

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NUMBER: 2025-11841

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DIVISION: D-12  
CIVIL DISTRICT COURT

JAMES HAUSSMAN

V.

THE ADMINISTRATORS OF THE TULANE EDUCATIONAL FUND (“TULANE UNIVERSITY”), PHI KAPPA SIGMA FRATERNITY, INC., aka PHI KAPPA SIGMA-MU CHAPTER, PHI KAPPA SIGMA INTERNATIONAL FRATERNITY, JOHN C. SEIFER, JACKSON D. SMITH, JACK A. STOUFFER, MATTHEW COHEN, WILL DASSEL, BRYAN FLANAGAN, JACK FOX, RYAN LEMBERG, JACOB MAGED, COOPER POLLOCK, JACK PLUTA, DYLAN ROSS, QUINN STEVENS, AND LUKE TRONCALE

PETITION FOR DAMAGES AND REQUEST FOR TRIAL BY JURY

NOW INTO COURT comes petitioner, JAMES HAUSSMAN, who alleges and represents as follows:

PARTIES

1. Plaintiff James Haussman is a person of the full age of majority and resident of Pennsylvania.

2. The following parties are made Defendants herein and are sometimes collectively referred to herein after as Defendants:

a. **THE ADMINISTRATORS OF THE TULANE EDUCATIONAL FUND (“TULANE UNIVERSITY”)** is a private university organized and existing under the laws of the State of Louisiana to operate, manage, and oversee its students and fraternal organizations and other defendants.

b. **PHI KAPPA SIGMA INTERNATIONAL FRATERNITY (“National Fraternity”)**, a Nonprofit Corporation with its principal office address as 716 Adams Street, Suite A., Carmel, Indiana 46032.

c. **PHI KAPPA SIGMA FRATERNITY, INC. aka PHI KAPPA SIGMA-MU CHAPTER (“the Fraternity”)** is a Pennsylvania non-profit corporation organized under the laws of Louisiana with its principle place of business at 1401 Audubon St., New Orleans, LA, 70118 New Orleans, Louisiana.

d. **JOHN C. SEIFER** is of the full age of majority and a resident of the State of California who may be served at his domicile located at 35 Mount Tiburon Road, Belvedere Tiburon, CA 94920. On or about August 15, 2025, he was arrested and charged with one count of La. R.S. 14:502(A)(1), Failure to Seek Assistance. The criminal matter remains pending in Orleans Parish Criminal Court, Case No. 621566. At all relevant times, Seifer was an active member of Phi Kappa Sigma at Tulane University and served as the fraternity’s Head Risk Manager, known within the chapter as a “Theta.”

e. **JACKSON D. SMITH**, is of the full age of majority and a resident of the State of North Carolina who may be served at his domicile located at 14700 Ballantyne Country Club Drive, Charlotte, North Carolina 28277. On or about August 15, 2025, he was arrested and charged with one count of La. R.S. 14:502(A)(1), Failure to Seek Assistance. The criminal matter remains pending in

Orleans Parish Criminal Court, Case No. 621498. At all relevant times, Smith was an active member of Phi Kappa Sigma at Tulane University and served as the fraternity's Social Chair, known within the chapter as a "Psi."

**f. JAKE A. STOUFFER**, is of the full age of majority and a resident of the State of Ohio who may be served at his domicile located at 7085 Pleasant Colony Cir. Blacklick, Ohio 43004. On or about August 15, 2025, he was arrested and charged with one count of La. R.S. 14:40.8 Criminal Hazing, and one count of La. R.S. 14:502(A)(1), Failure to Seek Assistance. The criminal matter remains pending in Orleans Parish Magistrate Court, Case No. 621497. At all relevant times, Stouffer was an active member of Phi Kappa Sigma at Tulane University. He served as President, designated within the chapter as "Alpha."

**g. MATTHEW COHEN** is of the full age of majority and a resident of the State of Louisiana who may be served at his domicile located at 761 N. Pine Street, Gramercy, Louisiana 70052. At all relevant times Cohen was an active member of Phi Kappa Sigma at Tulane University and held the elected office of Vice President.

**h. WILLIAM DASSEL**, is of the full age of majority and a resident of the State of Massachusetts who may be served at his domicile located at 327 Clinton Road, Brookline, MA 02445. At all relevant times, Dassel was an active member of Phi Kappa Sigma at Tulane University. He served as a Senior, held the elected office of Senior Secretary ("Sigma"), and was a member of the fraternity's Judiciary Committee, including serving as a J-Board investigator responsible for internal investigations and discipline within the chapter.

**i. BRYAN FLANAGAN** is of the full age of majority and a resident of the State of New Jersey who may be served at his domicile located at 10 Stiles Lane, Franklin Park, NJ 08823. At all relevant times, Flanagan was an active member of Phi Kappa Sigma at Tulane University. He served on the Judiciary Committee, and immediately prior to the events described herein, he served as the President of the fraternity.

**j. JACK FOX** is of the full age of majority and a resident of the State of New York who may be served at his domicile located at 169 Broadview Avenue, Rochelle, NY 10804. At all relevant times, Fox was an active member of Phi Kappa Sigma at Tulane University. During the period of January 26 through February 2, he served as the fraternity's Pledge master, known within the chapter as an "Iota,"

**k. RYAN LEMBERG** is of the full age of majority and a resident of the State of Illinois. At all relevant times Lumberg was an active member of Phi Kappa Sigma at Tulane University and served as a Risk Manager, known within the fraternity as a "Theta."

**l. JACOB MAGED** is of the full age of majority and a resident of the State of Maryland who may be served at his domicile located at 205 Prettyman Drive, Rockville, MD 20850. At all relevant times, Maged was an active member of Phi Kappa Sigma at Tulane University. He served on the Judiciary Committee as a J-Board investigator, and previously held multiple elected positions within the fraternity including Merchandise Chair ("Xi") from December 2022 to December 2023, and Philanthropy Chair ("Phi") from April 2022 to December 2022.

**m. COOPER POLLOCK** is of the full age of majority and a resident of the State of Maryland who may be served at his domicile located at 205 Prettyman Drive, Rockville Maryland 20850. At all relevant times, Pollack was an active member of Phi Kappa Sigma at Tulane University. From approximately January 26 through March 16, he served as a Pledgemaster, referred to within the fraternity as an "Iota."

n. **JACK PLUTA** is of the full age of majority and a resident of the State of New York who may be served at his domicile located at 40 Algonquin Drive Chappaqua, New York 10514. At all relevant times Pluta was an active member of Phi Kappa Sigma at Tulane University and served as the chapter's "True Vice President."

o. **DYLAN ROSS** is of the full age of majority and a resident of the State of New York who may be served at his domicile located at 2 Morris Lane, Oyster Bay, New York 11771.

p. **QUINN STEVENS** is of the full age of majority and a resident of the State of Massachusetts who may be served at his domicile located at 966 Lower Lane, San Marcos, CA 92069. At all relevant times Stevens was an active member of Phi Kappa Sigma at Tulane University and served as one of the fraternity's Risk Managers.

q. **LUKE TRONCALE** is of the full age of majority and a resident of the State of New York who may be served at his domicile located at 345 E. 80<sup>th</sup> St. Apartment 24 C, New York, New York 10075. At all relevant times, Troncale was an active member of Phi Kappa Sigma at Tulane University. Beginning on or about January 26 and continuing through the present, he served as the fraternity's Head Pledgemaster, also referred to as the New Member Educator or "Iota."

r. **DEFENDANTS** Seifer, Smith, Stouffer, Cohen, Dassel, Flanagan, Fox, Lumberg, Maged, Pollock, Pluta, Ross, Stevens, and Troncale are collectively referred to herein as the "**FRATERNITY MEMBER DEFENDANTS**".

3. Venue is proper in Orleans Parish because the misconduct described herein occurred in New Orleans, Louisiana.

4. The aforementioned Defendants are liable unto Plaintiff for an amount which is just and reasonable in the premises, and which will fully and adequately compensate Plaintiff for all injuries, damages, and losses he has sustained.

#### **FACTUAL BACKGROUND OF HAZING**

5. Plaintiff applied to Tulane University in 2023, during his senior year of high school. He was initially wait-listed and later accepted in June 2024. Plaintiff was interested in joining a fraternity, following in the footsteps of his father and brother, who had both been fraternity members in college.

6. On or about August 15, 2024, Plaintiff moved onto campus to begin his freshman year.

7. Plaintiff had known an older student from his high school who encouraged him to consider Phi Kappa Sigma after learning that Plaintiff had been accepted off the waitlist. Soon thereafter, Plaintiff was invited to attend a rush event at the fraternity house to "get to know the guys."

8. Phi Kappa Sigma's Mu Chapter at Tulane University, founded in 1858 and recognized as the oldest fraternity on campus, publicly promotes itself as an organization built on

tradition, character, and its longstanding motto, “Men of Honor.” This reputation, combined with the fraternity’s historic presence at Tulane, contributed to Plaintiff’s understanding that Phi Kappa Sigma was a respected and stable organization and reinforced his belief that joining the fraternity would provide community, mentorship, and a positive collegiate experience.

9. On August 28, 2024, Plaintiff attended his first rush party at the main house, a poker-night gathering where fraternity members freely provided beer to prospective members.

10. Over the following weeks, Plaintiff attended several similar gatherings at the fraternity house, where members cultivated an atmosphere of friendship and belonging intended to attract potential new members. The events were presented as lighthearted and social. There was no discussion of hazing and fraternity members went out of their way to appear welcoming and respectful. In hindsight, the rush period functioned as a bait-and-switch, designed to reassure the pledges that the fraternity was a safe and positive organization before exposing them to the abusive reality of hazing.

11. During the fall 2024 rush period, the fraternity typically hosted one party each week, with additional events held on Tulane football weekends. Plaintiff attended all of these gatherings, each involving alcohol provided or encouraged by fraternity members.

12. At the end of October, during one of these parties, Plaintiff was taken to the basement of the fraternity house, where the lights were turned off and several members informed him that he had been “bidden” into Phi Kappa Sigma, a moment punctuated by cheers and a bottle of champagne being opened in celebration.

13. In the following weeks, before agreeing to pledge Phi Kappa Sigma, Plaintiff made clear to fraternity members that his participation was contingent upon three conditions: (1) maintaining a 3.8 GPA, (2) continuing to hold steady employment, and (3) all pledge activities being conducted only in groups. Fraternity members, including Henry Breckenfeld, Cole Seifer, and Jack Pluta, repeatedly assured Plaintiff that all three conditions would be respected.

14. Throughout the remainder of the fall semester and into the early weeks of spring 2025, the fraternity continued to host regular social and rush-style events, which Plaintiff attended. These gatherings appeared outwardly friendly and celebratory, with drinking, music, and laughter, and showed no outward signs of hazing or hostility. To Plaintiff, Phi Kappa Sigma appeared to embody the classic fraternity experience, fun, social, and supportive.

15. When the pledge process formally began in January 2025, the environment shifted abruptly from welcoming to coercive and abusive.

16. On January 26, 2025, Plaintiff and the other pledges attended the fraternity's formal induction ceremony, where they were instructed to wear suits and sunglasses. Upon arrival at the fraternity house, they were ordered to enter through the back entrance near the kitchen, where fraternity member Ryan Lemberg sat on a couch with a basket, instructing each pledge to power off their phone, surrender it, and proceed upstairs to the second-floor bathroom.

17. On the second floor all seventeen pledges were ordered by Quinn Stevens to go into the bathroom. The bathroom had no windows or ventilation. Once inside the door locked and the lights turned off. The temperature quickly rose, and the pledges were left in darkness for what felt like twenty minutes or more.

18. Suddenly, and without warning loud heavy-metal music began to blare and the bathroom door burst open. The pledges were ordered to run downstairs into the main living room, referred to as the "chapter room," where a slideshow was projected on the television. The first slide appeared in black with white block letters reading "YOU ARE FUCKED." Plaintiff was then doused with beer and had eggs thrown at him.

19. Plaintiff and fellow pledges were then introduced to their Iotas (pledge masters) Luke Troncale, Jack Fox, and Cooper Pollack. They were also introduced to Jake Stouffer, the Alpha (or president), who was seated at a Phi Kappa podium overseeing and presenting the slides. Then they introduced the three thetas (risk managers) Ryan Lemberg, Cole Seiffer, and Quinn Stevens. The thetas were in charge of overseeing the behavior of the brothers during the slideshow.

20. Throughout the presentation, the fraternity also introduced Plaintiff and the pledges to the Jack Pluta (the beta or vice-president) and other fraternity positions including the sports chair Matthew Cohen, and the treasurer Ben Greenbaum.

21. The slideshow included slides mocking the fraternity's supposed "non-hazing" policy, interspersed with anti-Semitic imagery, homophobic slurs, and threats that anyone who reported hazing would "go to jail."

22. One slide in particular displayed the line, "Phi Kap Sigma is a non-hazing fraternity in accordance with its national bylaws," repeated over and over across the screen. Fraternity members required the pledges to chant that line in unison approximately ten times, as if reciting an anthem, while upperclassmen laughed and ridiculed them. The exercise was intended to mock

the fraternity's formal non-hazing policy and to signal to pledges that violations of law and university rules were expected, even celebrated, within the chapter culture.

23. The next slide depicted the fraternity's two rush chairs, Henry Breckenfeld and Sam Smith, in a photoshopped image showing each with a large penis digitally placed in their mouths. Before showing the image, fraternity members announced that "Sam and Henry had been treating the pledges so nicely up until that point, buying them drinks and doing all these nice things, and now it was time to repay the favor." Members then declared, "We treated them like bitches, therefore it's now time for you guys to be treated like bitches," eliciting laughter from the group.

24. This slideshow served as an initiation tool to desensitize pledges to the fraternity's abusive culture and to signal that defiance or disclosure would not be tolerated. By forcing pledges to repeatedly chant a false statement about the fraternity being "non-hazing," the upperclassmen made clear that official rules and university policies were a joke within the chapter.

25. The slideshow also misstated Louisiana law on hazing by representing that anyone who participated in hazing would themselves be subject to arrest and imprisonment.

26. The presentation's mix of humiliation, sexualized degradation, hate-based imagery, and threats of punishment for "snitching" conditioned pledges to accept mistreatment and to conceal any resulting injuries. The tone of the slideshow set the stage for what followed immediately, an orchestrated sequence of physical and psychological hazing designed to test pledges' obedience and silence.

27. Before and during the slideshow, fraternity members escalated the hazing to physical acts of humiliation and abuse. Pledges were lined up before the assembled members as music blared, and upperclassmen began throwing eggs and beer cans at them while shouting insults and commands. Others poured liquor, referred to as "Diesel," over the pledges' heads and bodies, soaking their clothes and the floor. Some members spit on the pledges.

28. Troncale spit on Plaintiff.

29. During the hazing, a fraternity member hurled a full 24oz beer can at Plaintiff, striking him in the center of his forehead between his eyes. The impact caused immediate and profuse bleeding from his face and disorientation. Plaintiff was pulled out of the room by several fraternity members who attempted to stop the bleeding by handing him paper towels. He sustained a deep laceration across the bridge of his nose which left a visible scar for several weeks.

30. Upon information and belief Jackson Smith and/or Dylan Ross threw the full beer can which hit Plaintiff.

31. Throughout the hazing, Dylan Ross also poured beer into Plaintiff's mouth.

32. Shortly thereafter, fraternity members placed Plaintiff on a barstool where he was visibly dazed and unsteady. Plaintiff fell from the barstool, striking his head a second time. Following the fall, Plaintiff's memory went black until he regained awareness inside a shed at another fraternity property known as "1425." While in the shed with Jake Stouffer and Jackson Smith, Plaintiff realized that he was wearing different clothes. Cole Seifer was also present guarding the door and keeping lookout.

33. That evening, fraternity member Cole Seifer walked Plaintiff back to his dormitory, where Plaintiff discovered he was covered in eggs and beer. He showered and attempted to clean himself, still unaware of the full extent of his injuries.

34. Later that night, fraternity member Ryan Lemberg arranged for another pledge, Robby DeFrancesco, to stay in Plaintiff's dorm room to "monitor" him, despite the fact that neither Robby nor any other fraternity member had any medical training or experience in concussion care. That same evening, fraternity member Cole Seifer accessed Plaintiff's phone and downloaded both the Telegram messaging application and the Life360 location-tracking app. Cole Seifer left afterwards.

35. At no point did any member seek professional medical assistance for Plaintiff, despite his visible injuries, loss of consciousness, and continued disorientation.

36. Plaintiff was later told by other pledges that Dylan Ross was pouring beer into his mouth after he was hit by the beer can. He also later learned that a senior fraternity member, believed to be Wyatt Hurley (a member of Tulane Emergency Medical Services), had briefly interacted with him following the January 26 incident.

37. Hurley told Plaintiff that he had "taken care of" him that day and had attempted to assess his condition by asking a series of basic orientation questions. According to Hurley, when asked how many quarters are in a dollar, Plaintiff responded "two." When asked what month it was, Plaintiff incorrectly replied "July." Hurley also recalled asking how Plaintiff was feeling, to which Plaintiff inexplicably answered that he was "feeling good." These statements demonstrate that Plaintiff was disoriented and exhibiting clear signs of concussion, yet no medical professional was contacted, and no emergency services were summoned.

38. The next morning, on January 27, 2025, Plaintiff skipped his morning classes and went to Tulane Campus Health because his head was hurting so badly. He was evaluated, and Dr. James Jang diagnosed Plaintiff with a severe concussion.

39. Before Plaintiff's appointment, Jake Stouffer, the fraternity president, called Plaintiff and instructed him to lie to Tulane officials, professors, medical providers, anyone else associated with the university, and Plaintiff's parents and family. Stouffer told Plaintiff to deny that his injury was fraternity-related and instead claim that he had been struck by a beer can while watching an Eagles football game at the Fly.

40. Lemberg sent Plaintiff a Telegram message before Plaintiff sought treatment, asking whether he remembered what to say.



These coordinated instructions were part of the fraternity's deliberate effort to conceal the hazing incident and obstruct any investigation into its conduct.

41. Dr. Jang advised that Plaintiff refrain from all physical activity or exercise for at least one month and refrain from all drinking or social events involving alcohol for at least two months. He further instructed Plaintiff to avoid screens, reading, or any cognitively demanding activity for the next several days, limiting him to only essential tasks such as eating, bathing, and using the restroom.

42. Because Campus Health lacked a CT scanner or diagnostic imaging capability, Dr. Jang performed only a basic neurological assessment, noted the severity of the concussion, and

referred Plaintiff to the Tulane Concussion Clinic at the Tulane Institute of Sports Medicine for further evaluation and treatment.

43. Following his appointment, Plaintiff relayed Dr. Jang's findings and restrictions to fraternity leadership. He informed them that he had been diagnosed with a severe concussion, was prohibited from all exercise for at least one month, and was not permitted to consume alcohol for a minimum of two months. Plaintiff further told them that he had specifically asked Dr. Jang whether he could safely eat foods that might cause nausea or vomiting, referencing the prior "pig's lips" hazing activity. Dr. Jang advised him against it.

44. In February 2025, fraternity member Cooper Pollack, an officer within the chapter known as an Iota, forced Plaintiff to consume a red solo cup filled with liquid the members called "goop." There were multiple variations of goop. On this occasion it was "spicy milk". The concoction consisted of milk mixed with cayenne pepper, hot sauce, other strong spices, and other unknown ingredients.

45. The exercise was intended to cause pledges to vomit, and members laughed at the reactions of those unable to keep the mixture down. Despite knowing that Plaintiff had been diagnosed with a concussion, Pollock represented that he had entered Plaintiff's symptoms into ChatGPT, which responded that nausea and vomiting are common symptoms of a concussion. Pollock took this to mean that forcing Plaintiff to vomit would be "okay," and proceeded with the hazing activity regardless of the medical risk.

46. Surrounded by upperclassmen and under the pressure of having his entire pledge class watching, Plaintiff felt he had no choice but to comply. As he began drinking the "spicy milk," he vomited repeatedly into a bag while members laughed and shouted. By the time he finished, his head pain had intensified severely, and he had to brace himself against the wall to remain standing. He became dizzy and disoriented, ultimately collapsing against a wall and striking his head on the right side.

47. Instead of offering assistance, fraternity member Luke Troncale shouted, "Hausman, stop faking," and continued to ridicule him as he struggled to remain upright. Troncale mocked Plaintiff's breathing and speech, repeating sarcastically, "Hausman, I know this is so difficult," while other members laughed. Troncale and others continued to insist that he was exaggerating or faking his injury. Troncale mocked the way Plaintiff breathed, loudly and laboriously through his mouth due to pain and near-hyperventilation.

48. Troncale also ridiculed Plaintiff's unsteady gait and off-balance walk, making it a point to "correct" him and force him to walk "properly" again, despite his obvious physical impairment. At no point did any fraternity member seek or offer medical attention. Instead, the fraternity's leadership then staggered the pledges' departures from the house to avoid attracting outside attention, a routine practice intended to conceal their hazing activities from law enforcement or university observers.

49. Following that incident, fraternity members temporarily reduced Plaintiff's physical participation in hazing activities but continued to subject him to verbal abuse and demeaning treatment. Plaintiff was still required to complete minor or "benign" tasks assigned by upperclassmen, and members regularly directed slurs and insults toward him, calling him "retard," "fag," and other derogatory names. This persistent ridicule reinforced his subordinate status within the fraternity and caused significant emotional distress, humiliation, and loss of self-esteem.

50. The Fraternity Member Defendants began an immediate campaign of cover-up and misdirection after the January 26, 2025 hazing incident. That same day, fraternity president Jake Stouffer sent a message to the chapter acknowledging the excessive physicality of the lineup and attempting to contain the fallout internally.

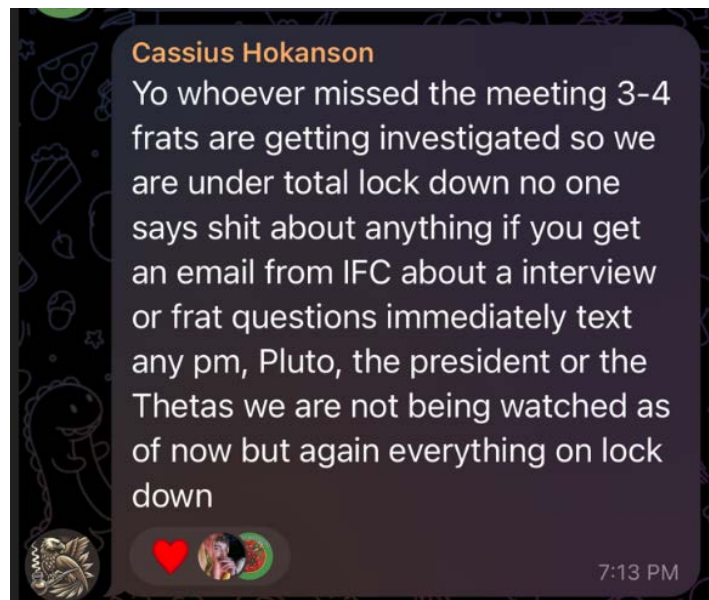
51. Later that evening, Stouffer followed up with a second message addressed directly to the pledge class, stating:

"As the leader of this fraternity and organization, I would like to apologize to you all. This was a terrible display by my brothers today, and I'm truly sorry this was your introduction to some of them. Certain actions that occurred today do not represent all of us as a whole, and I'll be launching a personal investigation into what happened today and how it will be prevented in the future. At the end of the day, this falls on me. And I need to better guide and lead my brothers to prevent days like today. Anything you need, you can always reach out. I'm here for you boys, and I can't wait to get to know each and every one of you better, and welcome you formally into the brotherhood. Take care boys and good night."

52. He concluded by directing recipients to "thumbs up this message so I know you've read." Despite these statements of regret and his promise to "launch a personal investigation," Stouffer made no report to university authorities, medical personnel, or law enforcement, instead keeping the matter confined within the fraternity's private messaging channels.

53. On or about January 30, 2025, members of the fraternity's leadership circulated a group text directing pledges to remain silent about fraternity activities and to immediately contact leadership before responding to any university inquiries. This communication was plainly intended to prevent disclosure of the fraternity's conduct and to ensure that members coordinated their

responses before speaking to investigators.



54. On February 20, 2025, fraternity member Ryan Lemberg messaged Plaintiff asking him to meet “at the house to talk about your situation.” During that meeting, fraternity leadership acknowledged that Plaintiff was “going through it” but told him he should plan to “pledge again next semester.” To Plaintiff, this statement conveyed a clear message: “We hurt you. You’re suffering now, but when you come back, you’ll have to endure it all over again.” Present at the meeting were Ryan Lemberg, Cole Seifer, Quinn Stevens, Jake Stouffer, Luke Troncale, and Cooper Pollock.

55. On February 21, 2025, the day after fraternity leadership told Plaintiff he should “pledge again next semester,” Ryan Lemberg messaged Plaintiff asking whether he had reached a decision. Despite the gravity of the situation, Plaintiff was given less than twenty-four hours to consider his response. Plaintiff replied that he wanted to discuss the matter with his family before making a decision.

56. The following day, February 22, 2025, Lemberg again messaged Plaintiff demanding an immediate answer. Plaintiff explained that he was unable to respond because his mother was undergoing surgery and that he would provide a decision the next day. Lemberg rejected this request, insisting that Plaintiff give his answer by midnight that evening.

57. After discussing the matter with his father and brother, Plaintiff ultimately agreed to continue pledging, but only if certain accommodations were made to safeguard his recovery. In his written message to Ryan Lemberg, Plaintiff explained that he needed daily rest periods free from fraternity tasks or communications to allow his brain time to heal. He also noted that his physician had instructed him to avoid exposure to loud noises, bright light, and strenuous physical activity for the remainder of the semester.

58. Because these restrictions would prevent him from attending fraternity parties or social events, Plaintiff requested that his previously paid dues be credited toward the following semester. Finally, he advised that if he were required to attend any fraternity “games” or gatherings, he would need to wear noise-canceling headphones or the activities would have to occur without loud music. Lemberg agreed stating that accommodations would be made.

59. Approximately six weeks after Plaintiff was struck in the forehead by a full beer can thrown by a fraternity member during a hazing lineup, on March 14, 2025, Fraternity president Jake Stouffer sent Plaintiff a message, stating: “Hey Haussman. Wanted to put you in a chat with me and the J-Board committee so we could talk to you about what’s been going on with our investigation.” The “Judicial Board” or “J-Board” purporting to investigate who threw the beer can that struck Plaintiff was composed of senior members, including Will Daassel, Jacob Maged, Brian Flanagan, operated under the direction and oversight of fraternity president Jake Stouffer.

60. Despite multiple eyewitnesses and Plaintiff’s expressed belief that the responsible individual was either Dylan Ross or Jackson Smith, both serving as social chairs, the chapter claimed it could not determine who was responsible. No written findings, interviews, or disciplinary measures were ever disclosed to Plaintiff, and no member of the fraternity confirmed having been interviewed.

61. The meeting reflected the fraternity’s ongoing disregard for Plaintiff’s medical condition and the coercive environment that made continued participation appear mandatory.

62. Shortly thereafter, the J-Board messaged Plaintiff stating,

“Hey, so we’ve been investigating this incident since it happened and we have come to the conclusion that we do not have ample evidence to accuse an individual person. Instead, we are going to impose a chapter-wide sanction where there will be no tasks outside of the Iota-Theta team and no unnecessary brothers at future games.”

No further action, disciplinary measure, or identification of the responsible member followed. The so-called investigation produced no findings and resulted only in a token “sanction” against the entire chapter, demonstrating that it functioned not as a genuine disciplinary process but as a coordinated effort to deflect responsibility and protect fraternity leadership.

63. The J-Board’s “sanction” prohibiting non-leadership members from participating in or observing future pledge events was not a genuine corrective measure but a calculated effort to protect the fraternity from future scrutiny. By restricting hazing activities to a smaller, identifiable group, the Iota-Theta team, the fraternity effectively attempted to control potential witnesses and minimize outside visibility of misconduct rather than prevent it. This measure was

a deliberate attempt to insulate the chapter and its leadership from further liability in the event of future hazing or injury.

64. As part of what the fraternity described as its internal “J-Board” investigation, President Jake Stouffer sent a lengthy message to Plaintiff stating, in substance, that the leadership had interviewed nearly ten fraternity members within five days of the incident but had been unable to “clearly identify the culprit.” Stouffer wrote,

“I know this injury has put you in an awful position, and we want to do everything in our power to make this right. This should have never happened at all. We’ve been interviewing brothers over the past months ever since this happened, and it really pains me that we couldn’t come to a firm conclusion... We have our suspicions and likely parties, but proving who it was beyond a reasonable doubt has proved to be a challenge.”

65. Despite these representations, no fraternity member ever informed Plaintiff that they had been interviewed, and Plaintiff was never provided any names, findings, or results from the purported investigation. The message appeared intended to placate Plaintiff rather than uncover accountability, consistent with the fraternity’s broader pattern of concealment and self-protection.

66. During the “investigation” Plaintiff raised the issue of his fraternity dues, explaining that because of his concussion and related medical expenses, he should not be required to make further payments. Stouffer agreed that Plaintiff’s dues for the current semester would be deferred and that he would not be charged additional amounts. Plaintiff had already paid his dues despite his injury, and Stouffer told him that the payment would simply be credited toward the following semester. Stouffer further stated that, if the fraternity could not reimburse Plaintiff for his out-of-pocket medical costs, those amounts would be offset against his dues balance.

67. On or about March 31, 2025, Plaintiff formally withdrew from the fraternity and was refunded his \$1,850 in dues. The day before, another pledge confronted Plaintiff after learning that he had discussed his medical prognosis with his physician and was considering legal action. Plaintiff confided that he was contemplating a lawsuit and asked that the conversation remain confidential. Immediately thereafter, fraternity communications were systematically erased: all “Telegram” group-chat messages were deleted, and Plaintiff was removed from nearly every messaging channel.

68. That same day, fraternity officers Jake Stouffer and Ryan Lemberg requested a meeting with Plaintiff under the pretense of discussing his medical bills. Plaintiff declined to meet due to his lack of trust in their motives and concern that the meeting was an effort to influence or monitor his communications regarding the incident.

69. On March 31, 2025, Plaintiff received a message from Jake Stouffer saying: “We’ve come to a conclusion on who our culprit is. If you’d still like to talk about this.”

70. As a result of the hazing incident, Plaintiff experienced ongoing and debilitating concussion symptoms, including excruciating headaches that lasted the entire day, light and noise sensitivity, difficulty sleeping, balance problems, dizziness, irritability, short-term memory loss, word-finding difficulty, blurred and double vision, nausea, vomiting, constipation, sexual dysfunction, depression, anxiety, high blood pressure, severe neck pain, neck stiffness, shooting arm pain down the arm, shoulder pain, and ear ringing.

71. Further, Plaintiff is unable to drive since his injury, has to wear sunglasses 24/7, and sleeps with a mask. Plaintiff purchased noise-canceling headphones.

72. Plaintiff experiences difficulty with numbers and basic mathematical computation.

73. Because of these symptoms, Plaintiff was forced to medically withdraw from his classes and lost his position as baseball student manager with the statistics department, where he had been employed prior to the injury.

74. On April 14, 2025, Plaintiff’s counsel issued a Preservation of Evidence Letter to Tulane University, the Phi Kappa Sigma–Mu Chapter, and Phi Kappa Sigma International Fraternity. The letter formally notified Defendants that litigation was anticipated and expressly instructed them to preserve all documents, communications, and electronically stored information related to the events of January 26, 2025.

75. The preservation letter specifically demanded retention of surveillance footage, door-access logs, security and incident reports, fraternity communications, social media messages, text messages, and internal university or fraternity correspondence involving any student or administrator listed on an attached roster of seventy-three individuals. Defendants were directed to confirm within seven days that a litigation hold had been implemented and warned that failure to preserve evidence could result in sanctions, including adverse inferences or evidentiary preclusion.

76. No Defendant ever responded to the preservation letter or confirmed implementation of a litigation hold. Upon information and belief, by the time the letter was sent, however, substantial evidence had already been destroyed. On March 31, 2025, immediately after Plaintiff disclosed to certain fraternity members that he was considering legal action, the fraternity’s group chats were wiped in their entirety.

77. Although these mass deletions occurred prior to the preservation letter, they happened after the fraternity learned that Plaintiff was contemplating retaining legal counsel, making the destruction neither accidental nor routine. Defendants then compounded the harm by ignoring the preservation letter altogether, reinforcing the inference that relevant evidence was purposefully destroyed to conceal misconduct.

78. In May 2025, Plaintiff was evaluated by a neurologist at the Children’s Hospital of Philadelphia, who diagnosed him with a chronic concussion, indicating that his symptoms were expected to be long-term and potentially permanent.

79. Plaintiff has also been diagnosed with a host of psychological issues, including depression and post-traumatic stress disorder as a result of the hazing.

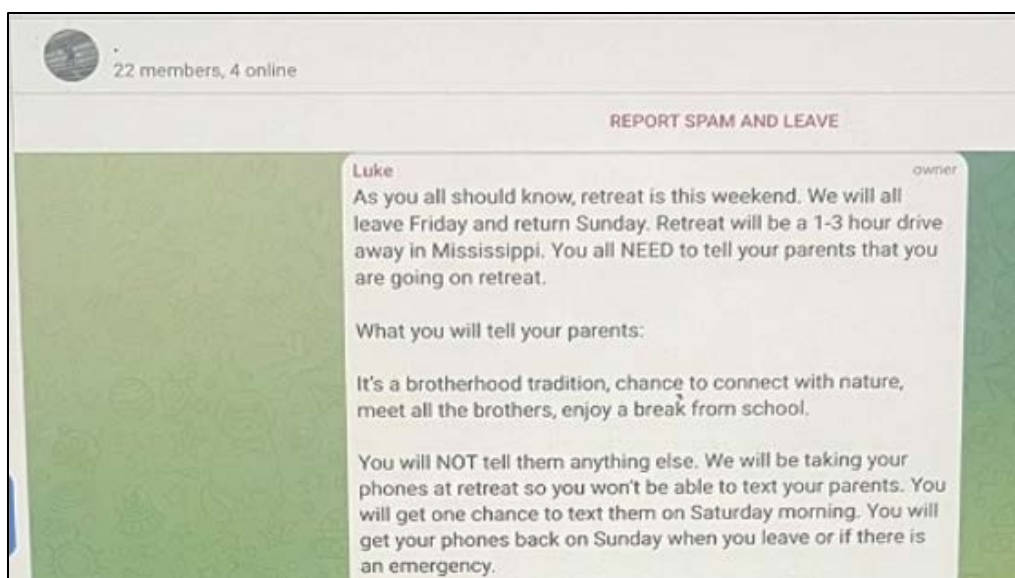
### ADDITIONAL HAZING

80. During the January 26, 2025, induction ceremony the motto “Loose lips get pig’s lips,” was introduced. A phrase meant to warn pledges never to discuss hazing or internal activities with anyone outside the group. Plaintiff was singled out for punishment after a photo of him with two “Iotas” appeared in the slideshow. Plaintiff was accused of “messaging up” and ordered to eat an entire jar of pickled pig’s lips as punishment.

81. This message was repeatedly shown to the pledges. A spreadsheet circulated among the pledge class expressly instructed that, to be “successful,” pledges were to hide all hazing conduct and avoid discussing it “with ANYONE.” The document reinforced the culture of secrecy and intimidation that enabled the fraternity’s ongoing misconduct and discouraged injured pledges from seeking help or reporting violations.

PHI KAP 25 PLAN FOR SUCCESS				
<b>GENERAL RULES</b>				
-	Only Call the Sirs by their Sir title in private			
-	DO NOT call them sir in public or in front of people not affiliated with the fraternity			
-	DO NOT do any hazing activities in public			
-	DO NOT wear any Tulane affiliated clothing EVER. (shirts, pants, polos, hats, etc.)			
-	DO NOT talk about hazing to ANYONE			

82. In advance of a so-called “retreat,” members of the pledge class were again instructed to remain silent about all fraternity activities and provided with specific talking points for what to tell their parents. The communication further warned that pledges’ phones would be confiscated upon arrival, reinforcing the fraternity’s intent to isolate them from outside contact and maintain complete control over communication during the event.



83. The same message concluded with the directive, “Prepare for the worst. Expect the worst,” signaling to pledges that physical or psychological mistreatment was imminent and expected. These warnings, coupled with the prior instructions not to discuss hazing, reflected the fraternity’s deliberate effort to conceal its misconduct and normalize fear, secrecy, and submission among pledges.

84. Upon information and belief, during the so-called “retreat,” pledges were “hunted” by fraternity member Luke Gannon and shot at with a BB gun. Plaintiff was also later informed of additional serious misconduct that occurred during or around the time of the retreat.

85. Specifically, Plaintiff was told that a fraternity member had sexually assaulted a pledge, intentionally providing him with excessive alcohol until he lost consciousness and then engaging in inappropriate sexual contact. Plaintiff, disturbed by what he had learned, later discussed the matter with a Tulane staff member who identified herself as a mandatory reporter, and was advised that Tulane Case Management would be required to contact the pledge as part of the university’s reporting obligations.

86. That same evening, Plaintiff called the pledge to explain that Case Management would be reaching out only to offer support, not to disclose details of the assault. The pledge, however, interpreted this as a betrayal and reacted angrily. He told Plaintiff that he would make sure no one in the pledge class or fraternity would speak to him again. During the conversation, the pledge revealed that he had refrained from reporting the assault because the perpetrator had threatened that, if he did, the perpetrator’s family would sue him for defamation.

87. At all relevant times, the fraternity’s local chapter maintained a rigid internal hierarchy modeled on Greek-letter officer designations. The acting president of the chapter, referred to as the “Alpha,” was Jake Stouffer. The vice-president position was held by Matthew

Cohen, and Jack Pluta, who functioned as the true “Beta.” Beneath them were additional officers identified by title as the “Iotas” and “Thetas,” each group composed of three members. Together, the Alpha, the Beta, the three Iotas, and the three Thetas, approximately eight upper-class members in total, comprised the governing body of the chapter and exercised control over all pledge and new-member activities. The “Iotas” (pledge masters) were responsible for conducting the hazing and “Thetas” (risk managers) were supposed to ensure safety but instead facilitated hazing.

88. Within the fraternity, these eight officers were collectively known and addressed as “Sirs.” Chapter custom required pledges to address each of them with ceremonial deference both in person and in written communications. In private meetings and in the chapter’s encrypted group messaging platform, pledges were required to use formal titles such as “Sir Brother [Last Name], SIR!”. This enforced system of honorifics and ritualized submission reflected the chapter’s authoritarian culture and the power imbalance between pledges and initiated members.

89. The strict hierarchy of “Sirs” fostered an atmosphere of absolute obedience that directly enabled and perpetuated the hazing practices within the chapter. Pledges were conditioned to follow every directive issued by the Alpha, Beta, and other “Sirs” without question, under threat of punishment, humiliation, or expulsion from the pledge process. Because all communications were channeled through this rigid chain of command, both in person and through the chapter’s private Telegram group, the “Sirs” exercised complete authority over the pledges’ schedules, conduct, and physical participation in fraternity activities.

90. The deference expected of pledges and the performative formality of addressing members as “Sir Brother” reinforced the culture of submission that made resistance to dangerous or unlawful orders virtually impossible. This system of dominance and control, sanctioned and perpetuated by chapter tradition, created the environment in which the hazing, physical abuse, and forced activities occurred.

91. Beyond the January 26, 2025 incident, members of Phi Kappa Sigma engaged in a sustained and organized pattern of hazing designed to dominate, humiliate, and control pledges throughout the semester. This conduct was systemic, directed by chapter officers, and carried out under the guise of fraternity “tradition.” Plaintiff and others in his pledge class were subjected to repeated acts of physical abuse, coercive obedience, and psychological manipulation that stripped them of autonomy and conditioned them to accept mistreatment as a condition of membership.

92. Throughout the pledge process, Plaintiff was both a victim and a witness to repeated acts of physical abuse, coercion, and forced substance consumption inflicted by fraternity members upon pledges. These acts occurred during events referred to within the chapter as “personals” and “lineups,” where pledges were routinely humiliated, physically harmed, and compelled to ingest large quantities of alcohol, nicotine, marijuana, or other substances intended to induce vomiting, pain, and suffering under threat of punishment or social exclusion.

93. On multiple occasions, Plaintiff was forced into a small, closet-like space located beneath the staircase of the fraternity house. The area was so confined that he was unable to stand upright and had to sit on the floor with his knees pulled tightly to his chest. The space was dark, filled with dust and loose nails protruding from the wooden walls, and so cramped that it was difficult to move or breathe comfortably. Plaintiff was kept in this confined area for approximately thirty minutes to an hour at a time, causing him intense physical discomfort and emotional distress. The confinement was ordered and enforced by fraternity members, including Luke Troncale and Cooper Pollock,

94. Fraternity members routinely forced a pledge to place an entire tin of high-dose nicotine pouches, or “Zyns,” in his mouth while simultaneously performing strenuous workouts. He was also required to smoke excessive quantities of marijuana, tobacco, and a mixture of the two known as a “chop.” These forced consumption rituals were followed by physical exertion to the point of exhaustion. On at least one occasion, this pledge collapsed mid-exercise, struck his head, and appeared to lose consciousness, showing clear signs of concussion.

95. When Plaintiff arrived at the scene, he found the pledge lying on the floor, vomiting, covered in bodily fluids, and visibly disoriented. Together with another member, Plaintiff helped clean the area, mop up the vomit and debris, and provide the pledge with dry clothing because his pants were soaked. The pledge was disoriented, exhibiting confusion, imbalance, and classic symptoms of head trauma. Despite his obvious condition, no fraternity member summoned medical assistance or reported the incident to university officials. Later, the pledge told Plaintiff that he had lied to his doctors, claiming he had tripped and hit his head on a bedpost in his dorm room.

96. In addition to the conduct described above, fraternity members routinely organized drinking-based hazing activities that required pledges and prospective members to consume excessive amounts of alcohol.

97. During one event known as “Around the World” each room in the fraternity house represented a different “country,” and each “country” involved a separate drinking game and form of alcohol. Participants were pressured to move from room to room, consuming different types of liquor as they went.

98. In the kitchen, designated as “Russia” participants played a version of “Russian roulette” with six cups, three filled with vodka and three with water. Pledges were required to guess and drink repeatedly until all cups were empty. In the adjoining “Ireland” room, participants were served whiskey and required to drink before advancing to the next round. Upstairs, in a room labeled “Afghanistan” participants were compelled to “shotgun” beers as quickly as possible, with the last to finish required to perform ten push-ups. Plaintiff, already intoxicated from prior rounds, was forced to participate in the shotgun contest.

99. These drinking games were organized and enforced by active fraternity members and operated in the same coercive manner as formal hazing events. All attendees understood that engaging in the drinking games was expected if they wished to be considered for a bid or maintain standing within the fraternity.

100. At “Big Little Night”, the entire fraternity was in attendance for this lineup. All of the pledges were put in the bathroom for the usual 20-40 minutes. Troncale, Pollack, and all of the fraternity members unveiled a pot of human feces as the "goop." Although this was a joke, none of the pledges had to actually eat it, all of the pledges had to consume large amounts of "Vat" and various other alcohols.

101. The pledges would have to go up to individual fraternity brothers, and ask/answer questions regarding their bigs. Numerous pledges were also either forced or peer pressured into taking certain drugs like cocaine and/or ketamine. Once it was deemed that the pledges were sufficiently drunk and high, all of the pledges, except for Ryan Willingham-Bruni, were required to go out to the bars with their "frat families", where more drinking and drug use took place.

102. At around 11-midnight, under orders from Quinn Stevens, James MacDonald called Plaintiff back to the house to take care of Ryan. (Quinn was Ryan's big). Ryan drank himself to such an extent that he passed out on the couch. Quinn admitted to Plaintiff that he “seriously did not fuck with alcohol hazing,” and since Plaintiff was the only person still sober, Quinn told Plaintiff it was his job to ensure that Ryan slept on his side so that Ryan would not choke on his

own vomit while he slept. Quinn then went out drinking at the bars to party with the rest of the frat.

103. At Greek letter night, all of the pledges, including Plaintiff, were forced to recite the entire Greek alphabet, before an upside-down turned match burned our fingers. Troncale and Pollack would judge the accuracy and clarity of the alphabet. Plaintiff struggled because of his memory issues and slurred speech problems as a result of the concussions.

104. In addition to burning his fingers repeatedly, Defendants forced Plaintiff to do push-ups despite the agreement that Plaintiff would not be physically hazed due to his concussions. Defendants forced Plaintiff to do push-ups to the point of physical and motor control failure. Plaintiff vomited from the pain and exercise after returning to his dorm room.

105. During another “line up” known within the fraternity as “Great American Night,” pledges were required to endure physical assaults and consume contaminated food and alcohol. Each pledge was slapped in the face with a raw fish, and one student, Robby DeFrancesco, sustained a bleeding wound on his neck after being struck, prompting a medical check from Patrick Strangways, a member of Tulane Emergency Medical Services, who warned that the injury was dangerously close to his jugular vein.

106. Members also ordered pizzas, covered them with a mixture referred to as “goop,” and forced pledges to eat them after older members vomited onto the food. Pledges were further compelled to drink large quantities of beer and smoke tobacco and marijuana, with the first team to finish deemed the “winner.”

107. Beyond organized “lineups,” individual fraternity members also engaged in unsanctioned acts of hazing against pledges. On one occasion, Luke Gannon and Chris Chen subjected pledges to waterboarding, pouring water over their faces while they were restrained to simulate drowning. The assault was not part of a scheduled event but was carried out at the members’ discretion, further demonstrating the fraternity’s culture of unchecked violence and humiliation. Gannon is believed to have recorded the incident on his phone.

108. During another “line up” referred to as the “cayenne lineup” pledges were ordered to coat themselves in cayenne pepper before performing strenuous physical exercises. The cayenne soaked into their skin and clogged their pores, causing intense burning and pain that worsened as they began to sweat. Messages in the fraternity’s group chat afterward reflected widespread distress, with pledges describing “excruciating pain” and exchanging advice on how to relieve the

burning. Some resorted to pouring milk or yogurt on their skin for relief. One pledge had to submerge himself in a bathtub in the fraternity's basement to alleviate the pain. The cayenne lineup was repeated on at least one additional occasion.

109. Fraternity members conducted nearly all pledge-related communications through encrypted and disappearing-message platforms, including "Telegram" and "Life360," to avoid detection of hazing activities. Pledges were instructed that no fraternity business, including hazing instructions or event planning, was to be discussed by text message or other traceable means. Telegram was used as the primary channel for hazing communications because it allowed chats and messages to be deleted without record.

110. In these chats members with elevated status were referred to as "Sirs." Pledges were required to address them formally in all communications, both in person and on Telegram, using exact capitalization and punctuation, e.g., "Sir Brother Troncale, SIR!" or "Sir Brother Mr. President, SIR!" Failure to observe these forms of address or communication protocols risked punishment or further hazing.

111. The "Iotas" or "pledge masters" were responsible for managing and monitoring these secretive chats. The three Iotas were Luke Troncale, Cooper Pollock, and Jack Fox. Troncale, the Head Iota, controlled most of the Telegram channels used for hazing.

112. One main Telegram group chat was referred to as "Concussion Protocol," later renamed "Ole Miss Lucy's Saggy Tits," and eventually reduced to a single punctuation mark, "." This group was the primary hazing chat, limited to the fraternity's top officers the President (Jake Stouffer), Vice President (Matthew Cohen, though the acting Vice President was Jack Pluta), the three Iotas, three members of the Theta sorority, and two Rush Chairs.

113. Through these encrypted and tightly controlled communication channels, the fraternity maintained secrecy over its hazing operations and coordinated conduct designed to intimidate pledges and conceal misconduct from university oversight.

114. For decades preceding Plaintiff's injury, both Tulane University and the national organization of Phi Kappa Sigma were repeatedly placed on notice of dangerous and unlawful hazing within their respective communities. Tulane's campus has endured a long and well-documented history of fraternity hazing incidents resulting in serious injuries, hospitalizations, and disciplinary actions, reflecting a systemic failure to enforce anti-hazing policies or meaningfully monitor student organizations.

115. Likewise, Phi Kappa Sigma's national organization has faced multiple suspensions, expulsions, and disciplinary findings for hazing, alcohol abuse, and violent conduct at chapters across the country. These recurring violations demonstrate that the type of conduct at issue in this case was foreseeable and part of a broader pattern of recklessness that both institutions failed to prevent despite years of warnings.

116. In 2006, Pi Kappa Alpha ("PIKE") drew attention after students reported sexual assaults and druggings at its annual party. Although Tulane's student government formally urged the administration to investigate, the University failed to act promptly. A later judicial board review confirmed PIKE's violations of the Code of Student Conduct, resulting in temporary suspension and community service.

117. On April 25–26, 2008, PIKE held its notorious "Hell Night" initiation, where pledges were doused with flour, vinegar, cayenne pepper, crab boil, and scalding water. Several pledges suffered second- and third-degree burns, including burns to their genitals. Victims were treated at a local hospital and told by the fraternity president to fabricate a cover story. Ten fraternity members were ultimately arrested and charged with aggravated battery. Tulane expelled PIKE, and the national fraternity revoked its charter.

118. Disciplinary issues continued in subsequent years. In 2015, Tulane Emergency Medical Services (TEMS) was sanctioned for hazing and failure to follow university directives, receiving a deferred suspension. Around the same time, Alpha Epsilon Phi (AEPi) accepted a one-year suspension for hazing and drug policy violations.

119. Kappa Sigma was repeatedly sanctioned for hazing and alcohol violations, leading to its 2017 closure. Despite the shutdown, former members continued to operate "underground," hosting events like "Dranksgiving," which featured racially and culturally offensive themes. Alpha Epsilon Pi (AEPi) members were also disciplined for hazing during this period.

120. After the 2018 passage of Louisiana's "Max Gruver Act," which strengthened anti-hazing laws and required universities to report allegations to law enforcement, additional investigations followed. In 2021, Tulane police obtained arrest warrants for individuals involved in hazing incidents tied to Alpha Kappa Alpha, Alpha Epsilon Pi, Sigma Delta Tau, and Kappa Alpha Theta.

121. Hazing reports persisted in later years. In 2022, Sigma Alpha Epsilon (SAE) was the subject of two separate hazing complaints, including one involving alleged criminal hazing in its fraternity house basement, where officers were denied entry without a warrant.

122. Most recently, in 2025, Tulane investigated Delta Tau Delta (DTD) for hazing and disorderly conduct, resulting in a semester-long suspension. Phi Kappa Sigma was also placed under interim suspension pending investigation.

123. Despite mandatory anti-hazing training and state-law reporting obligations, Tulane's campus remains plagued by repeated and serious hazing incidents. Since the death of LSU student Max Gruver in 2017, at least seven Tulane organizations, including SAE, DTD, Phi Kappa Sigma, Alpha Kappa Alpha, Alpha Epsilon Pi, Sigma Delta Tau, and Kappa Alpha Theta have been accused of or investigated for hazing.

124. Multiple chapters of Phi Kappa Sigma across the United States have been sanctioned, suspended, or shut down for serious violations, including hazing and endangering others.

125. On July 26, 2021, Indiana University Bloomington sanctioned the fraternity for endangering others, alcohol violations, hazing, and failure to comply with University and County COVID-19 directives.

126. On October 29, 2021, Washington State University revoked recognition of the chapter for hazing, with a loss of recognition through May 15, 2023.

127. In January of 2023 the University of Texas investigated Phi Kappa Sigma and found them in violation of their Hazing policies stating that members were hazed "through degradation and competitions/games with alcohol consumption." A suspension was deferred until May of 2024.

128. On September 25, 2023, the University of South Carolina found the organization responsible for "Organizational Violent Conduct – Hazing," placing it on conduct probation through October 9, 2026.

129. On October 26, 2023, Penn State University suspended the fraternity indefinitely.

130. On September 18, 2024, the University of South Carolina cited Phi Kappa Sigma for hazing, imposing probation through February 21, 2026.

131. In or around December 2025, the University of Colorado at Boulder suspended the fraternity after receiving three credible reports of "extreme or severe" hazing.

132. These repeated incidents across multiple campuses demonstrate a pervasive culture of hazing and misconduct within Phi Kappa Sigma's national organization, and an ongoing failure of oversight, enforcement, and institutional control.

133. Phi Kappa Sigma Fraternity, Inc., is a nonprofit corporation established in 1936, describes itself as an "international social fraternity of university men under the brand PHI KAPPA SIGMA® (Greek transliteration: ΦΚΣ). PSK fraternity was founded by Dr. Samuel Brown Wylie Mitchell at the University of Pennsylvania in 1850 and has operated continuously in the United States since then, including the current operation of fraternity chapters at numerous universities across various U.S. states and in Canada.

134. "Phi Kappa Sigma is more than a club to join during college; it is an invaluable learning experience, a philosophy for living and a life-long commitment. Along with the Ritual, our purpose and principles state what our organization is and who we are as brothers of our fraternity. All brothers take an oath to uphold these ideals, and it is up to all to ensure that we, present and future, learn and understand what is required to incorporate being a true Phi Kap in our local chapters, schools, communities, and our lives after school."

135. The National Fraternity knew, was on notice, and/or in the exercise of reasonable or even slight care should have known, that because pledging and hazing were deeply engrained traditions and viewed by members as necessary rites of passage to gain and earn "true" membership in the fraternity, many of its members and chapters would seek to continue those dangerous practices underground, and outside of its formal membership intake process.

136. The National Fraternity also knew, was on notice, and/or in the exercise of reasonable or even slight care should have known, about the risk that its and chapter members would continue to pledge, and haze, prospective members underground, because the purported reform of banning pledging categorically failed to address the reckless, negligent, and grossly negligent management structure that had allowed dangerous hazing to become so deeply-engrained in its traditions in the years and decades before the purported ban on hazing.

137. The National Fraternity has negligently, recklessly, and/or with an utter disregard of the dictates of prudence, empowered, entrusted, and purportedly relied on unpaid, untrained, and inexperienced college students and recent college graduates with conflicted loyalties to: oversee and manage its undergraduate and graduate chapters; recruit and initiate prospective members into its organization; prohibit, detect, prevent, refrain from, and report underground

pledging and hazing; and implement and enforce its code of conduct and purported prohibitions on hazing.

138. The Fraternity and Fraternity Member Defendants engaged in the reckless activities and/or behavior that resulted in serious bodily and psychological injuries to Plaintiff.

139. Fraternity Member Defendants were all present when Plaintiff suffered serious bodily and psychological injuries.

140. Despite that involvement and/or knowledge, after Plaintiff collapsed and/or was injured, rather than immediately giving him reasonable assistance, including by immediately reporting the need for medical assistance to an appropriate authority, the Fraternity and Fraternity Member Defendants began conspiring, acting in concert, and taking steps to try to cover up the location of the hazing and their roles in causing, contributing, and/or failing to prevent Plaintiff's injuries.

141. Fraternity Member Defendants negligently, recklessly, with an utter disregard of the dictates of prudence, and/or without even slight care or diligence, wasted more precious time by moving Plaintiff after he sustained a head injury to multiple places in an effort to conceal the hazing.

142. The National Fraternity serves as the governing body for the Fraternity and has undertaken and been responsible for monitoring the Fraternity and its activities, reporting on the condition and activities of the Fraternity and managing the intake of individuals seeking membership into the Fraternity.

143. The National Fraternity, in managing and controlling the Fraternity, has promulgated rules and policies, including the Code of Conduct of the Fraternity, which is Applicable to the Fraternity and Fraternity Member Defendants and which purportedly prohibits underground pledging, hazing, violent conduct, and other related misconduct.

144. The National Fraternity has retained and exercised significant control over the Fraternity and its members, including through the Fraternity's Constitution and Bylaws, rules, policies, procedures, codes of conduct, and monetary support.

145. The National Fraternity has, at all relevant times, controlled and managed the Fraternity through the use of staff -- who are supposed to regularly visit and evaluate the activities of each of the chapters, and initiate investigations into any reported violations of the rules, policies, procedures, or codes of conduct by members.

146. At all relevant times, the National Fraternity has also been empowered to suspend any members and declare any membership initiations by any members void.

147. At all relevant times the National Fraternity, Fraternity, and Fraternity Member Defendants advertised and/or held out to the public that they followed all applicable standards of care and followed Louisiana law that outlawed hazing.

148. At all relevant times the National Fraternity, Fraternity, and Fraternity Member Defendants each had a general duty to act in a reasonable fashion so as to avoid harming others, including to refrain from engaging in, encouraging, or facilitating hazing and the specific hazing of Plaintiff.

149. At all relevant times the National Fraternity, Fraternity, and Fraternity Member Defendants adopted written internal guidelines prohibiting hazing.

150. At all relevant times the National Fraternity, Fraternity, and Fraternity Member Defendants knew or should have known that despite these written guidelines hazing was a required part of pledging at Tulane.

151. Upon information and belief, each of the Fraternity and Fraternity Member Defendants breached those duties, and was negligent and/or grossly negligent, by, *inter alia*:

- a. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, engaging in, encouraging, facilitating, aiding and assisting, soliciting others to participate in, and/or failing to prevent or take any meaningful action to stop the hazing of Plaintiff;
- b. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, planning, coordinating, facilitating, aiding and assisting, approving, participating in, and/or soliciting others to participate in the event on January 26, 2025, during which the Fraternity Member Defendants each knew or should have known the pledges, including Plaintiff, would be subjected to hazing, violent conduct, and/or related misconduct as part of the National Fraternity and Fraternity's deeply engrained traditions;
- c. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to exercise reasonable care and/or even slight care or diligence in abiding by and ensuring that the rules, policies, and the Code of Conduct of the Fraternity and National Fraternity were being upheld in Spring 2025, including on January 26, 2025, including rules, policies and codes that prohibited hazing and violent conduct;
- d. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to immediately report the hazing, and violent conduct the Fraternity Member Defendants knew, or in the exercise of reasonable or even slight care should have known, Plaintiff would be subjected to during Spring 2025, including on January 26, 2025;
- e. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to exercise reasonable care and/or even slight care or diligence in abiding by Tulane's rules and regulations, including Tulane's Anti-Hazing Policy and Student Code of Conduct;

- f. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, allowing members of the National Fraternity and Fraternity to haze pledges, including Plaintiff, in Spring 2025, including on January 26, 2025;
- g. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to report the hazing of pledges, including Plaintiff, in Spring 2025, including on January 26, 2025, to Tulane, Tulane Police Department, New Orleans Police Department, or the National Fraternity;
- h. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to properly manage, oversee, and/or supervise the Fraternity Member Defendants in Spring 2025, including on January 26, 2025;
- i. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to warn Plaintiff and his fellow pledges and/or protect them against the risks and dangers of hazing, violent conduct, and related misconduct;
- j. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, relying on other untrained members and/or officers of the National Fraternity in Spring 2025, including on January 26, 2025, to manage the Fraternity, its pledge activities, and the enforcement of the Fraternity's rules, policies, and the Code of Conduct and Tulane's rules and regulations, including Tulane's Anti-Hazing Policy and Student Code of Conduct;
- k. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to immediately seek emergency medical assistance for Plaintiff after he had suffered serious bodily injury on January 26, 2025;
- l. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, preventing and/or delaying others from seeking and/or obtaining emergency medical assistance for Plaintiff after he had suffered serious bodily injury on January 26, 2025;
- m. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, interfering with and/or delaying medical staff's provision of timely, necessary and appropriate emergency medical care to Plaintiff;
- n. Committing and/or engaging in other acts of negligence, gross negligence, fault, and/or gross fault which may be shown through discovery or at trial; and/or
- o. Generally failing to act with even slight care or diligence and/or with the required degree of care commensurate with the existing situation.

152. As a direct and proximate result of those breaches by the Fraternity Member Defendants, Plaintiff was subjected to hazing, violent conduct, careless or reckless behavior, and/or other related misconduct in the Spring of 2025, including on January 26, 2025, was denied the necessary, appropriate, and timely emergency medical care, and endured great physical and mental pain and suffering.

153. The Fraternity Member Defendants are each liable for their negligence and/or gross negligence which proximately caused Plaintiff's injuries.

154. The National Fraternity and Fraternity are each vicariously liable for the negligent and/or grossly negligent acts and omissions of the Fraternity Member Defendants, as alleged

herein, because, *inter alia*:

- a. The Fraternity Member Defendants at all relevant times were acting as agents of the National Fraternity and Fraternity and within the course and scope of their agency;
- b. The Fraternity Member Defendants used the actual and/or apparent authority conferred upon them by the National Fraternity and Fraternity to commit the negligent and/or grossly negligent acts and omissions.
- c. The misconduct alleged is of the type to which vicarious liability attaches even if the agent was acting outside the course and scope of the agency; and/or
- d. The National Fraternity and Fraternity ratified the conduct of the Fraternity Member Defendants.

155. The National Fraternity and Fraternity each ratified the underground pledging, hazing, violent conduct, and/or related misconduct by, *inter alia*, allowing hazing, violent conduct, and/or related misconduct to continue, and accepting the benefits bestowed upon them by both those new members and the existing members who had subjected them to hazing, violent conduct, and/or related misconduct.

156. The Fraternity Member Defendants had assumed and breached statutory duties to refrain from and report hazing and seek immediate emergency assistance for anyone suffering serious bodily injury as a result.

157. At all relevant times, including in Spring 2025, the Student Code of Conduct incorporated the definition of “hazing” set forth in La. R.S. 14:40.8 “as an additional definition for hazing” in the Student Code of Conduct.

158. Louisiana's anti-hazing law, La. R.S. 14:40.8, provides that “it shall be unlawful for any person to commit an act of hazing.”

159. La. R.S. 17:1801 also prohibits hazing "in any form," as well as "the use of any method of initiation into organizations in any education institution supported wholly or in part by public funds, which is likely to cause bodily danger or physical punishment to any student or other person attending any such institution."

160. "Hazing" is defined in La. R.S. 14:40.8 and La. R.S. 17:1801 as “any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply: (i) The person knew or should have known that the act endangers the physical health or safety of the other person or causes emotional distress[;] (ii) The act was associated with pledging, being initiated into, affiliating, with, participating in, holding office in, or maintaining membership in any organization.”

161. Under La. R.S. 14:40.8 and La. R.S. 17:1801, hazing includes, but is not limited to, "any of the following acts associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization":

- (i) Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
- (ii) Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress.
- (iii) Activity involving consumption of food, liquid, or any other substance, including but not limited to an alcoholic beverage or drug, that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress.

162. Under La. R.S. 14:40.8, "[i]t is not a defense to prosecution for a violation of this Section that the individual against whom the hazing was directed consented to or acquiesced in the hazing."

163. La. R.S. 14:40.8 obligates "any person serving as a representative or officer" of a fraternity, "including any representative, director, trustee, or officer of any national or parent organization," like the National Fraternity or Fraternity, who knows that one more or more of the fraternity's members were hazing another person to report the hazing to law enforcement "as soon as practicable under the circumstances."

164. Under La. R.S. 14:40.8(B)(1)(a), a representative's or officer's failure to make a report to law enforcement under those circumstances can subject the fraternity to criminal sanctions, including a payment of a fine up to ten thousand dollars, forfeiture of public funds received by the fraternity, and forfeiture of all rights and privileges of being a fraternity that is organized and operating at a postsecondary education institution in the State of Louisiana.

165. In addition, under La. R.S. 14:40.8(B)(2), Tulane and its employees, administrators, and staff were at all relevant times obligated to report to law enforcement, as soon as practicable under the circumstances, all alleged acts of hazing of which they became aware, including the names of all individuals alleged to have committed the acts of hazing.

166. Further, in response to the hazing death of Maxwell R. Gruver in September 2017, who died following hazing-compelled alcohol intoxication after being abandoned for hours on a fraternity house couch on the campus of Louisiana State University, Louisiana

enacted specific legislation that requires "[a]ny person at the scene of an emergency who knows that another person has suffered serious bodily injury," to the extent that the person can do so without danger or peril to self or others, to "give reasonable assistance to the injured person."

167. Pursuant to La. R.S. 14:502(A)(2), "[a]ny person who engages in reckless behavior that results in the serious bodily injury of any person shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the person."

168. "Reckless behavior," for the purposes of La. R.S. 14:502(A)(2), "means an activity or behavior in which a reasonable person knew or reasonably should have known that the activity or behavior may result in injury to another, including but not limited to excessive consumption of alcohol, binge drinking, drag racing, consumption of any controlled dangerous substance, acts of hazing, or other similar activity, including activity which is defined as a criminal offense under this Title."

169. The hazing, violent conduct, careless and/or reckless behavior, and/or other related misconduct in the Spring of 2025, to which Plaintiff was subjected constituted "reckless behavior" under La. R.S. 14:502(A)(2).

170. Under La. R.S. 14:502(A)(1)-(2), "reasonable assistance" includes "immediately seeking or reporting the need for medical assistance from an appropriate authority," such as a state or local law enforcement agency, a 911 Public Safety Answering Point, as defined in Title 33 of the Louisiana Revised Statutes of 1950, or emergency medical personnel.

171. As a result of, and pursuant to, the aforementioned statutes, at all relevant times, each of the Fraternity Member Defendants had statutory duties to:

- a. Refrain from committing any acts that constitute hazing under La. R.S. 14:40.8 and/or La. R.S. 17:1801;
- b. Report any acts of alleged hazing of which they became aware to law enforcement as soon as practicable under the circumstances;
- c. If at the scene of an emergency where another person has suffered serious bodily injury, give reasonable assistance to the injured person, including by immediately seeking or reporting the need for medical assistance from an appropriate authority, such as a state or local law enforcement agency, a 911 Public Safety Answering Point, or emergency medical personnel;
- d. Refrain from engaging in reckless behavior that results in serious bodily injury to any other person, including acts of hazing or other similar activity; and/or
- e. Give reasonable assistance to any person injured as a result of reckless behavior in which they have engaged, such as acts of hazing or other similar activity, including by immediately seeking or reporting the need for medical assistance

from an appropriate authority, such as a state or local law enforcement agency, a 911 Public Safety Answering Point, or emergency medical personnel.

172. Upon information and belief, each of the Fraternity Member Defendants breached those statutory duties and were negligent and/or grossly negligent by, *inter alia*:

- a. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, engaging in, encouraging, facilitating, aiding and assisting, soliciting others to participate in, and/or failing to prevent or take any meaningful action to stop the hazing of pledges, including Plaintiff, in Spring 2025, including on January 26, 2025;
- b. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, planning, coordinating, facilitating, aiding and assisting, approving, participating in, and/or soliciting others to participate in, the activities on January 26, 2025, during which Fraternity Member Defendants each knew or should have known the pledges, including Plaintiff, would be subjected to pledging, hazing, violent conduct, and/or related misconduct as part of the National Fraternity and Fraternity's deeply engrained traditions;
- c. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to immediately report to law enforcement the hazing, violent conduct, and/or related misconduct the Fraternity Member Defendants knew, or in the exercise of reasonable or even slight care should have known, Plaintiff and his fellow pledges would be subjected to during Spring 2025, including on January 26, 2025;
- d. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, allowing members of the Fraternity to haze pledges, including Plaintiff, in Spring 2025, including on January 26, 2025;
- e. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to properly manage, oversee, and/or supervise the Fraternity Member Defendants in Spring 2025, including on January 26, 2025;
- f. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to immediately seek emergency medical assistance for Plaintiff after he had suffered serious bodily injury due to the Fraternity Member Defendants' reckless behavior on January 26, 2025;
- g. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, failing to immediately report the need for emergency medical assistance for Plaintiff after he had suffered serious bodily injury due to the Fraternity Member Defendants' reckless behavior in the Spring of 2025, including on January 26, 2025, to an appropriate authority, such as a state or local law enforcement agency, a 911 Public Safety Answering Point, or emergency medical personnel;
- h. Negligently, recklessly, and/or with an utter disregard of the dictates of prudence, preventing and/or delaying others from seeking and/or obtaining emergency medical assistance for Plaintiff after he had suffered serious bodily injury due to the Fraternity Member Defendants' reckless behavior on January 26, 2025;
- i. Committing and/or engaging in other acts of negligence, gross negligence, fault, and/or gross fault in violation of La. R.S. 14:40.8, La. R.S. 17:1801, and/or La. R.S. 14:502 which may be shown through discovery or at trial; and/or
- j. Generally failing to act with even slight care or diligence and/or with the required degree of care commensurate with the existing situation.

173. As a direct and proximate result of those breaches by the Fraternity Member Defendants, Plaintiff was subjected to underground pledging, hazing, violent conduct, careless or reckless behavior, and/or other related misconduct in the Spring of 2025, including on January 26, 2025, was denied the necessary, appropriate, and timely emergency medical care, and has endured great physical and mental pain and suffering.

174. The Fraternity Member Defendants are each liable for their negligence and/or gross negligence, including the breaches of statutory duties, which proximately caused Plaintiff's injuries.

175. The National Fraternity and Fraternity are each vicariously liable for the negligent and/or grossly negligent acts and omissions of the Fraternity Member Defendants, as alleged herein, because, *inter alia*:

- a. The Fraternity Member Defendants at all relevant times were acting as agents of the National Fraternity and Fraternity and within the course and scope of their agency;
- b. The Fraternity Member Defendants used the actual and/or apparent authority conferred upon them by the National Fraternity and Fraternity to commit the negligent and/or grossly negligent acts and omissions;
- c. The misconduct alleged is of the type to which vicarious liability attaches even if the agent was acting outside the course and scope of the agency; and/or
- d. The National Fraternity and Fraternity ratified the misconduct of the Fraternity Member Defendants.

176. The National Fraternity and Fraternity each ratified the hazing and related misconduct by, *inter alia*, allowing hazing, violent conduct and/or related misconduct to continue, initiating pledges who had been subjected to underground pledging, hazing, violent conduct and/or related misconduct, and accepting the benefits bestowed upon them by both those new members and the existing members who had subjected them to underground pledging, hazing, violent conduct, and/or related misconduct.

177. At all material times, the Fraternity Member Defendants occupied leadership and/or management roles within the Fraternity as it related to pledge activities.

178. The Fraternity Member Defendants were responsible for ensuring that the no-hazing policies enshrined in Louisiana law, Tulane University Code of Conduct, the Fraternity, and the National Fraternity were followed.

179. The aforementioned policies conveyed a duty upon the Fraternity Member Defendants.

180. The Fraternity Member Defendants breached these duties.

181. Plaintiff suffered, and continues to suffer, significant physical and psychological damage as a result of these breaches.

182. As a result of the aforementioned negligent, reckless and/or grossly negligent acts, omissions, and breaches of obligations and duties by the Defendants, as well as any other acts of negligence, recklessness, gross negligence, fault, and/or gross fault which may be shown through discovery or trial, the Defendants are each liable to Plaintiff for the following non-exclusive list of damages in an amount which is just and reasonable:

- a. Plaintiff's past, present, and future physical pain and suffering, mental anguish and distress, and loss of enjoyment of life, including fright, and fear, suffered during the ordeal to which he was subjected to in the Spring of 2025, including on January 26, 2025, that resulted in his injuries;
- b. Past, present, and future medical and related expenses incurred in connection with the care and treatment rendered to Plaintiff;
- c. Plaintiff's past, present, and future mental and emotional anguish and distress resulting from the aforementioned misconduct;
- d. Plaintiff's loss of enjoyment of life resulting from the aforementioned misconduct;
- e. Plaintiff's past, present, and future economic losses due to the aforementioned misconduct;
- f. Plaintiff's loss of educational opportunities, tuition, and related expenses as a result of the aforementioned misconduct and injuries; and
- g. Other items of damage which may be shown through discovery or at trial.

183. Plaintiff prays for a trial by jury.

**WHEREFORE**, Plaintiff James Haussman prays that this petition be deemed good and sufficient and that the same be served upon Defendants herein, ordering them to answer the allegations contained herein, and that after all due legal delays and proceedings are had, that there be judgment in favor of Plaintiff James Haussman, and against Defendants The Administrators of the Tulane Educational Fund, Inc., Phi Kappa Sigma Fraternity, Inc., Phi Kappa Sigma-Mu Chapter, John Seifer, Jackson Smith, Jack Stouffer, Luke Troncale, Ryan Lemberg, and Cooper Pollock, individually, jointly and, as applicable, *in solido*, in an amount commensurate with the damages enumerated hereinabove, together with legal interest thereon from date of judicial demand until paid, for all costs of these proceedings, and for all other relief as may be just and equitable.

Respectfully submitted:

BY:

  
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**PLEASE SERVE:**

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**PHI KAPPA SIGMA FRATERNITY, INC.,  
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