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The Honorable Kymberly K. Evanson

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STEVE GONCALVES, as personal representative of the Estate of Kaylee Jade Goncalves; KAREN LARAMIE, as personal representative of the Estate of Madison May Mogen; JEFFREY KERNODLE, as personal representative of the Estate of Xana Alexia Kernodle; and STACY CHAPIN, as personal representative of the Estate of Ethan J. Chapin,

Plaintiffs,

v.

WASHINGTON STATE UNIVERSITY,

Defendant.

NO. 2:26-cv-00301

DEFENDANT WASHINGTON STATE UNIVERSITY'S ANWER TO PLAINTIFFS' COMPLAINT FOR DAMAGES

Defendant, Washington State University (WSU) in answer to Plaintiffs' Complaint, admits, denies, and alleges as follows:

I. INTRODUCTION

1. WSU admits Brian Kohberger murdered four University of Idaho students. Except for that, WSU denies each and every remaining allegation in Paragraph 1.

2. WSU admits it admitted Kohberger into the Ph.D program in WSU's Criminal Justice and Criminology Department. WSU also admits it offered Kohberger financial support

1 that included a salary for Kohberger’s Teaching Assistant position, health insurance, and resident
2 tuition waiver. WSU further admits that Kohberger was provided with on-campus housing. WSU
3 denies each and every remaining allegation in Paragraph 2.

4 3. WSU is without knowledge or information sufficient to admit or deny the
5 allegations in Paragraph 3, and therefore denies the same.

6 4. WSU admits On November 13, 2022, Kohberger murdered four University of
7 Idaho students. Except for that, WSU denies each and every remaining allegation in Paragraph
8 4.

9 5. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 5, and therefore denies the same.

11 6. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 6, and therefore denies the same.

13 7. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 7, and therefore denies the same.

15 8. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 8, and therefore denies the same.

17 9. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 9, and therefore denies the same.

19 10. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 10, and therefore denies the same.

21 11. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 11, and therefore denies the same.

23 12. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 12, and therefore denies the same.

25 13. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 13, and therefore denies the same.

1 14. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 14, and therefore denies the same.

3 15. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 15, and therefore denies the same.

5 16. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 16, and therefore denies the same.

7 17. WSU admits it has a WSU Police Department on WSU's Pullman campus. WSU
8 further admits the WSU Police Department's "mission is to ensure the safety and security of the
9 campus community while positively influencing student development through proactive
10 policing, community engagement, and professional excellence." WSU denies each and every
11 remaining allegation in Paragraph 17.

12 18. WSU is without knowledge or information sufficient to admit or deny the
13 allegations in Paragraph 18, and therefore denies the same.

14 19. WSU is without knowledge or information sufficient to admit or deny the
15 allegations in Paragraph 19, and therefore denies the same.

16 20. WSU is without knowledge or information sufficient to admit or deny the
17 allegations in Paragraph 20, and therefore denies the same.

18 21. WSU is without knowledge or information sufficient to admit or deny the
19 allegations in Paragraph 21, and therefore denies the same.

20 22. WSU admits On November 13, 2022, Kohberger murdered four University of
21 Idaho students. Except for that, WSU denies each and every remaining allegation in Paragraph
22 22.

23 23. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 23, and therefore denies the same.

25 24. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 24, and therefore denies the same.

1 25. WSU admits it has a Treat Assessment Team (TAT) that identifies, assess, and
2 addresses threats to the WSU community and property. WSU denies each and every remaining
3 allegation in Paragraph 25.

4 26. WSU admits On November 13, 2022, Kohberger murdered four University of
5 Idaho students. Except for that, WSU denies each and every remaining allegation in Paragraph
6 22 and specifically denies that the murders were a result of WSU's actions or inactions.

7 **II. PARTIES**

8 27. WSU is without knowledge or information sufficient to admit or deny the
9 allegations in Paragraph 27, and therefore denies the same.

10 28. WSU is without knowledge or information sufficient to admit or deny the
11 allegations in Paragraph 28, and therefore denies the same.

12 29. WSU is without knowledge or information sufficient to admit or deny the
13 allegations in Paragraph 29, and therefore denies the same.

14 30. WSU is without knowledge or information sufficient to admit or deny the
15 allegations in Paragraph 30, and therefore denies the same.

16 31. WSU admits it operates a public university in the State of Washington and has
17 campuses in Pullman, Spokane, Richland, Vancouver, and Everett. The remainder of the
18 allegations contained in Paragraph 31 contain allegations or contentions of law, which require
19 no answer. To the extent and answer is required, WSU denies the same.

20 32. The allegations contained in Paragraph 32 contain allegations or contentions of
21 law, which require no answer. To the extent and answer is required, WSU denies the same.

22 **III. JURISDICTION AND VENUE**

23 33. The allegations contained in Paragraph 33 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 34. The allegations contained in Paragraph 34 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 35. The allegations contained in Paragraph 35 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 36. The allegations contained in Paragraph 36 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 37. WSU admits Plaintiff Steve Goncalves, as personal representative of the Estate
6 of Kaylee Jade Goncalves filed a Standard Tort Claim Form on May 3, 2023, and November 7,
7 2025. WSU also admits Plaintiff Karen Laramie, as personal representative of the Estate of
8 Madison May Mogen filed a Standard Tort Claim Form on May 11, 2023, and November 7,
9 2025. WSU also admits Plaintiff Jeffrey Kernodle, as personal representative of the Estate of
10 Xana Alexia Kernodle filed a Standard Tort Claim Form on November 10, 2025. WSU also
11 admits Plaintiff Stacy Chapin, as personal representative of the Estate of Ethan J. Chapin filed a
12 Standard Tort Claim Form on November 10, 2025. WSU denies each and every remaining
13 allegation in Paragraph 37.

14 **IV. FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

15 **a. Stalking is a serious and prevalent risk to college students – *To the***
16 ***extent this heading calls for or requires an answer, WSU denies***

17 38. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 38, and therefore denies the same.

19 39. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 39, and therefore denies the same.

21 40. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 40, and therefore denies the same.

23 41. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 41, and therefore denies the same.

25 42. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 42, and therefore denies the same.

1 43. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 43, and therefore denies the same.

3 44. The allegations contained in Paragraph 44 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 45. The allegations contained in Paragraph 45 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 46. The allegations contained in Paragraph 46 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 47. The allegations contained in Paragraph 47 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 48. The allegations contained in Paragraph 48 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 49. The allegations contained in Paragraph 49 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 50. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 50, and therefore denies the same.

17 51. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 51, and therefore denies the same.

19 52. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 52, and therefore denies the same.

21 53. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 53, and therefore denies the same.

23 54. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 54, and therefore denies the same.

25 55. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 55, and therefore denies the same.

1 56. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 56, and therefore denies the same.

3 57. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 57, and therefore denies the same.

5 58. The allegations contained in Paragraph 58 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 59. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 59, and therefore denies the same.

9 60. The allegations contained in Paragraph 60 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 **b. WSU has policies and procedures to control conduct and prohibit and**
12 **prevent discrimination, harassment and stalking – *To the extent this***
heading calls for or requires an answer, WSU denies

13 61. WSU admits Kohberger was admitted into the Ph.D program in WSU’s Criminal
14 Justice and Criminology Department. WSU also admits it offered Kohberger a salary for
15 Kohberger’s Teaching Assistant position. WSU denies each and every remaining allegation in
16 Paragraph 61.

17 **i. WSU was obligated to control Kohberger under the**
18 **requirements of its Employment Agreement with him – *To the extent***
this heading calls for or requires an answer, WSU denies

19 62. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 62, and therefore denies the same.

21 63. The allegations contained in Paragraph 63 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 64. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 64, and therefore denies the same.
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1 65. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 65, and therefore denies the same.

3 66. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 66, and therefore denies the same.

5 67. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 67, and therefore denies the same.

7 68. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 68, and therefore denies the same.

9 69. The allegations contained in Paragraph 69 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 **ii. WSU was obligated to control Kohberger under the**
12 **requirements of its Graduate School Policies and Procedures Manual**
13 **– To the extent this heading calls for or requires an answer, WSU denies**

14 70. The allegations contained in Paragraph 70 contain allegations or contentions of
15 law, which require no answer. To the extent and answer is required, WSU denies the same.

16 71. The allegations contained in Paragraph 71 contain allegations or contentions of
17 law, which require no answer. To the extent and answer is required, WSU denies the same.

18 72. WSU admits its 2022-2023 Graduate School Policies and Procedures Manual
19 states graduate students who receive teaching, research, or staff assistantships “are expected to
20 be at work each normal workday, including periods when the university classes are not in
21 session, with the exception of the legal holidays designated by the Board of Regents.” WSU
22 denies each and every remaining allegation in Paragraph 72.

23 73. WSU admits its 2022-2023 Graduate School Policies and Procedures Manual
24 states “[a]s key contributors to the WSU community, graduate assistants have a responsibility to
25 maintain high standards of professional and ethical conduct.” WSU denies each and every
26 remaining allegation in Paragraph 73.

1 74. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 59, and therefore denies the same.

3 **iii. WSU was obligated to control Kohberger under the**
4 **requirements of its Department of Criminal Justice and Criminology**
5 **Graduate Handbook – To the extent this heading calls for or requires**
6 **an answer, WSU denies**

7 75. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 75, and therefore denies the same.

9 76. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 76, and therefore denies the same.

11 77. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 77, and therefore denies the same.

13 **iv. WSU was obligated to control Kohberger under its Standards**
14 **of Conduct for Students – To the extent this heading calls for or**
15 **requires an answer, WSU denies**

16 78. The allegations contained in Paragraph 78 contain allegations or contentions of
17 law, which require no answer. To the extent and answer is required, WSU denies the same.

18 79. WSU is without knowledge or information sufficient to admit or deny the
19 allegations in Paragraph 79, and therefore denies the same.

20 80. WSU is without knowledge or information sufficient to admit or deny the
21 allegations in Paragraph 80, and therefore denies the same.

22 81. WSU is without knowledge or information sufficient to admit or deny the
23 allegations in Paragraph 81, and therefore denies the same.

24 82. WSU is without knowledge or information sufficient to admit or deny the
25 allegations in Paragraph 82, and therefore denies the same.

26 83. WSU is without knowledge or information sufficient to admit or deny the
allegations in Paragraph 83, and therefore denies the same.

1 84. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 84, and therefore denies the same.

3 85. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 85, and therefore denies the same.

5 86. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 86, and therefore denies the same.

7 87. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 87, and therefore denies the same.

9 88. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 88, and therefore denies the same.

11 89. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 89, and therefore denies the same.

13 90. The allegations contained in Paragraph 90 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 91. The allegations contained in Paragraph 91 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 92. The allegations contained in Paragraph 92 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 93. The allegations contained in Paragraph 93 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 94. The allegations contained in Paragraph 94 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

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1 105. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 105, and therefore denies the same.

3 106. WSU admits EP 42 is titled “Policy of Threat Assessment” and discusses TAT’s
4 purpose, composition, responsibility and authority, and methodology. WSU denies each and
5 every remaining allegation in Paragraph 106.

6 107. WSU is without knowledge or information sufficient to admit or deny the
7 allegations in Paragraph 107, and therefore denies the same.

8 108. WSU is without knowledge or information sufficient to admit or deny the
9 allegations in Paragraph 108, and therefore denies the same.

10 109. WSU is without knowledge or information sufficient to admit or deny the
11 allegations in Paragraph 109, and therefore denies the same.

12 110. WSU is without knowledge or information sufficient to admit or deny the
13 allegations in Paragraph 110, and therefore denies the same.

14 111. WSU is without knowledge or information sufficient to admit or deny the
15 allegations in Paragraph 111, and therefore denies the same.

16 112. WSU is without knowledge or information sufficient to admit or deny the
17 allegations in Paragraph 112, and therefore denies the same.

18 113. WSU is without knowledge or information sufficient to admit or deny the
19 allegations in Paragraph 113, and therefore denies the same.

20 114. WSU is without knowledge or information sufficient to admit or deny the
21 allegations in Paragraph 114, and therefore denies the same.

22 115. WSU is without knowledge or information sufficient to admit or deny the
23 allegations in Paragraph 115, and therefore denies the same.

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vii. WSU was obligated to control Kohberger under its WAVR-21 threat assessment and intervention protocols – *To the extent this heading calls for or requires an answer, WSU denies*

116. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 116, and therefore denies the same.

117. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 117, and therefore denies the same.

118. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 118, and therefore denies the same.

119. The allegations contained in Paragraph 119 contain allegations or contentions of law, which require no answer. To the extent an answer is required, WSU denies the same.

120. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 120, and therefore denies the same.

121. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 121, and therefore denies the same.

122. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 122, and therefore denies the same.

123. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 123, and therefore denies the same.

124. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 124, and therefore denies the same.

125. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 125, and therefore denies the same.

126. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 126, and therefore denies the same.

127. WSU is without knowledge or information sufficient to admit or deny the allegations in Paragraph 127, and therefore denies the same.

1 128. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 128, and therefore denies the same.

3 129. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 129, and therefore denies the same.

5 130. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 130, and therefore denies the same.

7 131. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 131, and therefore denies the same.

9 132. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 132, and therefore denies the same.

11 133. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 133, and therefore denies the same.

13 134. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 134, and therefore denies the same.

15 135. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 135, and therefore denies the same.

17 136. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 136, and therefore denies the same.

19 137. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 137, and therefore denies the same.

21 138. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 138, and therefore denies the same.

23 139. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 139, and therefore denies the same.

25 140. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 140, and therefore denies the same.

1 141. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 141, and therefore denies the same.

3 **viii. WSU was obligated to control Kohberger under the terms of**
4 **WSU’s Family and Graduate Apartment Agreement – *To the extent***
this heading calls for or requires an answer, WSU denies

5 142. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 142, and therefore denies the same.

7 143. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 143, and therefore denies the same.

9 144. The allegations contained in Paragraph 144 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 145. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 145, and therefore denies the same.

13 146. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 146, and therefore denies the same.

15 147. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 147, and therefore denies the same.

17 148. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 148, and therefore denies the same.

19 149. The allegations contained in Paragraph 149 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 150. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 150, and therefore denies the same.

23 151. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 151, and therefore denies the same.

25 152. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 152, and therefore denies the same.

1 153. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 153, and therefore denies the same.

3 154. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 154, and therefore denies the same.

5 155. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 155, and therefore denies the same.

7 156. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 156, and therefore denies the same.

9 157. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 157, and therefore denies the same.

11 158. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 158, and therefore denies the same.

13 159. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 159, and therefore denies the same.

15 160. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 160, and therefore denies the same.

17 c. **When Kohberger arrived at WSU in the fall of 2022, the WSU Police**
18 **Department was consumed by a university investigation into its own**
19 **long and sordid history of tolerating and, in fact, fostering serious**
sexual misconduct in its own ranks – *To the extent this heading calls*
for or requires an answer, WSU denies

20 161. WSU is without knowledge or information sufficient to admit or deny the
21 allegations in Paragraph 161, and therefore denies the same.

22 162. WSU is without knowledge or information sufficient to admit or deny the
23 allegations in Paragraph 162, and therefore denies the same.

24 163. WSU is without knowledge or information sufficient to admit or deny the
25 allegations in Paragraph 163, and therefore denies the same.

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1 164. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 164, and therefore denies the same.

3 165. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 165, and therefore denies the same.

5 166. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 166, and therefore denies the same.

7 167. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 167, and therefore denies the same.

9 168. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 168, and therefore denies the same.

11 169. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 169, and therefore denies the same.

13 170. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 170, and therefore denies the same.

15 171. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 171, and therefore denies the same.

17 172. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 172, and therefore denies the same.

19 173. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 173, and therefore denies the same.

21 174. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 174, and therefore denies the same.

23 175. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 175, and therefore denies the same.

25 176. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 176, and therefore denies the same.

1 177. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 177, and therefore denies the same.

3 178. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 178, and therefore denies the same.

5 179. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 179, and therefore denies the same.

7 180. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 180, and therefore denies the same.

9 181. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 181, and therefore denies the same.

11 182. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 182, and therefore denies the same.

13 183. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 183, and therefore denies the same.

15 184. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 184, and therefore denies the same.

17 185. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 185, and therefore denies the same.

19 186. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 186, and therefore denies the same.

21 187. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 187, and therefore denies the same.

23 188. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 188, and therefore denies the same.

25 189. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 189, and therefore denies the same.

1 190. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 190, and therefore denies the same.

3 191. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 191, and therefore denies the same.

5 192. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 192, and therefore denies the same.

7 193. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 193, and therefore denies the same.

9 194. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 194, and therefore denies the same.

11 195. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 195, and therefore denies the same.

13 196. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 196, and therefore denies the same.

15 197. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 197, and therefore denies the same.

17 198. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 198, and therefore denies the same.

19 **d. WSU brings Kohberger to the Pullman-Moscow community and**
20 **quickly learns of his threatening, stalking, and predatory behavior –**
21 ***To the extent this heading calls for or requires an answer, WSU denies***

22 199. WSU is without knowledge or information sufficient to admit or deny the
23 allegations in Paragraph 199, and therefore denies the same.

24 200. WSU is without knowledge or information sufficient to admit or deny the
25 allegations in Paragraph 200, and therefore denies the same.

26 201. WSU is without knowledge or information sufficient to admit or deny the
allegations in Paragraph 201, and therefore denies the same.

1 202. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 202, and therefore denies the same.

3 203. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 203, and therefore denies the same.

5 204. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 204, and therefore denies the same.

7 205. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 205, and therefore denies the same.

9 206. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 206, and therefore denies the same.

11 207. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 207, and therefore denies the same.

13 208. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 208, and therefore denies the same.

15 209. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 209, and therefore denies the same.

17 210. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 210, and therefore denies the same.

19 211. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 211, and therefore denies the same.

21 212. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 212, and therefore denies the same.

23 213. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 213, and therefore denies the same.

25 214. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 214, and therefore denies the same.

1 215. WSU admits in December 2021, Kohberger applied to WSU's Ph.D program in
2 Criminal Justice and Criminology. WSU denies each and every remaining allegation in
3 Paragraph 215.

4 216. WSU admits it admitted Kohberger into the Ph.D program in WSU's Criminal
5 Justice and Criminology Department. WSU denies each and every remaining allegation in
6 Paragraph 216.

7 217. WSU admits it offered Kohberger financial support that included a salary for
8 Kohberger's Teaching Assistant position, health insurance, and resident tuition waiver. WSU
9 denies each and every remaining allegation in Paragraph 217.

10 218. WSU is without knowledge or information sufficient to admit or deny the
11 allegations in Paragraph 218, and therefore denies the same.

12 219. WSU is without knowledge or information sufficient to admit or deny the
13 allegations in Paragraph 219, and therefore denies the same.

14 220. WSU is without knowledge or information sufficient to admit or deny the
15 allegations in Paragraph 220, and therefore denies the same.

16 221. WSU is without knowledge or information sufficient to admit or deny the
17 allegations in Paragraph 221, and therefore denies the same.

18 222. WSU is without knowledge or information sufficient to admit or deny the
19 allegations in Paragraph 222, and therefore denies the same.

20 223. WSU is without knowledge or information sufficient to admit or deny the
21 allegations in Paragraph 223, and therefore denies the same.

22 224. WSU is without knowledge or information sufficient to admit or deny the
23 allegations in Paragraph 224, and therefore denies the same.

24 225. WSU is without knowledge or information sufficient to admit or deny the
25 allegations in Paragraph 225, and therefore denies the same.
26

1 226. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 226, and therefore denies the same.

3 227. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 227, and therefore denies the same.

5 228. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 228, and therefore denies the same.

7 229. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 229, and therefore denies the same.

9 230. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 230, and therefore denies the same.

11 231. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 231, and therefore denies the same.

13 232. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 232, and therefore denies the same.

15 233. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 233, and therefore denies the same.

17 234. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 234, and therefore denies the same.

19 235. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 235, and therefore denies the same.

21 236. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 236, and therefore denies the same.

23 237. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 237, and therefore denies the same.

25 238. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 238, and therefore denies the same.

1 239. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 239, and therefore denies the same.

3 240. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 240, and therefore denies the same.

5 241. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 241, and therefore denies the same.

7 242. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 242, and therefore denies the same.

9 243. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 243, and therefore denies the same.

11 244. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 244, and therefore denies the same.

13 245. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 245, and therefore denies the same.

15 246. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 246, and therefore denies the same.

17 247. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 247, and therefore denies the same.

19 248. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 248, and therefore denies the same.

21 249. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 249, and therefore denies the same.

23 250. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 250, and therefore denies the same.

25 251. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 251, and therefore denies the same.

1 252. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 252, and therefore denies the same.

3 253. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 253, and therefore denies the same.

5 254. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 254, and therefore denies the same.

7 255. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 255, and therefore denies the same.

9 256. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 256, and therefore denies the same.

11 257. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 257, and therefore denies the same.

13 258. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 258, and therefore denies the same.

15 259. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 259, and therefore denies the same.

17 260. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 260, and therefore denies the same.

19 261. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 261, and therefore denies the same.

21 262. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 262, and therefore denies the same.

23 263. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 263, and therefore denies the same.

25 264. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 264, and therefore denies the same.

1 265. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 265, and therefore denies the same.

3 266. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 266, and therefore denies the same.

5 267. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 267, and therefore denies the same.

7 268. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 268, and therefore denies the same.

9 269. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 269, and therefore denies the same.

11 270. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 270, and therefore denies the same.

13 271. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 271, and therefore denies the same.

15 272. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 272, and therefore denies the same.

17 273. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 273, and therefore denies the same.

19 274. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 274, and therefore denies the same.

21 275. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 275, and therefore denies the same.

23 276. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 276, and therefore denies the same.

25 277. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 277, and therefore denies the same.

1 278. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 278, and therefore denies the same.

3 279. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 279, and therefore denies the same.

5 280. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 280, and therefore denies the same.

7 281. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 281, and therefore denies the same.

9 282. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 282, and therefore denies the same.

11 283. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 283, and therefore denies the same.

13 284. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 284, and therefore denies the same.

15 285. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 285, and therefore denies the same.

17 286. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 286, and therefore denies the same.

19 287. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 287, and therefore denies the same.

21 288. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 288, and therefore denies the same.

23 289. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 289, and therefore denies the same.

25 290. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 290, and therefore denies the same.

1 291. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 291, and therefore denies the same.

3 292. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 292, and therefore denies the same.

5 293. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 293, and therefore denies the same.

7 294. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 294, and therefore denies the same.

9 295. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 295, and therefore denies the same.

11 296. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 296, and therefore denies the same.

13 297. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 297, and therefore denies the same.

15 298. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 298, and therefore denies the same.

17 299. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 299, and therefore denies the same.

19 300. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 300, and therefore denies the same.

21 301. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 301, and therefore denies the same.

23 302. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 302, and therefore denies the same.

25 303. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 303, and therefore denies the same.

1 304. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 304, and therefore denies the same.

3 305. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 305, and therefore denies the same.

5 306. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 306, and therefore denies the same.

7 307. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 307, and therefore denies the same.

9 308. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 308, and therefore denies the same.

11 309. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 309, and therefore denies the same.

13 310. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 310, and therefore denies the same.

15 311. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 311, and therefore denies the same.

17 312. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 312, and therefore denies the same.

19 313. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 313, and therefore denies the same.

21 314. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 314, and therefore denies the same.

23 **e. Kohberger commits mass murder which was foreseeable to WSU –**
24 ***To the extent this heading calls for or requires an answer, WSU denies***

25 315. WSU admits Brian Kohberger murdered four University of Idaho students.
26 Except for that, WSU denies each and every remaining allegation in Paragraph 315.

1 316. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 316, and therefore denies the same.

3 317. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 317, and therefore denies the same.

5 318. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 318, and therefore denies the same.

7 319. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 319, and therefore denies the same.

9 320. WSU admits Brian Kohberger murdered four University of Idaho students.
10 Except for that, WSU denies each and every remaining allegation in Paragraph 320.

11 321. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 321, and therefore denies the same.

13 322. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 322, and therefore denies the same.

15 323. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 323, and therefore denies the same.

17 324. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 324, and therefore denies the same.

19 325. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 325, and therefore denies the same.

21 326. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 326, and therefore denies the same.

23 327. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 327, and therefore denies the same.

25 328. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 328, and therefore denies the same.

1 329. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 329, and therefore denies the same.

3 330. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 330, and therefore denies the same.

5 331. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 331, and therefore denies the same.

7 332. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 332, and therefore denies the same.

9 333. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 333, and therefore denies the same.

11 334. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 334, and therefore denies the same.

13 335. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 335, and therefore denies the same.

15 336. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 336, and therefore denies the same.

17 337. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 337, and therefore denies the same.

19 338. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 338, and therefore denies the same.

21 339. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 339, and therefore denies the same.

23 340. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 340, and therefore denies the same.

25 341. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 341, and therefore denies the same.

1 342. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 342, and therefore denies the same.

3 343. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 343, and therefore denies the same.

5 344. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 344, and therefore denies the same.

7 345. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 345, and therefore denies the same.

9 346. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 346, and therefore denies the same.

11 347. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 347, and therefore denies the same.

13 348. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 348, and therefore denies the same.

15 349. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 349, and therefore denies the same.

17 350. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 350, and therefore denies the same.

19 351. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 351, and therefore denies the same.

21 352. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 352, and therefore denies the same.

23 353. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 353, and therefore denies the same.

25 354. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 354, and therefore denies the same.

1 355. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 355, and therefore denies the same.

3 356. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 356, and therefore denies the same.

5 357. WSU is without knowledge or information sufficient to admit or deny the
6 allegations in Paragraph 357, and therefore denies the same.

7 358. WSU is without knowledge or information sufficient to admit or deny the
8 allegations in Paragraph 358, and therefore denies the same.

9 359. WSU is without knowledge or information sufficient to admit or deny the
10 allegations in Paragraph 359, and therefore denies the same.

11 360. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 360, and therefore denies the same.

13 361. WSU is without knowledge or information sufficient to admit or deny the
14 allegations in Paragraph 361, and therefore denies the same.

15 362. WSU is without knowledge or information sufficient to admit or deny the
16 allegations in Paragraph 362, and therefore denies the same.

17 363. WSU is without knowledge or information sufficient to admit or deny the
18 allegations in Paragraph 363, and therefore denies the same.

19 364. WSU is without knowledge or information sufficient to admit or deny the
20 allegations in Paragraph 364, and therefore denies the same.

21 365. WSU is without knowledge or information sufficient to admit or deny the
22 allegations in Paragraph 365, and therefore denies the same.

23 366. WSU is without knowledge or information sufficient to admit or deny the
24 allegations in Paragraph 366, and therefore denies the same.

25 367. WSU is without knowledge or information sufficient to admit or deny the
26 allegations in Paragraph 367, and therefore denies the same.

1 368. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 368, and therefore denies the same.

3
4 **V. LEGAL COUNTS**

5 **a. Count I – Violation of Title IX of the Education Amendments of 1972**
6 **(20 U.S.C. § 1681)**

7 369. WSU incorporates, by this reference, its responses to each and every preceding
8 paragraph.

9 370. The allegations contained in Paragraph 370 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 371. The allegations contained in Paragraph 371 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 372. The allegations contained in Paragraph 372 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 373. The allegations contained in Paragraph 373 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 374. The allegations contained in Paragraph 374 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 375. The allegations contained in Paragraph 375 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 376. The allegations contained in Paragraph 376 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 377. The allegations contained in Paragraph 377 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 378. The allegations contained in Paragraph 378 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 379. The allegations contained in Paragraph 379 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 380. The allegations contained in Paragraph 380 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 381. The allegations contained in Paragraph 381 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 382. The allegations contained in Paragraph 382 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same. he

9 383. The allegations contained in Paragraph 383 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 384. The allegations contained in Paragraph 384 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 385. The allegations contained in Paragraph 385 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 386. The allegations contained in Paragraph 386 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 387. The allegations contained in Paragraph 387 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 388. The allegations contained in Paragraph 388 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 389. The allegations contained in Paragraph 389 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 390. The allegations contained in Paragraph 390 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 391. The allegations contained in Paragraph 391 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 392. The allegations contained in Paragraph 392 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 393. The allegations contained in Paragraph 393 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 394. The allegations contained in Paragraph 394 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 395. The allegations contained in Paragraph 395 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 396. The allegations contained in Paragraph 396 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 397. The allegations contained in Paragraph 397 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 398. The allegations contained in Paragraph 398 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 399. The allegations contained in Paragraph 399 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 400. The allegations contained in Paragraph 400 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 401. The allegations contained in Paragraph 401 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 402. The allegations contained in Paragraph 402 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 403. The allegations contained in Paragraph 403 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 404. The allegations contained in Paragraph 404 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 405. The allegations contained in Paragraph 405 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 406. The allegations contained in Paragraph 406 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 407. The allegations contained in Paragraph 407 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 408. The allegations contained in Paragraph 408 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 409. The allegations contained in Paragraph 409 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 410. The allegations contained in Paragraph 410 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 411. The allegations contained in Paragraph 411 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 412. The allegations contained in Paragraph 412 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 413. The allegations contained in Paragraph 413 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 414. The allegations contained in Paragraph 414 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 415. The allegations contained in Paragraph 415 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 416. The allegations contained in Paragraph 416 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 417. The allegations contained in Paragraph 417 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 418. WSU is without knowledge or information sufficient to admit or deny the
2 allegations in Paragraph 418, and therefore denies the same.

3 419. WSU is without knowledge or information sufficient to admit or deny the
4 allegations in Paragraph 419, and therefore denies the same.

5 420. The allegations contained in Paragraph 420 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 421. The allegations contained in Paragraph 421 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 422. The allegations contained in Paragraph 422 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 423. WSU is without knowledge or information sufficient to admit or deny the
12 allegations in Paragraph 423, and therefore denies the same.

13 424. The allegations contained in Paragraph 424 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 425. The allegations contained in Paragraph 425 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 426. The allegations contained in Paragraph 426 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 427. The allegations contained in Paragraph 427 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 428. The allegations contained in Paragraph 428 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 429. The allegations contained in Paragraph 429 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 430. The allegations contained in Paragraph 430 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 431. The allegations contained in Paragraph 431 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 432. The allegations contained in Paragraph 432 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 433. The allegations contained in Paragraph 433 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 434. The allegations contained in Paragraph 434 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 435. The allegations contained in Paragraph 435 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 **b. Count II – Negligence**

12 436. WSU incorporates, by this reference, its responses to each and every preceding
13 paragraph.

14 437. The allegations contained in Paragraph 437 contain allegations or contentions of
15 law, which require no answer. To the extent and answer is required, WSU denies the same.

16 438. The allegations contained in Paragraph 438 contain allegations or contentions of
17 law, which require no answer. To the extent and answer is required, WSU denies the same.

18 439. The allegations contained in Paragraph 439 contain allegations or contentions of
19 law, which require no answer. To the extent and answer is required, WSU denies the same.

20 440. The allegations contained in Paragraph 440 contain allegations or contentions of
21 law, which require no answer. To the extent and answer is required, WSU denies the same.

22 441. The allegations contained in Paragraph 441 contain allegations or contentions of
23 law, which require no answer. To the extent and answer is required, WSU denies the same.

24 442. The allegations contained in Paragraph 442 contain allegations or contentions of
25 law, which require no answer. To the extent and answer is required, WSU denies the same.
26

1 443. The allegations contained in Paragraph 443 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 444. The allegations contained in Paragraph 444 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 445. The allegations contained in Paragraph 445 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 446. The allegations contained in Paragraph 446 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 447. The allegations contained in Paragraph 447 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 448. The allegations contained in Paragraph 448 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 449. The allegations contained in Paragraph 449 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 450. The allegations contained in Paragraph 450 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 451. The allegations contained in Paragraph 451 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 452. The allegations contained in Paragraph 452 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 453. The allegations contained in Paragraph 453 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 454. The allegations contained in Paragraph 454 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 455. The allegations contained in Paragraph 455 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 456. The allegations contained in Paragraph 456 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 457. The allegations contained in Paragraph 457 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 458. The allegations contained in Paragraph 458 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 459. The allegations contained in Paragraph 459 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 460. The allegations contained in Paragraph 460 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 461. The allegations contained in Paragraph 461 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 462. The allegations contained in Paragraph 462 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 463. The allegations contained in Paragraph 463 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 464. The allegations contained in Paragraph 464 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 465. The allegations contained in Paragraph 465 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 466. The allegations contained in Paragraph 466 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 467. The allegations contained in Paragraph 467 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.

25 468. The allegations contained in Paragraph 468 contain allegations or contentions of
26 law, which require no answer. To the extent and answer is required, WSU denies the same.

1 469. The allegations contained in Paragraph 469 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 470. The allegations contained in Paragraph 470 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 471. The allegations contained in Paragraph 471 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 472. The allegations contained in Paragraph 472 contain allegations or contentions of
8 law, which require no answer. To the extent and answer is required, WSU denies the same.

9 473. The allegations contained in Paragraph 473 contain allegations or contentions of
10 law, which require no answer. To the extent and answer is required, WSU denies the same.

11 474. The allegations contained in Paragraph 474 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 475. The allegations contained in Paragraph 475 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 a. The allegations contained in Paragraph 475(a) contain allegations or contentions
16 of law, which require no answer. To the extent and answer is required, WSU
17 denies the same.

18 b. The allegations contained in Paragraph 475(b) contain allegations or contentions
19 of law, which require no answer. To the extent and answer is required, WSU
20 denies the same.

21 c. The allegations contained in Paragraph 475(c) contain allegations or contentions
22 of law, which require no answer. To the extent and answer is required, WSU
23 denies the same.

24 d. The allegations contained in Paragraph 475(d) contain allegations or contentions
25 of law, which require no answer. To the extent and answer is required, WSU
26 denies the same.

- 1 e. The allegations contained in Paragraph 475(e) contain allegations or contentions
2 of law, which require no answer. To the extent and answer is required, WSU
3 denies the same.
- 4 f. The allegations contained in Paragraph 475(f) contain allegations or contentions
5 of law, which require no answer. To the extent and answer is required, WSU
6 denies the same.
- 7 g. The allegations contained in Paragraph 475(g) contain allegations or contentions
8 of law, which require no answer. To the extent and answer is required, WSU
9 denies the same.
- 10 h. The allegations contained in Paragraph 475(h) contain allegations or contentions
11 of law, which require no answer. To the extent and answer is required, WSU
12 denies the same.
- 13 i. The allegations contained in Paragraph 475(i) contain allegations or contentions
14 of law, which require no answer. To the extent and answer is required, WSU
15 denies the same.
- 16 j. The allegations contained in Paragraph 475(j) contain allegations or contentions
17 of law, which require no answer. To the extent and answer is required, WSU
18 denies the same.
- 19 k. The allegations contained in Paragraph 475(k) contain allegations or contentions
20 of law, which require no answer. To the extent and answer is required, WSU
21 denies the same.
- 22 l. The allegations contained in Paragraph 475(l) contain allegations or contentions
23 of law, which require no answer. To the extent and answer is required, WSU
24 denies the same.
25
26

1 m. The allegations contained in Paragraph 475(m) contain allegations or contentions
2 of law, which require no answer. To the extent and answer is required, WSU
3 denies the same.

4 n. The allegations contained in Paragraph 475(n) contain allegations or contentions
5 of law, which require no answer. To the extent and answer is required, WSU
6 denies the same.

7 o. The allegations contained in Paragraph 475(o) contain allegations or contentions
8 of law, which require no answer. To the extent and answer is required, WSU
9 denies the same.

10 p. The allegations contained in Paragraph 475(p) contain allegations or contentions
11 of law, which require no answer. To the extent and answer is required, WSU
12 denies the same.

13 q. The allegations contained in Paragraph 475(q) contain allegations or contentions
14 of law, which require no answer. To the extent and answer is required, WSU
15 denies the same.

16 r. The allegations contained in Paragraph 475(r) contain allegations or contentions
17 of law, which require no answer. To the extent and answer is required, WSU
18 denies the same.

19 476. The allegations contained in Paragraph 476 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 477. The allegations contained in Paragraph 477 contain allegations or contentions of
22 law, which require no answer. To the extent and answer is required, WSU denies the same.

23 478. The allegations contained in Paragraph 478 contain allegations or contentions of
24 law, which require no answer. To the extent and answer is required, WSU denies the same.
25
26

1 **c. Count III – Gross Negligence**

2 479. WSU incorporates, by this reference, its responses to each and every preceding
3 paragraph.

4 480. The allegations contained in Paragraph 480 contain allegations or contentions of
5 law, which require no answer. To the extent and answer is required, WSU denies the same.

6 481. The allegations contained in Paragraph 481 contain allegations or contentions of
7 law, which require no answer. To the extent and answer is required, WSU denies the same.

8 **d. Count IV - Outrage**

9 482. WSU incorporates, by this reference, its responses to each and every preceding
10 paragraph.

11 483. The allegations contained in Paragraph 483 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 484. The allegations contained in Paragraph 484 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 485. The allegations contained in Paragraph 485 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 **e. Survival Claim (Kaylee Goncalves)**

18 486. The allegations contained in Paragraph 486 contain allegations or contentions of
19 law, which require no answer. To the extent and answer is required, WSU denies the same.

20 487. The allegations contained in Paragraph 487 contain allegations or contentions of
21 law, which require no answer. To the extent and answer is required, WSU denies the same.

22 488. The allegations contained in Paragraph 488 contain allegations or contentions of
23 law, which require no answer. To the extent and answer is required, WSU denies the same.

24 489. The allegations contained in Paragraph 489 contain allegations or contentions of
25 law, which require no answer. To the extent and answer is required, WSU denies the same.
26

1 490. The allegations contained in Paragraph 490 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 **f. Wrongful Death Claim (Kaylee Goncalves)**

4 491. The allegations contained in Paragraph 491 contain allegations or contentions of
5 law, which require no answer. To the extent and answer is required, WSU denies the same.

6 492. The allegations contained in Paragraph 492 contain allegations or contentions of
7 law, which require no answer. To the extent and answer is required, WSU denies the same.

8 493. The allegations contained in Paragraph 493 contain allegations or contentions of
9 law, which require no answer. To the extent and answer is required, WSU denies the same.

10 **g. Survival Claim (Madison Mogen)**

11 494. The allegations contained in Paragraph 494 contain allegations or contentions of
12 law, which require no answer. To the extent and answer is required, WSU denies the same.

13 495. The allegations contained in Paragraph 495 contain allegations or contentions of
14 law, which require no answer. To the extent and answer is required, WSU denies the same.

15 496. The allegations contained in Paragraph 496 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 497. The allegations contained in Paragraph 497 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 498. The allegations contained in Paragraph 498 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 **h. Wrongful Death Claim (Madison Mogen)**

22 499. The allegations contained in Paragraph 499 contain allegations or contentions of
23 law, which require no answer. To the extent and answer is required, WSU denies the same.

24 500. The allegations contained in Paragraph 500 contain allegations or contentions of
25 law, which require no answer. To the extent and answer is required, WSU denies the same.
26

1 501. The allegations contained in Paragraph 501 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 **i. Survival Claim (Xana Kernodle)**

4 502. The allegations contained in Paragraph 502 contain allegations or contentions of
5 law, which require no answer. To the extent and answer is required, WSU denies the same.

6 503. The allegations contained in Paragraph 503 contain allegations or contentions of
7 law, which require no answer. To the extent and answer is required, WSU denies the same.

8 504. The allegations contained in Paragraph 504 contain allegations or contentions of
9 law, which require no answer. To the extent and answer is required, WSU denies the same.

10 505. The allegations contained in Paragraph 505 contain allegations or contentions of
11 law, which require no answer. To the extent and answer is required, WSU denies the same.

12 506. The allegations contained in Paragraph 506 contain allegations or contentions of
13 law, which require no answer. To the extent and answer is required, WSU denies the same.

14 **j. Wrongful Death Claim (Xana Kernodle)**

15 507. The allegations contained in Paragraph 507 contain allegations or contentions of
16 law, which require no answer. To the extent and answer is required, WSU denies the same.

17 508. The allegations contained in Paragraph 508 contain allegations or contentions of
18 law, which require no answer. To the extent and answer is required, WSU denies the same.

19 509. The allegations contained in Paragraph 509 contain allegations or contentions of
20 law, which require no answer. To the extent and answer is required, WSU denies the same.

21 **k. Survival Claim (Ethan Chapin)**

22 510. The allegations contained in Paragraph 510 contain allegations or contentions of
23 law, which require no answer. To the extent and answer is required, WSU denies the same.

24 511. The allegations contained in Paragraph 511 contain allegations or contentions of
25 law, which require no answer. To the extent and answer is required, WSU denies the same.
26

1 512. The allegations contained in Paragraph 512 contain allegations or contentions of
2 law, which require no answer. To the extent and answer is required, WSU denies the same.

3 513. The allegations contained in Paragraph 513 contain allegations or contentions of
4 law, which require no answer. To the extent and answer is required, WSU denies the same.

5 514. The allegations contained in Paragraph 514 contain allegations or contentions of
6 law, which require no answer. To the extent and answer is required, WSU denies the same.

7 **I. Wrongful Death Claim (Ethan Chapin)**

8 515. The allegations contained in Paragraph 515 contain allegations or contentions of
9 law, which require no answer. To the extent and answer is required, WSU denies the same.

10 516. The allegations contained in Paragraph 516 contain allegations or contentions of
11 law, which require no answer. To the extent and answer is required, WSU denies the same.

12 517. The allegations contained in Paragraph 517 contain allegations or contentions of
13 law, which require no answer. To the extent and answer is required, WSU denies the same.

14 **VI. RESERVATION OF RIGHTS**

15 518. Paragraph 518 contains a reservation of rights not requiring a response. In the
16 Event a response is deemed required, WSU denies the same.

17 **VII. [PLAINTIFFS'] PRAYER FOR RELIEF**

18 Defendant WSU denies Plaintiffs are entitled to any relief requests, including
19 subparagraphs (a) – (h) inclusive.

20 **VIII. DEMAND FOR JURY TRIAL**

21 Section VIII, Jury Demand, contains allegations or contentions of law to which no answer
22 is required.
23
24
25
26

1 **IX. ALLEGATIONS NOT EXPRESSLY ADMITTED ARE DENIED**

2 Multiple allegations were embedded in most of the paragraphs to Plaintiffs' Complaint
3 for Damages, and, indeed, in many of the individual sentences in the paragraphs. While WSU
4 made every effort to address each allegation, WSU is aware it may be possible to interpret that
5 a particular allegation was neither admitted nor denied in this Answer. Accordingly, in addition
6 to the admissions and denials stated herein, WSU denies any allegations in Plaintiffs' Complaint
7 for Damages that has not been expressly admitted to denied.

8 **X. AFFIRMATIVE DEFENSES**

9 1. By way of FURTHER ANSWER and FIRST AFFIRMATIVE DEFENSE,
10 Defendant alleges that Plaintiffs' damages and/or injuries, if any, were caused by the fault of a
11 nonparty for purposes of RCW 4.22.070(1) including, but not limited to, Brian Kohberger,
12 and/or other individuals/entities that may become apparent through ongoing investigation and
13 discovery. Defendant reserves the right to identify additional individuals/entities in this matter.

14 2. By way of FURTHER ANSWER and SECOND AFFIRMATIVE DEFENSE,
15 Defendant alleges that Plaintiffs' injuries/damages, if any, were caused by intentional conduct
16 of, Brian Kohberger, and any other individuals Plaintiffs harm them. Defendant reserves the
17 right to identify additional individual/entities in this matter. The damages caused by the
18 intentional conduct must be segregated from injuries/damages allegedly caused by fault,
19 consistent with *Tegman v. Accident and Medical Investigations, Inc.*, 150 Wn.2d 102, 75 P.3d
20 497 (2003).

21 3. By way of FURTHER ANSWER and THIRD AFFIRMATIVE DEFENSE,
22 Defendant alleges that all actions of the defendant, WSU, herein alleged as negligence, manifest
23 a reasonable exercise of judgment and discretion by authorized public officials made in the
24 exercise of governmental authority entrusted to them by law and are neither tortious nor
25 actionable.

1 4. By way of FURTHER ANSWER and FOURTH AFFIRMATIVE DEFENSE,
2 Defendant alleges that the Plaintiffs have failed to state a claim upon which relief may be
3 granted.

4 5. By way of FURTHER ANSWER and FIFTH AFFIRMATIVE DEFENSE, the
5 Defendant alleges that the injuries and/or damages being claimed were proximately caused by
6 the fault of a party or former party to this case for whom the defendant is not responsible.

7 6. By way of FURTHER ANSWER and SIXTH AFFIRMATIVE DEFENSE,
8 Defendant alleges that the defendant at all times acted in good faith in the performance of its
9 duties and is therefore immune from suit for the matters charged in Plaintiff's complaint.

10 7. By way of FURTHER ANSWER and SEVENTH AFFIRMATIVE DEFENSE,
11 Defendant alleges that the plaintiff has failed to adequately mitigate damages, if any.

12 8. By way of FURTHER ANSWER and EIGHTH AFFIRMATIVE DEFENSE, the
13 Defendant alleges that the Plaintiffs have failed to file a claim against the State of Washington
14 as required by RCW 4.92.100 and .110.

15 9. By way of FURTHER ANSWER and NINTH AFFIRMATIVE DEFENSE,
16 Defendant alleges that Plaintiff's claims are barred by the statute of limitations.

17 **XI. RESERVATION OF RIGHTS**

18 Defendant WSU reserves the right to amend its Answer to Plaintiff's Complaint for
19 Damages by way of adding additional affirmative defenses and counterclaims, as may be
20 warranted by discovery.

21 **XII. PRAYER FOR RELIEF**

22
23 WHEREFORE, having fully answered Plaintiffs' Complaint for Damages, Defendant
24 WSU prays for judgment as follows:

- 25 1. For judgment against Plaintiffs, dismissing Plaintiffs' claims with prejudice;
26

PROOF OF SERVICE

I declare that on this 11th day of February 2026, I caused a copy of this document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiff

Jonathan P. Kieffer, (pro hac vice)
Jack T. Hyde, (pro hac vice)
Lindsey N. Scarcello (pro hac vice)
WAGSTAFF & CARTMELL, LLP
4740 Grand Avenue, Suite 300
Kansas City, MO 64112
jkieffer@wcllp.com
jhyde@wcllp.com
lscarcello@wcllp.com

Thomas B. Vertetis, WSBA #29805
Christopher E. Love, WSBA #42832
William T. McClure, WSBA #54622
PFAU COCHRAN VERTETIS AMALA, PLLC
909 A Street, Suite 700
Tacoma, WA 98402
tom@pcvalaw.com
chris@pcvalaw.com
wmcclure@pcvalaw.com

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 11th day of February, 2026, at Olympia, Washington.

s/Jordyn Jones

JORDYN JONES, WSBA No. 52648
CONNOR CALLAHAN, WSBA No. 54099