

Wrongful death cases are a type of [personal injury](#) case. In order to file a [wrongful death](#) case, the injured party has to actually die.

A family from White Plains, New York recently filed a wrongful death case after their teenage son died. The parents sent the teen to Bold Earth Teen Adventures. The lawsuit claims the parents trusted the organization with the life of their son, expecting it to take good care of him.

The teen was on the Big Island in Hawaii kayaking with Bold Earth and Hawaii Pack and Paddle, a local touring company. The 12 teenagers attending Big Island were told to leave their kayaks and life vests to explore tide pools. The teens followed instructions.

The lawsuit describes numerous "dangerous high surf" warnings, which the group leader ignored, leading the group into a dangerous area that was off limits to visitors. Enormous waves came over the group, which struggled to hold on tight to prevent being swept away.

According to witnesses, the teen boy was last seen being swept away over the shore cliffs into the ocean. Witnesses claimed the 22-year-old group leader was in a position to help the teen boy, but just stood and watched as he was swept away.

In general, there is no law requiring citizens to rescue or save others. However, if someone owes a duty of care to another by virtue of the relationship, there may be a duty to help rescue or save an individual in danger, if reasonably possible.

According to the lawsuit, the parents trusted the company with the care of their son, but the company did not take good care of the teen. The organization's gross negligence led to the teen's untimely death. The parents claimed the company was negligent in several ways: the group leaders from Bold Earth and group leaders from Hawaii Pack and Paddle were negligent in the way the tour was conducted, the tour guide was negligent for leading the group to a dangerous, off-limits area, and the tour guide did not comply with his "alleged training and experience" as he did nothing to help their struggling son.

The deceased teen's parents are seeking punitive damages for the organizations' negligence. Punitive damages are damages intended to do more than just compensate the plaintiffs; they are intended to also punish the defendants to deter their wrongful behavior in the future.