

# Court decision to stand

## UNL won't challenge fraternity hazing decision

BY JAKE BLEED  
Senior staff writer

The University of Nebraska-Lincoln will not ask the Nebraska Supreme Court to reconsider its unanimous decision to allow the victim of a 1993 hazing accident to sue the university for negligence, said John Wiltse, NU senior associate general counsel.

The court ruled Oct. 29 that Jeffrey Knoll could sue the university after he fell from the third floor of the Phi Gamma Delta Fraternity house while trying to escape a pledge sneak hazing.

Wiltse said the court's unanimous decision would be hard to challenge.

"When you're facing a unanimous decision, the odds of getting the Supreme Court to do anything are not very good," Wiltse said.

The odds of winning in district court were better, Wiltse said, than convincing a unanimous Supreme Court to change its ruling.

Vice Chancellor for Student Affairs James Griesen said the decision to not ask the court to review its decision was based on legal realities.

"It was more of a legal decision

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JOHN WILTSE

NU senior associate general counsel

than anything," Griesen said.

The decision did not find UNL negligent in the case, only that Knoll has the right to bring the case to court, a fact that also affected the decision, Griesen said.

The Supreme Court's decision returned the negligence lawsuit to Lancaster County District Court for trial.

Knoll sued the university for negligence because members of Phi Gamma Delta kidnapped him on university property.

Although the majority of the hazing Knoll suffered took place on private property, the court ruled the university could owe Knoll a landowner's duty to protect guests and could have foreseen his abduction.

Knoll was tackled in the base-

ment of Andrews Hall on Nov. 3, 1993, by members of Phi Gamma Delta, handcuffed to a fraternity member and brought back to the greek house.

Inside, he drank 15 shots of whiskey and brandy and three to six beers in a 2½-hour period, the Nebraska Supreme Court's opinion said.

After becoming sick, Knoll was taken to a third-floor bathroom and handcuffed to a toilet pipe, the opinion said. Knoll escaped from the toilet pipe and tried to climb down a drain pipe running down the side of the fraternity house. He fell, suffering severe head injuries.

An out-of-court settlement was reached between Knoll and the fraternity house's national organization.

# Hudson Foods trial to begin

■ The case follows a recall of 25 million pounds of beef from a Columbus plant.

BY JAKE BLEED  
Senior staff writer

Nine women and six men were selected Monday to form a jury for a federal trial set to determine if Hudson Foods executives lied to federal investigators after the nation's largest meat recall.

The district court trial was set to begin today in Lincoln.

Twenty-five million pounds of ground beef processed at a Columbus plant formerly owned by Hudson Foods was recalled in 1997 after being connected to a string of E. coli-related illnesses.

In December 1998, a grand jury indicted the Columbus plant's manager, Brent Wolke, and director of quality control, Michael Gregory, for lying to federal investigators.

The indictment alleges the men

and the company lied to investigators when they said they knew the source of all existing contaminated meat. Wolke, Gregory and Hudson Foods were also accused of providing false information to the Department of Agriculture.

The destination of the contaminated meat given by Hudson Foods officials differed from where people reported E. coli illnesses, the grand jury said.

The USDA initially limited the recall of the contaminated meat to three days based on information given by Wolke and Gregory, the grand jury said. The recall was later expanded after more bad meat was found.

Both Wolke and Gregory pleaded innocent to counts of providing false information and conspiracy. They face up to five years in prison and a fine of up to \$250,000 for each of the two counts against them.

Arkansas-based Hudson Foods also pleaded innocent and faces up to \$500,000 in fines.

The Columbus plant closed after

the investigation and was later sold to IBP Inc. of Dakota Dunes, S.D.

Tyson Foods Inc. of Springdale, Ariz., bought the company, Hudson Foods, after the investigation in 1997.

Fifteen people in Colorado and another in Kentucky were poisoned by the E. coli-contaminated meat.

Several major fast-food chains, including Burger King and Boston Market, had to pull Hudson-produced beef from their restaurants to avoid spreading E. coli to customers. Safeway, Wal-Mart and Sam's Club grocery stores also pulled beef from shelves.

The Associated Press contributed to this report.

# Man arrested for letting people into Husker game

BY JAKE BLEED  
Senior staff writer

University police arrested a ticket taker during Saturday's home game against Texas A&M University after an officer saw a man pay him to let about 15 people in without tickets, University Police Sgt. Mylo Bushing said.

Roger Baskerville was arrested for theft of services and released on a bond of 10 percent of \$500, or \$50.

Bushing said UNL police received a tip Nov. 2 that Baskerville was allowing fans into the stadium in return for cash.

During Saturday's game, a UNL police officer saw a man shake hands with Baskerville, apparently making some kind of exchange, and enter Memorial Stadium, Bushing said.

The man was stopped by police just after entering, Bushing said. He told them he paid Baskerville \$100 to let him and 15 friends into the game.

He also told police one of Baskerville's friends told him he could pay his way into the stadium and that Baskerville had been taking money to let fans into football home games for about 10 years, Bushing said.

When arrested, Baskerville told police he started taking cash from

fans about three years ago. Bushing said.

Tickets cost \$40 for Saturday's game against Texas A&M. Students pay half of regular ticket cost.

Athletic Ticket Office Manager John Anderson said he had heard of ticket takers at other universities accepting cash to let fans into sporting events, but none at UNL.

"That's just totally wrong," Anderson said. "It's one of the dangers of hiring people. You just have to trust them to do their job."

Anderson said Baskerville did not work for his office and that he did not know of the situation before Monday.

Butch Hug, director of events for the Athletic Department and Baskerville's boss, was out of town Monday and could not be reached for comment.

Officers watched Baskerville during the home football game against the University of Kansas on Nov. 2 just after receiving the tip but did not see any wrongdoing, Bushing said.

The man who paid Baskerville was not charged in the incident, Bushing said.

"If the ticket taker's going (to let people in for cash), then the crime's going to fall on the ticket taker," Bushing said.

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