

Miami Lawyer Who Helped Write Hazing Law Sues in Florida State Student's Death

by Samantha Joseph

Veteran trial lawyer David Bianchi participated in drafting Florida legislation to criminalize hazing — strenuous and often humiliating initiation rituals.

As prosecutors use that law to bring charges against fraternity members allegedly linked to the Nov. 3 death of Florida State University fraternity pledge Andrew Coffey, Bianchi is gearing up for a civil lawsuit by Coffey's parents.

“All of this is coming together at the same time,” said Bianchi, who is handling the litigation with Michael Levine, a fellow partner at Stewart Tilghman Fox Bianchi & Cain.

Bianchi said he draws inspiration from a quote, immortalized on a plaque in his Miami office, by retired Leon Circuit Judge Kathleen Dekker.



J. ALBERT DIAZ

Stewart Tilghman Fox Bianchi & Cain attorneys Michael Levine and David W. Bianchi filed the lawsuit on behalf of the parents of Andrew Coffey, who died of alcohol poisoning at an off-campus fraternity party.

“I want to save the victims who will quietly go along because they want to belong,” reads the statement attributed to Dekker. “I want schools to be furious and mad and upset that they can lose talent to this, and come down hard on hazing.”

The words helped Bianchi push through on a 41-page com-

plaint naming 15 defendants in a civil lawsuit over Coffey's death. The quotation was part of the judge's comments at the sentencing of Michael Morton and Jason Harris, two fraternity members sentenced to prison under the Chad Meredith Act — Florida's anti-hazing law named for a 18-year-old University of Miami student who drowned on



Andrew Coffey

campus in 2001 after a night of heavy drinking.

Bianchi represented Meredith's parents and won a \$14 million verdict — the largest at that time in the country for a fraternity hazing death. He'd also helped draft the 2005 Florida law named for Meredith to make hazing a third-degree felony if it results in serious injury or death.

That law resulted in a two-year prison sentence for Morton and Harris and allowed prosecutors to bring criminal charges against nine fraternity members allegedly linked to Coffey's death at an off-campus party.

The plaintiffs in Bianchi's civil litigation are Coffey's parents, Lighthouse Point residents Thomas and Sandra Coffey, suing as personal representatives of their son's estate. They seek compensation for their mental pain and suffering, and medical and funeral costs, among other damages.

The civil suit names all nine defendants in the criminal case: Conner R. Ravelo, Anthony Petagine, Luke E. Kluttz, Kyle J. Bauer, Brett A. Birmingham, Clayton M. Muehlstein, Anthony J. Oppenheimer, Christopher M. Hamlin and John B. Ray. It adds fraternity adviser D. Craig Filar, and Richard Guile and Thomas Rohrlack, who rented the house where Coffey died. It also names Pi Kappa Phi Fraternity Inc., Beta Eta Real Estate Inc. and Beta Eta House Corp. Inc. of Tallahassee Florida as defendants. It does not include FSU because Bianchi said the school was not responsible for the events leading to Coffey's death from acute alcohol poisoning.

On the night he died, Coffey, 20, was participating in the

fraternity's annual Big Brother Night, which assigned recruits or pledges to fraternity "big brothers." Bianchi said the group held the event off campus to avoid university scrutiny, then members served bottles of alcohol to pledges.

"There is tremendous pressure put on these pledges to drink the entire contents of whatever they're given," Bianchi said, invoking Dekker's comment. "As a result, Andrew Coffey drank the entire bottle."

The autopsy report showed Coffey's blood-alcohol level was about seven times the legal limit for driving in Florida.

No attorney had entered an appearance for the defendants in the civil suit, and Pi Kappa Phi spokesman Todd Shelton declined to comment on the pending litigation.

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