dam.

According to the lawsuit, the family alleges the power company was "negligent, reckless, willful and wanton" in not doing something to safeguard the dam.

Attorney Ken Allen said the low-head dams are "like putting someone in a washing machine that goes around and round and round and traps a person or debris."

"The owners of these dams understand and have understood for 100 years that they are deadly, that they are drowning machines," Allen said. "So get rid of them."

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Though most have been removed, seven low-head dams, similar to those in the fatal accident, once existed along the north branch of the Chicago River.

Though not responding directly to the lawsuit, Duke Energy released the following statement Thursday afternoon:

The safety of the public and our employees is our top priority, and we work closely with local communities, organizations and government agencies to promote safe and responsible recreational activities near our facilities.

The Villano family said warning signs went up about the dam days after the tragedy. They said the lawsuit aims to ensure other families never feel the same pain that they are suffering.

"I hope nobody has to go through what I went through," said Meghan Heitz, who lost her granddaughter in the accident. "I waited three and a half weeks before they found my daughter. I called and called and it was the same all the time. They didn't find her."

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