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Navy family sues over drowning

By Peter Boylan
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A Navy family whose daughter drowned in a drainage ditch while trying to rescue a friend in February has filed an administrative claim against the Navy seeking \$11 million in damages.

In addition to the claim, on Tuesday the family of 5-year-old Charlotte Schaefer filed suit in federal court against the construction company that built the Pearl City housing complex where they live in. The suit, filed against Hunt Building Corp., does not specify a dollar amount.

The claim, filed April 8, gives the Navy up to six months to file a response or negotiate a settlement. If no settlement is reached, the Schaefer family has the option to sue, said attorney Rick Fried.

"We are aware of the legal actions that they are taking, and we continue to have a great deal of sympathy for the family," said Navy Lt. Commander Jeff Davis.

Davis said that after the accident the Navy erected a permanent fence around the pond. The Navy has also unclogged the pipe that drains the pond, he said. An investigation is ongoing, he said.

Officials with Hunt Building Corp. in El Paso, Texas, could not be reached for comment.

On Feb. 28, Charlotte was playing with other neighborhood children in a flooded area behind a cul-de-sac in the Navy housing area.

Her father, Daniel, a Navy submariner, was heading to the pond to warn them from the danger but got there a minute or two after the children. By then, they were screaming for help. Charlotte had jumped in to save a 3-year-old boy who fell into water 4- to 5-feet deep.

The boy was rescued by an older child, but Charlotte had not surfaced. She eventually was found, and her father tried CPR to revive her before the ambulance arrived.

The Navy installed a barrier several days after the accident.

Fried said yesterday that Navy and city and county regulations regarding fencing and storm drains in residential areas were violated. He said other residents of the housing complex had filed more than two dozen complaints about the flooded area, claiming flawed design, and inadequate fencing.

Fried said yesterday that Allison Schaefer, Charlotte's mother, said the entire family is in therapy and that she is going back to work Monday for the first time since the accident.

"I want to make sure this never happens to another military family member," she said. "We need to make sure children live in a safe environment. Decisions they (the Navy) make, even on budgets, affect a community."

The Schaefer family held back tears yesterday as they discussed Charlotte's death.

"This can never be about anything but Charlotte. In my grief I see her face everywhere," Allison Schaefer said. "This is

about more than a lawsuit; it is about an incredible little girl that did the right thing."

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