

**CAUSE NO. 2020-DCL-05323**

<b>BLAINE CREWS and HANNAH CREWS</b>	§	<b>IN THE DISTRICT COURT</b>
<b>Plaintiffs,</b>	§	
<b>vs.</b>	§	
	§	<b>107<sup>th</sup> JUDICIAL DISTRICT</b>
	§	
<b>RICHARD GALVAN AND SONIA GALVAN</b>	§	
<b>Defendants</b>	§	<b>CAMERON COUNTY, TEXAS</b>

**FIRST AMENDED PETITION AND REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW BLAINE AND HANNAH CREWS (“the Crews’s) and file this their First Amended Petition against Richard and Sonia Galvan and would respectfully show as follows:

**I. DISCOVERY LEVEL AND DAMAGES**

1. Due to the nature of this action and the amount in controversy, The Plaintiff states that this case will be conducted under Discovery Level 2 as defined in the Texas Rules of Civil Procedure. Plaintiffs seek damages over \$200,000 but less than \$1 million.

**II. PARTIES, JURISDICTION AND VENUE**

2. Plaintiffs Blaine and Hannah Crews are individuals that reside in Tarrant County, Texas
3. Defendants Richard Galvan and Sonia Galvan are individuals that reside in Cameron County, Texas who may be served with citation at 15251 Sparrow, Harlingen, Texas 78552 or at 3404 Lyon Club Ct., Austin, Texas 78738.
4. Subject matter jurisdiction and venue exists in this Court because the Plaintiff seeks damages that exceed this Court’s minimum jurisdictional limits and the incident in question occurred in this county. Venue is proper in Cameron County, Texas because all or a substantial portion of the occurrences and transactions at issue in this suit occurred in Cameron County, Texas.

### III. FACTS

5. Hannah Crews met Richard and Sonia Galvan as friends of her family before she was a teenager. She and her family attended the Northway Bible Church in Harlingen, Texas along with the Galvans, and the families spent much time together as close friends outside of church activities. Richard Galvan was Hannah Crews's youth pastor from the age of thirteen and at all times relevant to the facts herein. In the summer of 2007, when Hannah Crews was seventeen, she suffered a traumatic break up with her high school boyfriend. Richard Galvan, as her youth pastor and family friend, offered Hannah Crews a job with his company, Orbit Broadband, and offered to counsel her about her breakup.

6. At work at Orbit Broadband, Richard Galvan would call Hannah Crews to his office on an almost daily basis to discuss her feelings and pray over her. During these visits, Richard Galvan would inquire about the details of Hannah Crews' physical relationship with her ex-boyfriend. Richard Galvan would ask for details regarding what specific intimate acts Hannah had performed with her ex-boyfriend. Eventually, Hannah Crews was convinced to divulge to Richard Galvan that she was still a virgin and had never been sexually active with her ex-boyfriend.

7. During these counseling sessions which occurred at Richard Galvan's office, Richard Galvan would tell Hannah Crews that her physical attachment to her ex-boyfriend was the cause of her heartbreak. Richard Galvan went on to claim to Hannah Crews that healing happens through intimacy. Richard asked Hannah to explain what she thought she needed to do to move on from her pain and trained her to respond that having sex would heal her. Once Richard Galvan conditioned this response, he offered to, "help her out with this." Richard explained in a counseling session that, as her mentor, it would be safest if Hannah Crews had sex with him instead

of someone else. After many of these conversations and sessions, Richard Galvan convinced seventeen year old Hannah Crews that he would not be taking her virginity but that she would be giving it to him because she was trusting him to help her heal spiritually and emotionally. Richard Galvan convinced Hannah Crews that it was ok to have sex with him despite her closeness to his wife Sonia Galvan, stating that Sonia Galvan would never know about the sex and Hannah Crews should not worry about hurting Sonia Galvan by having sex with him.

8. In subsequent counseling sessions, Richard Galvan began to “educate” Hannah Crews on various sexual acts and stimuli to get her prepared for the day she would have sex with him. After several weeks of these sessions, Richard Galvan rented a room at the La Quinta Hotel in Mercedes, Texas and instructed Hannah Crews to meet him there. This occurred at the beginning of volleyball season of Hannah Crews’s senior year of high school, in August, 2007. Richard Galvan was fearful of being discovered at the hotel. Richard Galvan convinced his youth parishioner Hannah Crews to have sex with him at La Quinta Hotel in the room he had obtained. Afterward, Hannah Crews traveled with her volleyball team to a pre-season game.

9. After exploiting Hannah Crews into having sex with him based on promises of emotional and spiritual healing, Hannah Crews’s mother discovered text messages between Hannah and Richard. Richard Galvan was confronted and told to tell his wife about the encounter. Richard stated that he had done so. Later, Hannah Crews had a conversation about the matter with Sonia Galvan, who told her it was not her fault and Richard Galvan had a problem sending, “mixed signals” to young girls. Soon after this, Richard and Sonia Galvan left their positions at Northway Bible Church. Richard subsequently told Hannah Crews that no one would believe her if she tried to tell anyone what he had done.

10. Richard Galvan subsequently visited Hannah Crews at her college during her freshmen year and tried to get her to go back a motel room with him. Hannah Crews refused. Hannah Crews subsequently learned that Richard Galvan has been inappropriate with other girls she knows. She believes that the potential remains for similar exploitive behavior to occur again between Richard Galvan and other girls. Hannah Crews is familiar with the standards in the community where Richard Galvan resides and believes that the residents of Cameron County, Texas have a public interest in preventing adults in positions of authority such as Richard from coercing and sexually exploiting and abusing young women.

11. Hannah Crews married Blaine Crews but never divulged the identity of the youth pastor that had exploited her until October, 2018. Upon learning this news and that the individual who exploited Hannah was Richard Galvan, Blaine Crews became upset. Blaine Crews called Richard Galvan and confronted him on the telephone. Hannah Crews did not direct Blaine Crews to make this call. In response to being confronted about the incidents with Hannah Crews, Richard Galvan merely responded that it happened a long time ago. Blaine Crews contacted two places where Richard Galvan would have contact with young girls, the Living Way Church and the Calvary School in Harlingen, Texas, and informed them of the incident with Hannah Crews. Hannah Crews did not contact anyone about Richard Galvan's exploitation and did not direct Blaine Crews to do so.

12. After Blaine Crews contacted the church and school, Richard and Sonia Galvan filed suit against both Blaine and Hannah Crews for defamation per se on November 5, 2018. The Galvans sought and obtained a temporary restraining order against the Crews. The Galvans also requested, but did not receive, a separate gag order. The Galvans' suit and request for temporary restraining order was supported by affidavits from Richard and Sonia Galvan. The Galvans' petition included

claims for defamation per se brought by both Galvans and against both Blaine and Hannah Crews. The alleged defamatory statements that formed the basis of the Galvans claims of defamation per se were Blaine Crews's statements to the Church and School which the Galvans contended were statements that Richard Galvan, "manipulated and seduced Hannah Crews." Incredibly, the Galvans' petition and supporting affidavits did not allege that these statements were false and did not even allege that Richard Galvan did not have sex with Hannah Crews when she was in high school and he was her pastor. Likewise, the Galvans' petition did not identify any allegedly defamatory statements against Sonia Galvan or any allegedly defamatory statements made by Hannah Crews. Despite claiming defamation per se without any allegation of false statement by Blaine Crews, the Galvans sought no less than \$335,000 in relation to their defamation per se claims against both Blaine and Hannah Crews.

13. The Crews's filed a motion to dismiss the Galvans defamation per se claims under the Texas Citizens Participation Act ("Anti-Slapp MTD"). The Anti-Slapp MTD was filed on December 12, 2018. Supporting the Motion to Dismiss were the affidavits of Hannah Crews and Blaine Crews which were considered by the trial court in their entirety and introduced without objection by Plaintiffs' counsel. The trial court denied the Crews's Anti-Slapp MTD and an appeal was taken to the Thirteenth court of appeals. On October 13, 2019, the 13<sup>th</sup> Court of Appeals reversed the trial court's decision and remanded the case for judgment consistent with its opinions. The Court of Appeals that Richard Galvan had sex with Hannah Crews in 2007 while counseling her as her youth pastor and that, as such, Hannah could not legally consent to same.

14. Following the appeal, Richard Galvan acknowledged in this suit that he had sex with Hannah Crews in 2007 as originally stated by the Crews's in this matter. As such, the Galvan's entire defamation claim was not based on a false and defamatory statement, but on true events of

which both Richard and Sonia Galvan had actual knowledge prior to filing suit. Moreover, the Galvans executed verifications and affidavits in support of their pleadings that stated under oath that they contended Hannah Crews's allegations were false. This was confirmed by their attorneys during the dismissal and appeals process. During this entire time, the Galvans knew these facts were true but alleged they were false for the ulterior purpose of attempting to silence Mr. Galvan's sexual assault victim, Hannah Crews. These actions by the Galvans were undertaken at their insistence and with actual malice toward the Crews's. The Galvans intended to cause emotional distress and mental anguish by silencing the delayed outcry of a sexual assault victim of Mr. Galvan. The Galvans have continued their attempts to silence Mr. Galvan's sexual assault victim in 2020, opposing the lifting or modification of the injunction, which was sought under false pretenses with the motive of preventing Mr. Galvan's victim from being to talk about his sexual assault even after the court of appeals finding of fact.

15. Following a hearing on June 9, 2020, the Galvans' defamation claims, originally supported by their false affidavits, were dismissed with prejudice.

#### **IV. CAUSE OF ACTION: MALICIOUS CIVIL PROSECUTION**

16. The institution of the defamation suit and the Galvan's actions in obtaining a temporary restraining order under false pretenses, continuing to allege the falsity of something they knew to be true was perpetrated with malice towards the Crews's. The Galvans knew at the time they filed suit that they did not have probable cause to pursue a defamation claims over statements they knew were true. Despite this, they proceeded to restrain the Crews freedom and even continued this following the conclusion of the appeal, all with malice towards the Crews's. The Galvan's proceeding was terminated by the 13<sup>th</sup> court of appeals and judgment against the Galvan's dismissing their defamation claims will be entered by this court consistent with the appeals

decision in this matter. The Galvans' malicious prosecution of their claims has proximately caused special and actual damages to the Crews's. The Galvans' malicious prosecution of their claims has also caused damages including litigation expenses, attorney's fees, severe mental and emotional pain and anguish in the past and in the future for which they sue herein. As such the Crews seek recovery for the damages by the Galvans as a proximate result of their malicious prosecution of their claims which they knew were based on false denial of the Richard Galvan's sexual assault of Hannah Crews.

#### **V. CAUSE OF ACTION: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

17. The Galvans actions to stifle and silence Hannah Crews were undertaken with the intention and knowledge that they would cause a high degree of distress to the Crews's. Suing the victim of your sexual assault for damages for telling the truth while swearing under oath that it did not occur is the definition of extreme and outrageous conduct beyond all bounds of personal decency. Further, the Galvans' suit was not legally permissible as it was based on the untruth that Richard Galvan did not sexually assault Hannah Crews in 2007 and, had they confessed to the truth of the matter as the outset, the Galvans defamation claim would not have been allowed. Thus, the Galvans' actions, as detailed above, proximately caused severe mental and emotional distress to the Crews for which they sue herein. The Crews also seek exemplary damages related to the Galvans infliction of emotional distress.

WHEREFORE, premises considered, the Plaintiffs respectfully request that they recover the following:

1. Judgment for damages against Defendant for damages as alleged herein;
2. Pre-judgment interest as provided by law;
3. Post-judgment interest as provided by law;

4. Reasonable and necessary attorney's fees;
5. Costs of suit; and
6. Such other and further relief to which Plaintiff may be justly entitled in law and/or equity.

**VI.  
Request For Disclosure**

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Plaintiff requests that Defendant disclose, within 50 days of the service of this request, the information and material described in Rule 194.2(a) - (1).

Respectfully Submitted,

/s/ C. Davis Chapman  
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