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**ATHENA STRAND'S MOTHER FILES WRONGFUL DEATH
LAWSUIT AGAINST ACCUSED KILLER, FEDEX, BIG TOPSPIN**

DECATUR – Maitlyn Gandy, the mother of Athena Strand, has filed a wrongful death lawsuit against FedEx, Big Topspin, and Tanner Horner – the delivery driver indicted for kidnapping and killing her 7-year-old daughter.

The 18-page, strongly worded lawsuit was filed on Friday, February 17, in the 271st District Court in Wise County as an intervenor in a lawsuit filed in December by Athena's father, Jacob Strand. The suit seeks "fair and reasonable" compensation for "acts and omissions" that led to the murder of Gandy's daughter.

"This lawsuit is about Athena Strand – a vibrant young girl who deserves to have her memory live on for the good she brought to the world," the lawsuit states. "It is about a life that was taken senselessly – a child who could have been any of ours. It is about a loss that could have and should have been prevented.

“It is about implementing better hiring, training, and supervising practices to prevent vicious killers from arriving at our doorsteps bearing an insignia that has been cultivated to instill trust. It is about preventing billion-dollar organizations from insulating themselves from liability by using fly-by-night contractors instead of acknowledging the responsibility they bear when we trust them to come onto our property, to our doorsteps, and even inside our homes.”

On November 30, 2022, Athena was playing in the front yard of her father’s Paradise home in Wise County, Texas, when she went missing. Wise County sheriff’s deputies later learned that FedEx Ground had delivered a package of “You Can Be Anything” Barbies to the home around the time Athena disappeared.

Law enforcement determined the FedEx route that serviced Athena’s home had been contracted to Big Topspin, a Dallas-based delivery contractor operating for FedEx. The driver of the FedEx truck was Tanner Horner. He later admitted to kidnapping and killing Athena and dumping her body.

The lawsuit accuses FedEx and Big Topspin of negligence in their hiring of Horner by failing to properly investigate his criminal history, mental history, and prior employment history; failing to properly train and supervise him; and failing to implement and enforce safety policies and procedures.

The suit also accuses FedEx of negligently hiring Big Topspin; failing to properly investigate the company’s hiring practices and procedures; and failing to properly supervise the company.

The lawsuit also lists numerous examples of rape and murder alleged to have been committed by FedEx drivers in recent years across the country.

“FedEx has a problem – a big one,” said Benson Varghese, managing partner at Varghese Summersett. “There is a pattern that can no longer be ignored. The company has the resources to ensure its drivers and contractors are properly vetted, trained, and supervised. No parent should have to bury a child because of gross negligence. Tanner Horner should have never been given a FedEx uniform or a delivery van.”

Ty Stimpson, partner at Varghese Summersett, said Maitlyn's hope is that this litigation will bring about systemic change in the hiring, training, and supervision of big delivery companies and their contractors.

"Maitlyn's life mission now is to make sure that what happened to Athena never happens to another child," Stimpson said. "And for everyone to remember Athena as the vibrant little girl that she was."

Because of pending litigation, neither [Varghese Summersett Injury Law Group](#) nor Maitlyn Gandy will have further comment at this time. An official copy of the lawsuit, as well as public information about the case and events, can be found at versusinjury.com/answers-for-athena.