

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
4/17/2025 4:24 PM  
BY SARAH R. PENDLETON  
CLERK

SUPREME COURT  
OF THE STATE OF WASHINGTON

AUSTIN CORNELIUS, an  
individual,

Petitioner,

v.

WASHINGTON STATE  
UNIVERSITY, a public  
university,

Respondent,

and

ALPHA KAPPA LAMBDA, a  
national organization, ETA  
CHAPTER OF ALPHA  
KAPPA LAMBDA, a  
Washington corporation d/b/a/  
ALPHA KAPPA LAMBDA,  
and ETA OF ALPHA KAPPA  
LAMBDA, a Washington  
corporation,

Defendants.

No. 103961-1

AMENDED  
STATEMENT OF  
ADDITIONAL  
AUTHORITIES

Once again, WSU has been compelled to discipline fraternities for hazing activities similar to those experienced by Austin Cornelius. WSU's present efforts to curb fraternity hazing

continue to fail, unless this Court grants review and recognizes a duty of care owed by institutions like WSU to students in fraternities.

In determining whether a duty exists, this Court assesses “mixed considerations of logic, common sense, justice, policy, and precedent.” *Stalter v. State*, 151 Wn.2d 148, 155, 86 P.3d 1159 (2004). In this broad-ranging inquiry, the question of duty “is to be answered generally, without reference to the facts or parties in a particular case in part by taking note of ‘legislative facts’—social, economic, and scientific facts that simply supply premises in the process of legal reasoning.” *Estate of Templeton v. Daffern*, 98 Wn. App. 677, 687, 990 P.3d 968 (2000) (cleaned up). Appellate courts take judicial notice under ER 201 of legislative facts of the sort provided in this submission, *i.e.* social facts. *Wyman v. Wallace*, 94 Wn.2d 99, 102-03, 615 P.2d 452 (1980); *Center for Biological Diversity v. Dep’t of Fish & Wildlife*, 14 Wn. App. 2d 945, 963, 474 P.3d 1107 (2020).

This document contains 194 words, excluding the parts of  
the document exempted from the word count by RAP 18.17.

DATED this 17th day of April, 2025.

Respectfully submitted,

/s/ Philip A. Talmadge

Philip A. Talmadge, WSBA #6973  
Talmadge/Fitzpatrick  
2775 Harbor Avenue SW  
Third Floor, Suite C  
Seattle, WA 98126  
(206) 574-6661

John R. Connelly, Jr., WSBA #12183  
Samuel J. Daheim, WSBA #52746  
Connelly Law Offices, PLLC  
2301 North 30th Street  
Tacoma, WA 98403  
(253) 593-5100

Jay H. Krulewitch, WSBA #17612  
Jay H. Krulewitch Attorney at Law  
PO Box 33546  
Seattle, WA 98133-0546  
(206) 223-0828

Attorneys for Petitioner  
Austin Cornelius

# THE SPOKESMAN-REVIEW

Washington Idaho Business Education

NEWS > HIGHER EDUCATION

## WSU fraternity shut down until 2030 for hazing, school says

April 14, 2025 | Updated Mon., April 14, 2025 at 9:36 p.m.



**By Alexandra Duggan**   
[alexandrad@spokesman.com](mailto:alexandrad@spokesman.com)  
(509) 459-5469

Washington State University shut down one of its fraternities last month for hazing, according to WSU's website.

Alpha Sigma Phi fraternity, 710 NE Linden St., in the school's Greek Row in Pullman, will no longer be recognized on campus until May 2030.

[WSU's website](#) reported the fraternity coerced new members to use drugs and alcohol, forced them to complete physical activities for "poor performance," were punished with cleaning duties for not "meeting expectations" and created a power imbalance between the younger members and the older, initiated members.

The investigation found the fraternity responsible for violating the student organization policy through hazing, reckless endangerment, alcohol, drugs and physical harm or threat in the past two years.

When the fraternity can re-assume their status on campus in five years, they must be alcohol free until 2032, the website said.

As a result, Alpha Sigma Phi has lost its recognition until May 2030. Upon re-recognition, the chapter will be alcohol-free for two years and must meet with the Center for Community Standards.

Additionally, the Sigma Chi fraternity is on social probation after an incident on January 31, where the front doors of the fraternity house were chained shut during a social event.

The University said this action prevented a safe exit, leading to charges of reckless endangerment. Sigma Chi is required to complete research, reflection, and a presentation on safety violations and undergo fire code and safety training with the Pullman Fire Department.

A new investigation is also underway involving the Phi Gamma Delta fraternity at WSU, with alleged violations of hazing, alcohol use, and physical harm. Further updates are expected as the investigation progresses.

For more details [visit the WSU website HERE.](#)



**WSU fraternity faces five-year shutdown for hazing violations**

Updated Apr 14, 2025

Faith Iverson

NonStop Local Digital Producer

[https://www.khq.com/news/wsu-fraternity-faces-five-year-shutdown-for-hazing-violations/article\\_637b2d3d-a088-4d44-87a5-430f38e1650c.html](https://www.khq.com/news/wsu-fraternity-faces-five-year-shutdown-for-hazing-violations/article_637b2d3d-a088-4d44-87a5-430f38e1650c.html)

## WSU fraternity faces five-year shutdown for hazing violations

Faith Iverson NonStop Local Digital Producer

Apr 14, 2025



N, Wash. – Washington State University has suspended the Alpha Sigma Phi fraternity for five years following an investigation into hazing violations.



The investigation, which began on January 28, uncovered that new members were coerced into consuming alcohol and cannabis and subjected to harsh punishments, including cleaning duties and physical activities for poor performance on quizzes.

The hazing incidents spanned the last three fall semesters and the spring semester of the previous year.

The fraternity faced several charges, including hazing, physical harm, reckless endangerment, and alcohol and drug violations.

## DECLARATION OF SERVICE

On said day below I electronically served a true and accurate copy of the *Amended Statement of Additional Authorities* in Supreme Court Cause No. 103961-1 to the following:

Timothy E. Allen  
Brendan Lenihan  
Steve Puz  
Washington Attorney  
General's Office  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104

Jeffrey W. Daly  
Preg O Donnell & Gillett PLLC  
901 Fifth Avenue, Suite 3400  
Seattle, WA 98164-2026

John R. Connelly  
Samuel J. Daheim  
Connelly Law Offices, PLLC  
2301 North 30th Street  
Tacoma, WA 98403

Jay H. Krulewitch  
Attorney at Law  
PO Box 33546  
Seattle, WA 98133-0546

Original E-filed via appellate portal with:  
Supreme Court  
Clerk's Office

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED: April 17, 2025 at Seattle, Washington.

/s/ Brad Roberts  
Brad Roberts, Legal Assistant  
Talmadge/Fitzpatrick



# TALMADGE/FITZPATRICK

April 17, 2025 - 4:24 PM

## Transmittal Information

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 103,961-1  
**Appellate Court Case Title:** Austin Cornelius v. Washington State University, et al.

### The following documents have been uploaded:

- 1039611\_Briefs\_20250417162322SC424140\_4591.pdf  
This File Contains:  
Briefs - Petitioners Additional Authorities  
*The Original File Name was Amended Statement of Additional Authorities.pdf*

### A copy of the uploaded files will be sent to:

- SDaheim@connelly-law.com
- TORTTAP@atg.wa.gov
- bmarvin@connelly-law.com
- brad@tal-fitzlaw.com
- brendan.lenihan@atg.wa.gov
- christine@tal-fitzlaw.com
- gary@tal-fitzlaw.com
- jay@krulewitchlaw.com
- jconnelly@connelly-law.com
- kkono@connelly-law.com
- matt@tal-fitzlaw.com
- steve.puz@atg.wa.gov

### Comments:

Amended Statement of Additional Authorities (Amended to include attachment)

---

Sender Name: Brad Roberts - Email: brad@tal-fitzlaw.com

**Filing on Behalf of:** Philip Albert Talmadge - Email: phil@tal-fitzlaw.com (Alternate Email: matt@tal-fitzlaw.com)

Address:  
2775 Harbor Avenue SW  
Third Floor Ste C  
Seattle, WA, 98126  
Phone: (206) 574-6661

**Note: The Filing Id is 20250417162322SC424140**