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## Breen family files lawsuit

By **ROLANDO GARCIA**  
 & **BRANDIE LIFFICK**  
 THE BATTALION

The family of Christopher Breen, one of the 12 Aggies killed in the 1999 Aggie Bonfire collapse, sued Texas A&M and five top administrators Wednesday, including A&M President Dr. Ray M. Bowen.

Filed in a U.S. District Court in Galveston, the suit alleges the University and the named administrators violated Breen's constitutional rights by encouraging participation in an activity they knew was dangerous and by refusing to correct safety problems associated with Bonfire.

The other defendants are Vice President for Student Affairs Dr. J. Malon Southerland, Associate Vice President for Student Affairs Dr. Bill Kibler, Rusty Thompson, the Bonfire advisor and John Koldus, who was vice president for student affairs from 1973 to 1993.

Steve DeWolf, the Breen family's attorney, said the family never has asked for financial compensation from the University. The Breen family took legal action only as a last resort because A&M officials refused to meet with them until after the two-year window to file a lawsuit expires Nov. 18, DeWolf said.

"All the family wanted was for someone to step up to the plate and take responsibility," DeWolf said. "It would be much

easier to let it go, but this is about honor and dignity."

The lawsuit asks for actual and punitive damages.

University spokesperson Cynthia Lawson declined to comment.

The Bonfire stack collapsed Nov. 18, 1999, killing 11 students and Breen, a former student, and injuring 27

students for the accident, DeWolf said.

The Breen family's lawsuit cites numerous internal documents and memorandums that argue that A&M administrators were aware for some time of Bonfire's hazards and did nothing to eliminate the safety risks.

DeWolf said Koldus named as a defendant because when Bonfire was moved to Polo Fields in 1992, Koldus knew the field's slope posed a safety hazard but recommended against leveling the ground. The years leading up to the accident, there were several warnings, including the 1994 collapse of the Bonfire stack. Administrators chose to ignore the lawsuit claimed. Koldus was injured in the 1994 collapse, and the stack was repaired and burned.

The special commission tasked by A&M to investigate the 1999 collapse concluded last May that the root cause of the accident was a "tunnel vision" approach to decision making by A&M administrators, in which they disregarded safety concerns and allowed untrained students without any professional supervision.

DeWolf said the Breen family was forced to file in Galveston because a federal court's docket there is not as clogged as others in Texas and the case would receive a more timely prompt attention.

A jury trial will probably begin in 12 to 18 months, he said.

**"It's the administrators, not the students, that should be held accountable, but all the University did was blame the students."**

— Steve DeWolf  
 Breen family attorney

others. Breen, 25, was a member of the Corps of Cadets from 1992 to 1996 and graduated in Dec. 1997.

DeWolf said the Breen family did not join the lawsuit filed in March by the family of Jerry Don Self, one of the Bonfire victims, because they did not want to include students as defendants. The Self case has not yet come to trial.

"It's the administrators, not the students, that should be held accountable, but all the University did was blame the

### LAWSUIT

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actions that caused the collapse, such as "wedging" upper tier logs into gaps in the tier below, failing to wrap a steel cable around the stack.

The special commission tasked by A&M to investigate the 1999 collapse concluded the cause of the accident was a "tunnel vision" approach to decision making by A&M administrators in which they disregarded safety concerns and allowed a complex structure to be built by untrained students without any professional supervision.

Borchardt said the Powells were reluctant to sue, but felt that A&M administrators should take responsibility and wanted to ensure that Bonfire continues, it is done safely.

"They lost a son they loved dearly, and that loss will be with them for the rest of their lives," Borchardt said.

He added that the Powells have never sought financial compensation from the University, but did they attempt to meet with A&M officials to resolve the matter before filing the lawsuit.

The families of Christopher Breen and Jerry Don Self, two other Aggies killed in the collapse, have also filed lawsuits against the University's top administrators.

# Worship Directory

**Assembly of God**

**Bethel Temple Assembly of God**  
 2608 Villa Maria,  
 Bryan  
 776-4835  
 Sunday Worship 10:15, 6:00 pm  
 Sunday School 9:00  
 www.startel.net/bethel

**Baptist**

**Fellowship Free Will Baptist Church**  
**College & Career Class**  
 You are invited to a Bible study especially for students.  
 Sunday mornings at 9:45  
 1228 W. Villa Maria  
 779-2297  
 For more information contact  
 Marcus Brewer: 731-1890  
 m-brewer@tamu.edu  
 http://www.fellowshipfbv.org

**Catholic**

**St. Mary's Catholic Center**  
 603 Church Avenue in Northgate  
 (979) 846-5717  
 www.aggiecatholic.org  
**Pastoral Team**  
 Rev. Michael J. Sis, Pastor  
 Rev. Keith Koehl, Associate Pastor  
 Campus Ministers - Deacon Bill Scott, Deacon David Reed, Martha Tonn, Maureen Murray, Dawn Rouen  
**Daily Masses**  
 Mon.-Fri.: 5:30 p.m. in the Church  
 Tues. & Thurs.: 12:05 noon in the All Faiths' Chapel  
 Sat.: 10:30 a.m. (Korean)  
**Weekend Masses**  
 Sat.: 5:30 p.m. (English), 7:00 p.m. (Spanish)  
 Sun.: 9:00, 11:00 a.m., 5:30 p.m., and 7:00 p.m.  
**Confessions**  
 Wed. 8:30-9:30 p.m., Sat. 4:00-5:15 p.m. or by appointment.

**Church of Christ**

**A&M Church of Christ**  
 1901 Harvey Mitchell Pkwy.  
 (979) 693-0400  
**Sunday Assemblies:**  
 8 a.m., 10:30 a.m., Sunday Night: 6 p.m.  
**College Bible Class 9:30 a.m.**  
**Mid-Week "Oasis" 7:30 p.m.**

**Aggies for Christ**  
 Call for on-campus pick-up info

**Episcopal**

**St. Thomas Episcopal**  
 906 George Bush Dr. • College Station, TX  
 696-1726  
 Summer services - 8:00 and 10:00 a.m.  
 7:30 p.m. Evensong  
 Next door to Canterbury House,  
 the Episcopal Student Center.

**Non-Denominational**

**COMMUNITY CHURCH**

**Sundays 10:00am @The Hilton**  
**Small Groups meet weekly**  
 260-1163  
 WWW.COMCHURCH.COM

**Pentecostal**

**Cornerstone Church**  
 • Mid Week Small Group Meetings  
 • Sunday Service at 4:30pm on George Bush, just across from campus at the College Station Conference Center.  
 485-8744

**Presbyterian**

**Covenant Presbyterian Church**  
 "A welcoming community of faith who reaches out, cares for one another & proclaims the love of Jesus Christ to all"  
 220 Rock Prairie Road  
 (979) 694-7700  
 G. Thomas Huser  
 Minister  
 Sunday Service: 8:30 & 11 a.m.  
 Sunday School: 9:45 a.m.  
 Aggie Classes: 9:45  
 Prayer & Praise on Tuesdays: 7:30  
 fax: (979) 696-4334  
 www.covenantpresbyterian.org

**FIRST PRESBYTERIAN CHURCH**

Helping Aggies grow in faith

**New Fall Hours:**  
 Worship 8:30, 11:00 a.m.  
 Church School 9:30  
 Fellowship on the Patio 10:30  
 1100 Carter Creek Parkway  
 www.fpcbryan.org

**United Methodist**

**A&M United Methodist**  
 417 University Dr. (on Northgate) • 846-8731  
 Church at 8:30, 9:45, 10:50  
 College Sunday School 9:30 & 10:45  
 Sr. Pastor Dr. Jerry Neff  
 am-umc.org

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