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[Judge orders fraternity to pay \\$16.2 million to parents of pledge who died](#)

By [Tony Plohetski](#) | Thursday, October 23, 2008, 01:46 PM

A state district judge has ordered the national and University of Texas chapters of a fraternity to pay \$16.2 million to the parents of a freshman pledge who fell to his death two years ago after authorities said he was subjected to hazing.

The Sigma Alpha Epsilon fraternity must pay each of the parents of Marietta, Ga., native Tyler Cross \$2.5 million for mental anguish and nearly \$81,000 for funeral expenses, among other costs, according to an order by Judge John Dietz.

Dietz issued the order Wednesday afternoon after the national and local SAE chapters failed to respond to a lawsuit, said attorney Robby Alden, who is representing the Cross family. State law allows the chapters to seek a new trial, which would be granted if their representatives explain why they didn't respond to the suit and can present a defense to the allegations.

A civil case against the organization's alumni board and housing corporation is pending.

"This is just a terrible tragedy," Alden said. "They want to make sure this never happens again."

Alden said the family had sought to possibly mediate and settle the case out of court, but got no response. He said doing so would also might have allowed the family to ask questions about the days and hours before their son's death.

Authorities launched an investigation into the fraternity after Cross fell from his fifth-floor balcony of an off-campus dormitory in November 2006.

Investigators have said that the night before his body was discovered, he and other pledges were given half-gallon liquor bottles to drink. An autopsy report said Cross had a blood alcohol level of more than twice the legal limit for driving in Texas.

Earlier this year, two former SAE pledge trainers pleaded no contest to hazing and furnishing alcohol to minors and were each sentenced to four days in jail and two years of deferred adjudication, a form of probation.

The former president of Sigma Alpha Epsilon's UT chapter also pleaded no contest to the charges and received one year of deferred adjudication, while a fourth member pleaded no contest to failure to report hazing and also received one year of deferred adjudication.

SAE officials could not immediately be reached for comment this afternoon.