

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI

MICHELLE WHITEID, CHRISTOPHER WHITEID,)
ROBERT RYAN GILBERT, MELISSA GILBERT)

Plaintiffs,)

v.)

Case No.)

THE DELTA CHI FRATERNITY, INC.)

Serve Registered Agent:)

Raymond Karl Grindel)

314 Church St.)

Iowa City, IA 52244)

BCC MISSOURI, LLC,)

Serve Registered Agent:)

Business Filings International, Inc.)

5661 Telegraph Rd. Ste. 4B)

Saint Louis, MO 63129-4275)

JOSEPH COCKELL,)

Serve at: 1434 Ridgcrest St.)
Springfield, MO 65804)

ZACHARE BARTMAN,)

Serve at: 308 Parkwood Ct.)
Columbia, MO 65203)

SEBASTIAN LACASSIE,)

Serve at: 1365 Haddon Pl.)
Hoover, AL 35226)

JACK WITTENAUER,)

Serve at: 1715 Carman Ridge Ct.)
Ballwin, MO 63021)

NOLAN SCHROFF,)

Serve at: 109 Vantage Pointe Dr.)
St. Peters, MO 63376)

JOSEPH PITTALUGA,)

Serve at: 790 Redstart Dr.)
Ellisville, MO 63021)

THOMAS MOLEN,
Serve at: 22 Elm Ave.
 St. Louis, MO 63122

BENNETT LAWSON,
Serve at: 7800 S. Country Aire Ln.
 Columbia, MO 65203

CHRISTOPHER STALEY,
Serve at: 13255 Gateroyal Dr.
 St. Louis, MO 63131

COLLIN MCDONALD,
Serve at: 715 Thunder Gulch Dr.
 Raymore, MO 64083

GIBBS HUTTER,
Serve at: 2980 W. Nottingham St.
 Springfield, MO 65810

LOGAN ATCHISON,
Serve at: 1913 Lone Pine Dr.
 Arnold, MO 63010

SAMUEL LAJOYE,
Serve at: 905 Chickasaw Ct.
 Mascoutah, IL 62258

GRANT THOMAS,
Serve at: 640 Musket Dr.
 Lawson, MO 64062

DYLAN SMITH,
Serve at: 175 Rief Ct., Apt. D
 Holts Summit, MO 65043

ANDREW J. THOMPSON,
Serve at: 5522 Rhodes Ave.
 St. Louis, MO 63109

RILEY FLIEG,
Serve at: 216 Deer Run Ln.
 Eureka, MO 63025

ROSS HARTER,)
 Serve at: 1404 Wilson Ave.)
 Columbia, MO 65201)
LUCAS PODIAK,)
 Serve at: 1221 E Walnut St., Apt. 407)
 Columbia, MO 65201)
CHRISTIAN ZARRICK,)
 Serve at: 3330 Rowan Dr.)
 St. Louis, MO 63129)
JASON FRAZIER,)
 Serve at: 1800 Lee Dr., Apt. 88)
 Athens, TN 37303)
JAMES GALLI,)
 Serve at: 17 E. Swon Ave.)
 Webster Groves, MO 63119)
ETHAN RAGAN,)
 Serve at: 471 Francis St.)
 Bourbonnais, IL 60914)
WILLIAM WAPPLER,)
 Serve at: 10926 Cedarberry Pl.)
 St. Louis, MO 63123)
ALI BAJRAMOVIC,)
 Serve at: 10630 Gravois Rd.)
 St. Louis, MO 63123)
DYLAN RASMASON,)
 Serve at: 13210 S. Vicarage Dr.)
 Plainfield, IL 60585)
MICHAEL PULLIAM,)
 Serve at: 4037 N. Bridge Dr.)
 St. Peters, MO 63376)
HANK EDWARDS,)
 Serve at: 11150 Fairborough Ct.)
 St. Louis, MO 63146)

JORDAN BLEW,
Serve at: **24722 Illini Dr.**
Plainfield, IL 60544
OSCAR RICHMAN,
Serve at: **2029 Rayner Rd.**
Kirkwood, MO 63122
JOHN DOE
JANE DOE
Defendants.

PETITION

COME NOW plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and
 Melissa Gilbert, by and through their counsel Strong Law P.C. and Thomas Law Offices, and for
 their cause of action against Defendants The Delta Chi Fraternity, Inc., BCC Missouri, LLC,
 Joseph Cockell, Zachare Bartman, Sebastian Lacassie, Jack Wittenauer, Nolan Schroff, Joseph
 Pittaluga, Thomas Molen, Bennett Lawson, Christopher Staley, Collin McDonald, Gibbs Hutter,
 Logan Atchison, Samuel LaJoye, Grant Thomas, Dylan Smith, Andrew J. Thompson, Riley Flieg,
 Ross Harter, Lucas Podiak, Christian Zarrick, Jason Frazier, James Galli, Ethan Ragan, William
 Wappler, Ali Bajramovic, Dylan Rasmason, Michael Pulliam, Hank Edwards, Jordan Blew, Oscar
 Richman, John Doe and Jane Doe state, allege, and aver as follows:

PARTIES

1. Plaintiffs Michelle Whiteid (hereinafter “Michelle”) and Christopher Whiteid
 (hereinafter “Chris”) at all times relevant herein have been residents of Greene County, Missouri
 and bring this claim under Missouri’s Wrongful Death Statute, § 537.080, RSMo 2016.

2. Plaintiffs Robert Ryan Gilbert (hereinafter “Ryan”) and Melissa Gilbert (hereinafter “Milli”) at all times relevant herein have been residents of Polk County, Missouri and bring this claim under Missouri’s Wrongful Death Statute, § 537.080, RSMo 2016.

3. Michelle, Chris, Ryan, and Milli bring this action on behalf of all people entitled to bring this claim under Missouri’s Wrongful Death Statute, § 537.080, RSMo 2016, for the death of their son, Riley Strain (hereinafter “Riley”).

4. Defendant The Delta Chi Fraternity, Inc. (hereinafter “Delta Chi”) is a corporation registered under the laws of the state of Iowa, with its principal place of business in the State of Missouri through the University of Missouri Delta Chi “Chapter.”

5. Pursuant to Section 506.500, Missouri Statutes, Delta Chi is subject to the jurisdiction of this Court because:

- a. Delta Chi had at all times, material hereto, transacted business within this state by distributing, marketing, promoting, and advertising the Delta Chi fraternity in Missouri and establishing chapters of the fraternity in Missouri. With each new pledge and each new fraternity member that could be recruited, Delta Chi would receive additional income that would pay for the operating expenses of its national headquarters in Indianapolis, Indiana;
- b. Delta Chi committed a tortious act within this state causing injuries to Plaintiffs within Missouri that ultimately resulted in the death of plaintiffs’ son, Riley Strain;
- c. Delta Chi owns, uses or possesses real estate situated in Columbia, Missouri; and
- d. Delta Chi contracted to insure persons, property, and/or risks located within Missouri at the time of contracting and at the time giving rise to this incident.

6. At all times material hereto, BCC Missouri, LLC (“BCC MO”) was and is a limited liability corporation and was, at all times material hereto, the owner and/or lessee of the “University of Missouri Delta Chi” fraternity house located at 500 South College Avenue, Columbia, Missouri.

7. At all times material hereto, Joseph Cockell (“Cockell”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

8. At all times material hereto, Zachare Bartman (“Bartman”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

9. At all times material hereto, Sebastian Lacassie (“Lacassie”) was and is a resident of the State of Alabama, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

10. At all times material hereto, Jack Wittenauer (“Wittenauer”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

11. At all times material hereto, Nolan Schroff (“Schroff”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

12. At all times material hereto, Joseph Pittaluga (“Pittaluga”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

13. At all times material hereto, Thomas Molen (“Molen”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

14. At all times material hereto, Bennett Lawson (“Lawson”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

15. At all times material hereto, Christopher Staley (“Staley”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

16. At all times material hereto, Collin McDonald (“McDonald”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

17. At all times material hereto, Gibbs Hutter (“Hutter”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

18. At all times material hereto, Logan Atchison (“Atchison”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

19. At all times material hereto, Samuel LaJoye (“LaJoye”) was and is a resident of the State of Illinois, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

20. At all times material hereto, Grant Thomas (“Thomas”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

21. At all times material hereto, Dylan Smith (“Smith”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

22. At all times material hereto, Andrew J. Thompson (“Thompson”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

23. At all times material hereto, Riley Flieg (“Flieg”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

24. At all times material hereto, Ross Harter (“Harter”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

25. At all times material hereto, Lucas Podiak (“Podiak”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

26. At all times material hereto, Christian Zarrick (“Zarrick”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

27. At all times material hereto, Jason Frazier (“Frazier”) was and is a resident of the State of Tennessee, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

28. At all times material hereto, James Galli (“Galli”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

29. At all times material hereto, Ethan Ragan (“Ragan”) was and is a resident of the State of Illinois, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

30. At all times material hereto, William Wappler (“Wappler”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

31. At all times material hereto, Ali Bajramovic (“Bajramovic”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

32. At all times material hereto, Dylan Rasmason (“Rasmason”) was and is a resident of the State of Illinois, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

33. At all times material hereto, Michael Pulliam (“Pulliam”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

34. At all times material hereto, Hank Edwards (“Edwards”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

35. At all times material hereto, Jordan Blew (“Blew”) was and is a resident of the State of Illinois, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

36. At all times material hereto, Oscar Richman (“Richman”) was and is a resident of the State of Missouri, a member of the University of Missouri Delta Chi Chapter, and was Riley’s fraternity brother.

37. Upon information and belief, at all times material hereto, John Doe was and is a resident of the State of Missouri, and the Chapter Advisor of the University of Missouri Delta Chi Chapter.

38. Upon information and belief, at all times material hereto, Jane Doe was and is a resident of the State of Missouri, and the Chapter Advisor of the University of Missouri Delta Chi Chapter.

39. At all times material hereto, Riley Strain was a “brother” in the “Delta Chi Missouri” Chapter of the Delta Chi National fraternity that at the time was located at 500 South College Avenue, Columbia, Missouri.

40. At all times material hereto, the following persons were Delta Chi National brothers and/or held leadership positions within the Delta Chi Missouri Chapter:

- a. Andrew J. Thompson – Chapter President;
- b. William Wappler – Chapter Vice President;
- c. Ali Bajramovic – Chapter Secretary;
- d. Dylan Rasmason – Chapter Treasurer;
- e. Michael Pulliam – Risk Manager
- f. Hank Edwards – Alumni Relations;

- g. Jordan Blew – Recruitment Chair;
- h. Oscar Richman – Recruitment Chair;
- i. Samuel LaJoye – Recruitment Chair;
- j. Thomas Molen – Delta Chi Brother;
- k. Joseph Cockell – Delta Chi Brother;
- l. Zachare Bartman – Delta Chi Brother;
- m. Sebastain Lacassie – Delta Chi Brother;
- n. Jack Wittenauer – Delta Chi Brother;
- o. Nolan Schroff – Delta Chi Brother;
- p. Joseph Pittaluga – Delta Chi Brother;
- q. Bennett Lawson – Delta Chi Brother;
- r. Christopher Staley – Delta Chi Brother;
- s. Collin McDonald – Delta Chi Brother;
- t. Gibbs Hutter – Delta Chi Brother;
- u. Logan Atchison – Delta Chi Brother;
- v. Grant Thomas – Delta Chi Brother;
- w. Dylan Smith – Delta Chi Brother;
- x. Riley Flieg – Delta Chi Brother;
- y. Ross Harter – Delta Chi Brother;
- z. Lucas Podiak – Delta Chi Brother;
- aa. Christian Zarrick – Delta Chi Brother;
- bb. Jason Fraizer – Delta Chi Brother;
- cc. James Galli – Delta Chi Brother;

dd. Ethan Ragan – Delta Chi Brother.

41. At all times material hereto, the following defendants voluntarily served as members of the Board of Chapter Advisors and/or held leadership positions within the Delta Chi Missouri Chapter:

a. John Doe and/or Jane Doe.

FACTUAL BACKGROUND

42. Riley enrolled and attended the University of Missouri beginning in 2020, after graduating from Kickapoo High School in Springfield, Missouri.

43. Not long after Riley arrived at the University of Missouri, he was recruited to “rush” for the Delta Chi fraternity at the University of Missouri. Among the variety of pitches made to Riley were the oft repeated themes of financial success of fraternity brothers compared to their peers, the additional resources provided to and for fraternity brothers by Delta Chi, the strong ethos of character that Delta Chi instilled into fraternity brothers, and, primarily, as the name implies, you gain dozens of new “brothers” that act like, and consider themselves, family. Riley thereafter joined the brotherhood of Delta Chi.

44. Delta Chi was founded in 1890 at Cornell University and, to date, has initiated approximately 127,000 “brothers.” Currently, there are approximately 108 Delta Chi chapters, 14 “colonies”, and 34 Alumni chapters throughout the United States including chapters in Missouri at:

- a. Missouri State University in Springfield;
- b. University of Central Missouri in Warrensburg;
- c. Truman State in Kirksville;
- d. Southeast Missouri State University in Cape Girardeau, Missouri; and

e. University of Missouri in Columbia.

45. Delta Chi promotes itself by endorsing all of the qualities and attributes that any parent or pledge would want to see in a fraternity:

a. Why Join Delta Chi? At Delta Chi, you have the opportunity to become the man you were meant to be. Delta Chi believes in developing the whole person and helping our men become better people, not just better Delta Chis, who are committed to making an impact on the world around them. We cultivate inclusive environments for any person who self-identifies as a man, who reflects and lives our values of promoting friendship, developing character, advancing justice, and assisting in the acquisition of a sound education. It's through these values that our members become men of action and grow to become the best version of themselves while living, leading, and growing each day with integrity.

b. Values: 1) to promote friendship; 2) to develop character; 3) to advance justice; and 4) to assist in the acquisition of a sound education.

46. Delta Chi also specifically targets potential members by targeting their parents. This includes PowerPoint presentations and online materials such as those entitled "Dear Parents" which assure parents of students that Delta Chi will keep their children safe, specifically highlighting Delta Chi's stern stance on alcohol.

47. Delta Chi also promotes the fact that it was originally founded as a "legal fraternity" and "still maintains as its cardinal principal the observance of and respect for the law[.]"

48. Delta Chi also claimed to have created policies and procedures for its chapters, including the University of Missouri Chapter, which include "Chapter Coaching," "Prevention Education," "Leadership Training," and "Life-Skills Training."

49. The "Prevention Education" component of Delta Chi's policies and procedures specifically identified the following prevention needs for its fraternities, including the University of Missouri Delta Chi Chapter: 1) alcohol use and misuse; 2) hazing prevention; 3) sexual misconduct prevention; and 4) social event planning.

50. Within this “training,” Delta Chi specifically claims that “any alcohol product containing more than 15% alcohol by volume (ABV) is prohibited at any chapter facility or chapter event, except when served by a licensed and insured third party vendor.”

51. Beyond this prohibition, Delta Chi defines “social events” as events with “unrestricted access by non-members of the chapter, without specific invitation, where alcohol is present, are prohibited regardless of the occasion and includes, but is not limited to family and friends of members.”

52. Delta Chi’s policies and procedures were what it represented to the public, including potential and current fraternity brothers’ parents. In reality, Delta Chi, acting through its own employees, Delta Chi “leadership”, and Delta Chi members, who at all times material hereto, were acting as agents, apparent agents, representatives and/or members of Delta Chi, was very different from its carefully crafted public image.

53. Delta Chi members have been conducting themselves contrary to these values for years and this was well known to every Delta Chi member as well as to each of the defendants in this case. The yearly “formal” was but one such example of this contradiction between public image and reality.

54. The “formal” was a destination social event that could be held anywhere the chapter selected so long as approved by Delta Chi headquarters and advisors.

55. The “formal” involved traveling to a destination via charter bus and allowed for one non-fraternity member guest to accompany each fraternity brother.

56. The formal typically took place in the Spring semester of each school year.

57. It was well-known that at each of these social events, including on the charter bus traveling to the formal, there was prolific consumption of alcohol, much of it above 15% ABV, most, if not all, of that alcohol was provided by Delta Chi or its members.

58. In Spring 2024, Riley was first approached about attending the yearly formal in Nashville. Riley, an often-reserved young man that did not tend to go with the typical fraternity flow, said he did not plan to attend the formal.

59. His fraternity brothers continued to pressure Riley about the formal and, after their continued cajoling, Riley agreed to attend the Nashville formal.

60. On March 8, 2024, Riley and the group of Delta Chi fraternity brothers, many with their dates, boarded four separate charter buses destined for Nashville, Tennessee from the Delta Chi Chapter House in Columbia, Missouri. Riley boarded the bus without a date but with what he thought was a bus full of brothers.

61. Not long after the bus left Columbia, it was revealed that there was not only beer on each of the charter buses but that certain Delta Chi members had pre-made alcoholic Jello shots using vodka, an alcohol that was well in excess of 15% ABV. This was not an unusual occurrence, and the fraternity members began consuming the beer and Jello shots while traveling the roadways of Missouri and continued to do so until the charter buses arrived in Nashville. Several drinks were offered to Riley by Delta Chi members.

62. Although it was supposed to be prohibited, this type of conduct was typical for the Delta Chi formal. It would have disastrous results for Riley.

63. Later that afternoon, the group arrived in Nashville. Within hours several fraternity members noticed that Riley was acting unusual. He began to have difficulty speaking, walking, and interacting with those around him.

64. By the time the group reached the final bar of the night, Riley was virtually incoherent. He was leaning against walls to stay upright, stumbling up and down steps, was completely unable to speak or communicate, and needed help.

65. When a bar kicked Riley out, Riley's fraternity brothers had two options: 1) go with Riley, make sure he was safe, and take care of him; or 2) continue to party. Riley's Delta Chi brothers chose to continue partying.

66. After being kicked out of the bar, Riley was lost. Without help, he immediately began walking in the wrong direction and away from the hotel where the fraternity was staying and towards the Cumberland River. He began stumbling and falling while walking on flat surfaces. Rather than having the support of his brothers, Riley was abandoned and alone.

67. At 9:53 p.m. on March 8, 2024, Riley disappeared.

68. Riley's fraternity brothers failed to notice. By approximately 1:00 a.m. on March 9, 2024, most of the Delta Chi group returned to the hotel. Riley's roommates for the night saw that Riley was not in the room and did nothing. There was no search, no panic, and no one called 9-1-1 to report that Riley had failed to make the twelve (12) minute walk back to the hotel in over three hours. The fraternity brothers did not even think to call Riley's parents, they simply got ready for bed and went to sleep.

69. Eventually, Riley's parents were called and sometime around 12:00 p.m. on March 9, 2024, the Nashville Police was finally contacted. A city-wide search for Riley ensued.

70. On March 22, 2024, Riley was found face down in the Cumberland River, the banks of which were a four-minute walk from the bar where Riley was deserted by his "brothers." Riley was pronounced dead not long after being found on March 22, 2024.

DELTA CHI'S INFLUENCE AND CONTROL

71. Delta Chi exerted substantial and ongoing influence, management and control over the day-to-day affairs of the University of Missouri Delta Chi Chapter and could have and should have stopped the dangerous destination formal from happening, yet it failed to do so.

72. Delta Chi's control is evidenced by dozens of specific requirements that it imposed upon the Delta Chi officers and members that dictated how the day-to-day affairs of the chapter were to be conducted and managed including, but not limited to, the following:

- Delta Chi officers were required to attend training sessions sponsored by Delta Chi in order to learn how to do their jobs in accordance with the rules, regulations and controls promulgated by Delta Chi.
- The University of Missouri Delta Chi members were required to interact with the Board of Chapter Advisors that had been set up by Delta Chi to oversee and control the day-to-day operations of the University of Missouri Delta Chi Chapter.
- The University of Missouri Delta Chi Chapter was required to grant access to the University of Missouri Delta Chi Chapter House to all persons sent by Delta Chi to inspect, oversee, manage and advise the chapter on how to conduct themselves on a day-to-day basis and how to comply with the required and ongoing controls mandated by Delta Chi.
- University of Missouri Delta Chi cabinet meetings were required to be set at a standard time and place.
- The University of Missouri Delta Chi Chapter was required to prepare a budget and financial report that had to be reviewed and studied by the President and Treasurer of University of Missouri Delta Chi Chapter and sent to Delta Chi headquarters in Indianapolis, Indiana each year.
- Chairmen were required to be appointed for each committee that University of Missouri Delta Chi was required to establish by Delta Chi.
- Cabinet and chapter retreats were required to take place in order to review fraternity business, establish chapter goals consistent with Delta Chi rules, regulations, and policies and to develop a calendar for goals going forward.
- All University of Missouri Delta Chi officer responsibilities were required to be developed and updated each year and expectations set for each of them.

- A source for Delta Chi communications among all University of Missouri Delta Chi members was required to be established.
- A visit with the University of Missouri Greek Advisor was required to take place to review issues with the chapter on the University of Missouri campus.
- An annual audit of University of Missouri Delta Chi's finances by an independent third party was required to be submitted to Delta Chi's headquarters each year.
- IRS tax forms were required to be filed on time and form "H" was required to be submitted to Delta Chi each month.
- A finance committee was required to be formed to assist with the financial planning of the University of Missouri Delta Chi Chapter.
- A University of Missouri Delta Chi bulletin board was required to be created for the posting of financial information.
- Cabinet and committee notebooks were required to be created containing job descriptions, budget forms, committee report forms, past committee reports, goal sheets and note sheets.
- Meetings were required to be held after the University of Missouri Delta Chi pledging process was completed to educate the young members regarding the documents, rules, and policies of the chapter.
- An information system was required to be created containing all of the important information for University of Missouri Delta Chi brothers and pledges including birthdays, phone numbers, etc.
- A summer address list was required to be created for all University of Missouri Delta Chi brothers and distributed to each of them.
- University of Missouri Delta Chi notebooks were required to be created that contain the documentation for each of the committees.
- Updated University of Missouri Delta Chi fall rosters were required to be created and sent to Delta Chi headquarters.
- All information necessary for the completion of the University of Missouri Delta Chi pledge forms was required to be collected and submitted to Delta Chi headquarters after a pledge started the pledging process.
- All University of Missouri Delta Chi Chapter meeting minutes were required to be sent to Delta Chi headquarters.

- Holiday greeting cards, donation thank you letters and letters to parents of new pledges were required to be sent out by University of Missouri Delta Chi.
- A mailbox system was required to be set up for all brothers living in the University of Missouri Delta Chi Chapter House.
- All Delta Chi mail was required to be read at all University of Missouri Delta Chi Chapter meetings.
- University of Missouri Delta Chi graduate publications were required to be sent out with a copy sent to Delta Chi headquarters.
- University of Missouri Delta Chi Chapter news and photographs were required to be sent to Delta Chi headquarters on a regular basis.
- Post initiation education programs were required to be held for all new University of Missouri Delta Chi members who completed the pledging process.
- A review session was required to be held with all University of Missouri Delta Chi brothers each year where social events such as the “formal” would be discussed.
- The University of Missouri Delta Chi Chapter was required to assure that chapter grade requirements were met before the pledging and initiation of new members for that year could begin.
- The University of Missouri Delta Chi Chapter was required to adhere to the structure of positions created by Delta Chi and referred to as “A,” “B,” “C,” etc.
- All Delta Chi rules and regulations regarding pledge education were required to be complied with.
- A University of Missouri Delta Chi pledge education committee was required to be formed.
- A weekly agenda for the pledging program was required to be created in conjunction with the University of Missouri Delta Chi officers and interested brothers before the pledging process began.
- University of Missouri Delta Chi was required to submit plans for its formal to Delta Chi for approval each year.
- University of Missouri Delta Chi could not have a formal without Delta Chi approval after submission of its proposal to Delta Chi.

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- Delta Chi required instruction on all risk management policies annually.

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- Delta Chi required the use of Judicial or Standards Boards by all members.

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73. At all times material hereto, Delta Chi had a “special relationship” with each of the following defendants that gave rise to Delta Chi’s duty to control the conduct of these individuals:

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a. Joseph Cockell;

Not an Official Court Document

b. Zachare Bartman;

Not an Official Court Document

c. Sebastian Lacassie;

Not an Official Court Document

d. Jack Wittenauer;

Not an Official Court Document

e. Nolan Schroff

Not an Official Court Document

f. Joseph Pittaluga

Not an Official Court Document

g. Thomas Nolen;

Not an Official Court Document

h. Bennett Lawson;

Not an Official Court Document

i. Christopher Staley;

Not an Official Court Document

j. Collin McDonald;

Not an Official Court Document

k. Gibbs Hutter;

Not an Official Court Document

l. Logan Atchison;

Not an Official Court Document

m. Samuel LaJoye;

Not an Official Court Document

n. Grant Thomas;

Not an Official Court Document

o. Dylan Smith;

Not an Official Court Document

p. Andrew J. Thompson;

Not an Official Court Document

q. Riley Flieg;

Not an Official Court Document

r. Ross Harter;

s. Lucas Podiak;

t. Christian Zarrick;

u. Jason Frazier;

- v. James Galli;
- w. Ethan Ragan;
- x. William Wappler;
- y. Ali Bajramovic;
- z. Dylan Rasmason;
- aa. Michael Pulliam;
- bb. Hank Edwards;
- cc. Jordan Blew;
- dd. Oscar Richman;
- ee. John Doe; and/or
- ff. Jane Doe.

74. In addition, at all times material hereto, Delta Chi had a “special relationship” with Riley as a fraternity member, which gave rise to a duty on behalf of Delta Chi to prevent conduct and actions that would result in harm to him.

COUNT I
NEGLIGENCE – DELTA CHI

75. Plaintiffs incorporate by reference the preceding paragraphs as though fully set forth herein.

76. At all times material hereto, Delta Chi had a duty of care to Riley Strain as a member of the Delta Chi fraternity and as a “brother” in the organization, and over which Delta Chi asserted control.

77. Delta Chi breached that duty of care and was negligent, careless, and/or reckless in one or more of the following ways:

- a. In failing to adequately enforce its written policies at the University of Missouri Delta Chi Chapter;

- b. In failing to properly train the leadership of the University of Missouri Delta Chi Chapter with respect to formals;
- c. In failing to take adequate precautions to ensure that fraternity members would be safe while on a formal trip;
- d. In approving the formal plans for the trip on which Riley died;
- e. In failing to take adequate precautions to ensure that its members did not become dangerously intoxicated on the formal trip;
- f. In failing to have adequate safety precautions in place to protect Riley from the social event that was the formal;
- g. In failing to require that properly trained personnel be present at the University of Missouri Delta Chi formal in Nashville, to provide the necessary oversight of the event and to ensure that no dangerous and/or illegal activity took place;
- h. In failing to properly supervise the Board of Chapter Advisors to make sure that they were providing the proper oversight of University of Missouri Delta Chi, specifically with regard to the oversight of formals;
- i. In failing to replace the members of the Board of Chapter Advisors with persons who would do the job in a careful and diligent manner;
- j. In failing to adequately monitor the University of Missouri Delta Chi Group Me and other social media pages in order to determine what upcoming activities and traditions were being planned so that the events could be properly supervised and dangerous and/or illegal conduct stopped before it started;
- k. In allowing excessive alcohol consumption on the charter buses to Nashville in direct violation of written policies and procedures;
- l. In hiring or allowing a charter company to be hired that would allow vast amounts of alcohol onboard and that allowed that alcohol to be consumed on Missouri roadways;
- m. In failing to have proper chaperones, advisors, and/or oversight at the Nashville formal; and
- n. In instilling a code into its fraternity members that encouraged or taught fraternity "brothers" to abandon one another instead of helping one another.

78. As a direct and proximate result of the carelessness and negligence of defendant Delta Chi, Riley disappeared on March 8, 2024, and was pronounced dead on March 22, 2024, having drowned in the Cumberland River.

79. After Riley was abandoned, but prior to his death, he experienced conscious pain and suffering.

80. As a direct and proximate result of defendants' negligence, Riley suffered severe injuries, ultimately resulting in his death on March 22, 2024.

81. Riley suffered extreme physical and emotional damage, and pain and suffering prior to his death.

82. Prior to Riley's premature death, he was an able-bodied man, capable of doing and performing work and labor. As a direct and proximate result of his death, plaintiffs have been and, in the future, will suffer loss of income, wages, earnings, salaries and profits.

83. Because of Riley's untimely death, plaintiffs have suffered and will in the future suffer statutory pecuniary losses as defined by § 537.090, RSMo 2016, and have been, and in the future will be, deprived of his services, support, maintenance, guidance, companionship, comfort, instruction, counsel, training, and have sustained other damages which can reasonably be measured in money.

84. Plaintiffs have also incurred medical, funeral, burial, and other financial expenses/losses as a result of Riley's death.

WHEREFORE, plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and Melissa Gilbert, pray for judgment against defendants for such sums as are reasonable and necessary to compensate them as well as for a) the injuries and extreme pain and suffering experienced by Riley before death, and b) all damages resulting from the death of Riley caused by

the negligence set forth above, for all costs incurred, for post judgment interest and for further relief as the Court deems just and proper.

COUNT II
VICARIOUS LIABILITY – DELTA CHI (ACTUAL AGENCY)

85. Plaintiffs incorporate by reference the preceding paragraphs as though fully set forth herein.

86. At all times material hereto, the members and advisors of Delta Chi, University of Missouri Delta Chi, including the individually named Defendants herein, were actual agents of Defendant Delta Chi.

87. Delta Chi authorized and consented to each of the individually named defendants herein and the University of Missouri Delta Chi Chapter to act on its behalf for purposes of recruiting and educating new members, generating dues for Delta Chi, perpetuating Delta Chi's traditions, and marketing Delta Chi on campus knowing that they would represent to the pledges, including Riley Strain, that the University of Missouri Delta Chi Chapter was part of the national Delta Chi. Delta Chi also approved of and/or ratified the conduct of the University of Missouri Delta Chi Chapter in organizing, planning, and undertaking the formal in Nashville.

88. The officers, members and advisors of the University of Missouri Delta Chi Chapter accepted the undertaking of acting for Delta Chi by agreeing to abide by the rules and regulations of Delta Chi; by continuing on with the traditions of Delta Chi; by educating and indoctrinating the pledges with the history of the fraternity; by wearing the required fraternity colors and letters; by facilitating payments between the fraternity members and University of Missouri Delta Chi and Delta Chi.

89. Delta Chi had the right to control and did in fact exercise significant control over the University of Missouri Delta Chi Chapter and the individually named defendants set forth above.

90. At all times material hereto, and during their interactions with Riley Strain, the officers, members and advisors of Delta Chi, including the individually named Defendants herein, were acting in the course and scope of their agency relationship with Delta Chi and were subject to Delta Chi's day-to-day control.

91. Accordingly, Delta Chi is vicariously liable for the negligence of the individual defendants named herein.

92. As a direct and proximate result of the carelessness and negligence of defendant Delta Chi, Riley disappeared on March 8, 2024, and was pronounced dead on March 22, 2024, having drowned in the Cumberland River.

93. After Riley was abandoned, but prior to his death, he experienced conscious pain and suffering.

94. As a direct and proximate result of defendants' negligence, Riley suffered severe injuries, ultimately resulting in his death on March 22, 2024.

95. Riley suffered extreme physical and emotional damage, and pain and suffering prior to his death.

96. Prior to Riley's premature death, he was an able-bodied man, capable of doing and performing work and labor. As a direct and proximate result of his death, plaintiffs have been and, in the future, will suffer loss of income, wages, earnings, salaries and profits.

97. Because of Riley's untimely death, plaintiffs have suffered and will in the future suffer statutory pecuniary losses as defined by § 537.090, RSMo 2016, and have been, and in the

future will be, deprived of his services, support, maintenance, guidance, companionship, comfort, instruction, counsel, training, and have sustained other damages which can reasonably be measured in money.

98. Plaintiffs have also incurred medical, funeral, burial, and other financial expenses/losses as a result of Riley's death.

WHEREFORE, plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and Melissa Gilbert, pray for judgment against defendants for such sums as are reasonable and necessary to compensate them as well as for a) the injuries and extreme pain and suffering experienced by Riley before death, and b) all damages resulting from the death of Riley caused by the negligence set forth above, for all costs incurred, for post judgment interest and for further relief as the Court deems just and proper.

COUNT III
VICARIOUS LIABILITY – DELTA CHI (APPARENT AGENCY)

99. Plaintiffs incorporate by reference the preceding paragraphs as though fully set forth herein.

100. Delta Chi presented and promoted the officers, members and advisors of University of Missouri Delta Chi as its apparent agents and represented to Riley Strain that the individually named defendants and University of Missouri Delta Chi members were acting on its behalf and as its apparent agents. It did so in a variety of ways, including, but not limited to, the following:

- a. Planning the formal as a Delta Chi event with Delta Chi promotions and attributions;
- b. Requiring that the officers, members and advisors of University of Missouri Delta Chi follow and enforce the Delta Chi policies.
- c. Requiring that the leadership of Delta Chi comply with dozens of specific mandates for their specific offices that they held;

- d. Requiring that University of Missouri Delta Chi display the fraternity's Greek letters on the chapter house;
- e. Requiring that University of Missouri Delta Chi ensures that its members and pledges timely pay the dues that Delta Chi sent out;
- f. Requiring that University of Missouri Delta Chi leadership attend Delta Chi meetings and training sessions;
- g. Requiring that University of Missouri Delta Chi utilize and promote the Delta Chi colors;
- h. Listing the University of Missouri Delta Chi Chapter on the Delta Chi website as one of the fraternity's official chapters;
- i. Requiring the University of Missouri Delta Chi Chapter to use the rules and codes promulgated by Delta Chi and distributed to each of its official chapters; and/or
- j. Requiring the University of Missouri Delta Chi Chapter to learn and utilize the Delta Chi song.

101. Riley Strain participated in the Delta Chi fraternity under the reasonable belief that the individual defendants and University of Missouri Delta Chi Chapter members named herein were one and the same with Delta Chi and were acting by and on behalf of Delta Chi at all times, including in the planning and execution of the Nashville formal.

102. Accordingly, Delta Chi is vicariously liable for the negligence of the individual defendants named herein who were, at all material times, acting in the furtherance of and promotion of Delta Chi.

103. As a direct and proximate result of the carelessness and negligence of defendant Delta Chi, Riley disappeared on March 8, 2024, and was pronounced dead on March 22, 2024, having drowned in the Cumberland River.

104. After Riley was abandoned, but prior to his death, he experienced conscious pain and suffering.

105. As a direct and proximate result of defendants' negligence, Riley suffered severe injuries, ultimately resulting in his death on March 22, 2024.

106. Riley suffered extreme physical and emotional damage, and pain and suffering prior to his death.

107. Prior to Riley's premature death, he was an able-bodied man, capable of doing and performing work and labor. As a direct and proximate result of his death, plaintiffs have been and, in the future, will suffer loss of income, wages, earnings, salaries and profits.

108. Because of Riley's untimely death, plaintiffs have suffered and will in the future suffer statutory pecuniary losses as defined by § 537.090, RSMo 2016, and have been, and in the future will be, deprived of his services, support, maintenance, guidance, companionship, comfort, instruction, counsel, training, and have sustained other damages which can reasonably be measured in money.

109. Plaintiffs have also incurred medical, funeral, burial, and other financial expenses/losses as a result of Riley's death.

WHEREFORE, plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and Melissa Gilbert, pray for judgment against defendants for such sums as are reasonable and necessary to compensate them as well as for a) the injuries and extreme pain and suffering experienced by Riley before death, and b) all damages resulting from the death of Riley caused by the negligence set forth above, for all costs incurred, for post judgment interest and for further relief as the Court deems just and proper.

COUNT IV
NEGLIGENCE – BCC MISSOURI, LLC

110. Plaintiffs incorporate by reference the preceding paragraphs as though fully set forth herein.

111. BCC Missouri, LLC purchased, leased, operated and/or maintained the University of Missouri Delta Chi fraternity house located at 500 South College Avenue, Columbia, Missouri, for the purpose of housing members of Delta Chi, University of Missouri Delta Chi. This house was also used for all planning of Delta Chi formals by members of the fraternity, in addition to the use of the property for all Delta Chi functions. This property was in essence the staging platform for the events that occurred on March 8, 2024 and thereafter. Upon information and belief, the Jello shots taken on the trip were prepared at the BCC MO property by members of Delta Chi.

112. As the owner, operator and/or lessee of the University of Missouri Delta Chi chapter house, the defendant, BCC MO, had a duty to ensure that its property was not being used for unsafe, dangerous or illegal purposes, including but not limited to preparation of alcoholic drinks that were in excess of 15% ABV and which would fuel drinking on the Delta Chi formal as the buses were traveling from Columbia, Missouri to Nashville, Tennessee.

113. Said defendant breached those duties and was negligent in at least the following respects:

- a. In failing to adequately monitor how the house was being used by the University of Missouri Delta Chi chapter;
- b. In failing to adequately supervise, operate and/or maintain the conditions in the house that was being used by the University of Missouri Delta Chi chapter;
- c. In allowing, condoning, or contributing to the use of alcohol of greater than 15% ABV in Jello shots;
- d. In allowing Delta Chi members to load Jello shots at the chapter house and then carry those onto the charter buses in direct violation of Delta Chi policies and procedures;
- e. In failing to ensure that a strict policy was implemented at the University of Missouri Delta Chi Chapter house ensuring that unsafe, dangerous and/or illegal activities would not take place in the house; and/or

f. In allowing the repeated conduct that led to a prevalence of 15% ABV alcohol being used at the premises of the Chapter house in direct violation of Delta Chi policies and procedures such that this became the actual Delta Chi policy and procedure which was ratified by Delta Chi.

114. As a direct and proximate result of the carelessness and negligence of defendant Delta Chi, Riley disappeared on March 8, 2024, and was pronounced dead on March 22, 2024, having drowned in the Cumberland River.

115. After Riley was abandoned, but prior to his death, he experienced conscious pain and suffering.

116. As a direct and proximate result of defendants' negligence, Riley suffered severe injuries, ultimately resulting in his death on March 22, 2024.

117. Riley suffered extreme physical and emotional damage, and pain and suffering prior to his death.

118. Prior to Riley's premature death, he was an able-bodied man, capable of doing and performing work and labor. As a direct and proximate result of his death, plaintiffs have been and, in the future, will suffer loss of income, wages, earnings, salaries and profits.

119. Because of Riley's untimely death, plaintiffs have suffered and will in the future suffer statutory pecuniary losses as defined by § 537.090, RSMo 2016, and have been, and in the future will be, deprived of his services, support, maintenance, guidance, companionship, comfort, instruction, counsel, training, and have sustained other damages which can reasonably be measured in money.

120. Plaintiffs have also incurred medical, funeral, burial, and other financial expenses/losses as a result of Riley's death.

WHEREFORE, plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and Melissa Gilbert, pray for judgment against defendants for such sums as are reasonable and

necessary to compensate them as well as for a) the injuries and extreme pain and suffering experienced by Riley before death, and b) all damages resulting from the death of Riley caused by the negligence set forth above, for all costs incurred, for post judgment interest and for further relief as the Court deems just and proper.

COUNT V
NEGLIGENCE AGAINST THE INDIVIDUAL DELTA CHI FRATERNITY OFFICERS & MEMBERS

121. Plaintiffs incorporate by reference the preceding paragraphs as though fully set forth herein.

122. At all times material hereto, Cockell, Bartman, Lacassie, Wittenauer, Schroff, Pittaluga, Molen, Lawson, Staley, McDonald, Hutter, Atchison, LaJoye, Thomas, Smith, Thompson, Flieg, Harter, Podiak, Zarrick, Frazier, Galli, Ragan, Wappler, Bajramovic, Rasmason, Pulliam, Edwards, Blew, and Richman (hereinafter referred collectively as “Fraternity Defendants”) had voluntarily undertaken the responsibility to be officers and/or members of the University of Missouri Delta Chi fraternity.

123. As officers and/or members of the University of Missouri Delta Chi Chapter, Fraternity Defendants had a duty to ensure that they were acting in a manner that was safe for the other members of the University of Missouri Delta Chi Chapter, including not creating dangers to the other members such as Riley. They also had a duty to acts as “brothers” and help other members of the University of Missouri Delta Chi Chapter that were in need of aid. This was a “special relationship.”

124. Fraternity Defendants breached those duties and were negligent, careless, and/or reckless, in one or more of the following ways:

- a. In planning, staging, and initiating a formal that would be fueled by alcohol;
- b. In creating Jello shots to be consumed at the Chapter house and thereafter while in transit to the formal location;

- c. In having Jello shots that were more than 15% ABV which was in direct violation of Delta Chi policies and procedures;
- d. In cajoling Riley to go to the formal;
- e. In encouraging, aiding, or assisting Riley in consuming Jello shots and other alcoholic beverages throughout March 8, 2024.
- f. In allowing rampant consumption of 15% ABV alcoholic drinks at a Delta Chi social event;
- g. In allowing Riley to continue drinking after it became apparent that he was acting in an unusual way;
- h. In allowing Riley to continue to drink after he lost the ability to communicate coherently;
- i. In allowing Riley to continue to drink after noticing and acknowledging that Riley was acting out of character;
- j. In allowing Riley to continue to drink after noticing and acknowledging that Riley was having difficulty walking;
- k. In purchasing drinks for Riley after noticing and acknowledging that Riley was acting in an unusual way;
- l. In purchasing drinks for Riley after noticing and acknowledging that Riley had lost the ability to communicate coherently;
- m. In purchasing drinks for Riley after noticing and acknowledging that Riley was acting out of character;
- n. In purchasing drinks for Riley after noticing and acknowledging that Riley was having difficulty walking;
- o. In allowing Riley to be kicked out of a bar alone;
- p. In allowing Riley to leave the bar alone despite the knowledge of Riley's inability to communicate, walk, and/or talk;
- q. In choosing to return to drinking and partying instead of helping Riley;
- r. In failing to call for aid for Riley;
- s. In failing to arrange a ride for Riley back to the hotel; and
- t. In delaying the call to emergency services after they knew or should have known that Riley could be in trouble.

125. As a direct and proximate result of the carelessness and negligence of Fraternity Defendants, Riley disappeared on March 8, 2024, and was pronounced dead on March 22, 2024, having drowned in the Cumberland River.

126. After Riley was abandoned, but prior to his death, he experienced conscious pain and suffering.

127. As a direct and proximate result of defendants' negligence, Riley suffered severe injuries, ultimately resulting in his death on March 22, 2024.

128. Riley suffered extreme physical and emotional damage, and pain and suffering prior to his death.

129. Prior to Riley's premature death, he was an able-bodied man, capable of doing and performing work and labor. As a direct and proximate result of his death, plaintiffs have been and, in the future, will suffer loss of income, wages, earnings, salaries and profits.

130. Because of Riley's untimely death, plaintiffs have suffered and will in the future suffer statutory pecuniary losses as defined by § 537.090, RSMo 2016, and have been, and in the future will be, deprived of his services, support, maintenance, guidance, companionship, comfort, instruction, counsel, training, and have sustained other damages which can reasonably be measured in money.

131. Plaintiffs have also incurred medical, funeral, burial, and other financial expenses/losses as a result of Riley's death.

WHEREFORE, plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and Melissa Gilbert, pray for judgment against defendants for such sums as are reasonable and necessary to compensate them as well as for a) the injuries and extreme pain and suffering experienced by Riley before death, and b) all damages resulting from the death of Riley caused by

the negligence set forth above, for all costs incurred, for post judgment interest and for further relief as the Court deems just and proper.

COUNT VI
NEGLIGENCE OF THE BOARD OF CHAPTER ADVISORS

132. Plaintiffs incorporate by reference the preceding paragraphs as though fully set forth herein.

133. As members of the Board of Chapter Advisors, University of Missouri Delta Chi Chapter, the defendants voluntarily undertook the responsibility to oversee and manage the operations and conduct of the University of Missouri Delta Chi Chapter. These responsibilities included, but were not limited to the following:

- a. Assisting the chapter in planning and preparation for the formal;
- b. Following up to see that the plan for the formal was implemented and reviewing that plan for violations of Delta Chi policies and procedures; and
- c. Supervising the formal activities before, during, and after departure from the Delta Chi Chapter House.

134. Said Chapter Advisors breached these duties and were negligent in at least the following respects:

- a. In allowing the University of Missouri Delta Chi members to plan, stage, and initiate a formal that would be fueled by alcohol;
- b. In allowing Jello shots to be consumed at the Chapter house and thereafter while in transit to the formal location;
- c. In allowing Jello shots that were more than 15% ABV which was in direct violation of Delta Chi policies and procedures;
- d. In allowing rampant consumption of 15% ABV alcoholic drinks at a Delta Chi social event;
- e. In failing to provide appropriate supervision of the formal and travel to the formal;
- f. In failing to ensure proper transportation for fraternity members back to the hotel in Nashville; and

g. In delaying the call to emergency services after they knew or should have known that Riley could be in trouble.

135. As a direct and proximate result of the carelessness and negligence of Fraternity Defendants, Riley disappeared on March 8, 2024, and was pronounced dead on March 22, 2024, having drowned in the Cumberland River.

136. After Riley was abandoned, but prior to his death, he experienced conscious pain and suffering.

137. As a direct and proximate result of defendants' negligence, Riley suffered severe injuries, ultimately resulting in his death on March 22, 2024.

138. Riley suffered extreme physical and emotional damage, and pain and suffering prior to his death.

139. Prior to Riley's premature death, he was an able-bodied man, capable of doing and performing work and labor. As a direct and proximate result of his death, plaintiffs have been and, in the future, will suffer loss of income, wages, earnings, salaries and profits.

140. Because of Riley's untimely death, plaintiffs have suffered and will in the future suffer statutory pecuniary losses as defined by § 537.090, RSMo 2016, and have been, and in the future will be, deprived of his services, support, maintenance, guidance, companionship, comfort, instruction, counsel, training, and have sustained other damages which can reasonably be measured in money.

141. Plaintiffs have also incurred medical, funeral, burial, and other financial expenses/losses as a result of Riley's death.

WHEREFORE, plaintiffs Michelle Whiteid, Christopher Whiteid, Robert Ryan Gilbert, and Melissa Gilbert, pray for judgment against defendants for such sums as are reasonable and necessary to compensate them as well as for a) the injuries and extreme pain and suffering

experienced by Riley before death, and b) all damages resulting from the death of Riley caused by the negligence set forth above, for all costs incurred, for post judgment interest and for further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby request a jury trial on all issues triable to a jury as a matter of right.

STRONG-GARNER-BAUER, P.C.

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