January 2026 Vol. 192

FRATERNAL LAW™

A Fraternity Law Periodical Published by Fraternal Partners, a Division of Manley Burke, a Legal Professional Association

Alpha Sigma Phi Announces Intent to Pursue Civil Damages in Rutgers Hazing Case

Timothy M. Burke, Fraternal Law Partners, tburke@manleyburke.com

On January 12, 2026, Alpha Sigma Phi issued the following press release announcing actions it was prepared to take against some of its former undergraduate members implicated in a hazing incident that caused significant injury to another student at Rutgers University during the Fall 2025 semester.

> (CARMEL, IN) – Alpha Sigma Phi, one of the largest men's collegiate fraternities with more than 80,000 living lifetime members, announced today that it will seek civil damages from its former undergraduate members at Rutgers University due to their involvement in a hazing event during the Fall 2025 semester. Gordy Heminger, president and CEO, announced this historic legal action today, saying:
>
> > *"The October 2025 hazing incident at Rutgers was a betrayal of our values and the antithesis of brotherhood. That's why we immediately closed the chapter, recommended these students be evicted from the fraternity house and have fully cooperated with both the criminal and university investigations.*
> >
> > *"Now we're going further. Alpha Sigma Phi has retained counsel and intends to pursue civil damages against every individual directly or indirectly involved in this heinous act. This represents one of the most significant legal actions taken by a national fraternity because the members of the former chapter deliberately violated our guidelines on hazing and amnesty reporting, despite receiving training less than a month prior. Because these men agreed to abide by our organization's rules and failed to do so, they must be held to account by all means available.*
> >
> > *"Brotherhood is both a sacred honor and a solemn responsibility. We are called to protect one another and uphold our values, and those who fail to adhere to safety standards directly violate the contractual terms of membership in our organization. In this case and others like it, Alpha Sigma Phi reserves the right to seek civil remedies to the damage such recklessness inflicts upon our Fraternity, our members and our broader communities.*

> *"We continue praying for the victim's full recovery and have absolute faith that the criminal justice system and Rutgers University conduct process will deliver total accountability for those responsible."*

The announcement quickly gained traction in higher education media. The following morning, it led *The Chronicle of Higher Education'*s daily email briefing, linking to a full story headlined, "*Why a Fraternity Wants Students to Pay Up for an Alleged Hazing Incident*" by reporter Kate Hidalgo Bellows.[1] The Chronicle article noted that another fraternity, Pi Kappa Alpha, had similarly announced in 2024 that it would pursue civil litigation against members of its University of Virginia chapter for hazing violations.

Doug Fierberg, an attorney noted for his lawsuits on behalf of individuals injured or even killed in hazing incidents, interpreted Alpha Sigma Phi's strategy as the Fraternity saying, "we're likely to get sued in the coming months or year by the family claiming that we did something wrong, when all the wrong was committed by you."[2] The article also reported that Rutgers, where the incident occurred, acknowledged that the local county prosecutor's office was leading an investigation while the university was conducting its own student conduct review.

---

[1] Kate Hidalgo Bellows, *Why a Fraternity Wants Students to Pay Up for an Alleged Hazing Incident*, CHRON. OF HIGHER EDUC. (Jan. 12, 2026).
[2] *Id.*

Indiana University Imposes—and Later Partially Lifts—System-Wide Suspension on Fraternities after Alleged Hazing Incidents

Megan Suckow,[1] Fraternal Law Partners, megan.suckow@manleyburke.com

In November 2025, rather than target only those individual chapters accused of any sort of wrongdoing, Indiana University ("IU") imposed broad, system-wide restrictions on all twenty-seven (27) fraternities recognized by its Interfraternity Council ("IFC"). The directive, according to IU, came in response to a cluster of hazing incidents that resulted in injuries and hospitalizations.[1]

Prior to the system-wide restriction, IU had responded to specific hazing allegations and other misconduct by issuing cease-and-desist directives to several individual chapters (and the Palestine Solidarity Committee), as is common to allow the school to investigate reported allegations.[2] Additionally, IU placed some organizations under full suspension or extended disciplinary probation due to broader conduct concerns prior to the system-wide suspension, setting the stage for IU's more decisive response when multiple incidents surfaced in short succession.[3]

In a letter to the IU IFC, Vice Chancellor for Student Life, Lamar Hylton, explained that ongoing hazing reports presented an unacceptably high risk, necessitating the curtailment of group activities.[4] Under the suspension, IU prohibited fraternities from holding social events, including

---

[1] Megan is a second-year law student at the University of Cincinnati and is a law clerk at Manley Burke.

[1] Gabriella Morando, *Growing Number of IU Frats in Trouble, Advocate Issues Warning Against Hazing*, FOX59 (Jan. 8, 2026, 11:49AM).

[2] *Id*.

[3] Andrew Miller, *IU Fraternities in Good Standing Allowed to Resume Normal Activities After Ban*, IDS (Nov. 30, 2025, 5:28PM).

[4] Natalia Nelson, *'The Risk is Too High': IU Suspends Events For Fraternities Following Alleged Hazing*, IDS (Nov. 16, 2025, 3:25PM).

those involving alcohol; tailgates and high-profile performances; philanthropy events; new-member education and related functions; and group brotherhood activities.[5]

At the same time, IU *did* allow certain organizational operations to continue in limited form. Specifically, fraternity members could still gather informally in small groups as individuals, hold standards or governance meetings, and participate in community service or intramural sports.[6]

IU partially lifted the broad restrictions on December 1, 2025, for fraternities in good standing and not under active investigation, thereby reducing the scope of the system-wide suspension while leaving ongoing chapter-level sanctions in place.[7] The Foundation for Individual Rights and Expression (FIRE) responded to the decision by stating, IU "did the right thing in removing the restrictions on fraternities in good standing, but doing the right thing now does not excuse the university, which infringed the rights of groups and students. IU cannot sanction groups without actual evidence of wrongdoing."[8]

A useful comparison is the University of Maryland's ("UMD") system-wide suspension in March 2024, which quickly became a high-profile legal battleground for fraternity rights.[9] Like IU, UMD claimed its directive was necessary to respond to serious hazing and safety concerns involving multiple chapters, but it imposed even broader restrictions than did IU's directive. For example, UMD's system-wide suspension temporarily banned all new-member and alcohol-related activities for thirty-seven (37) IFC and Panhellenic Association chapters, going so far as to prohibit all communication between active members and new or prospective members, which

---

[5] Taj Simmons & Marguerite Incardone, *All IU Fraternities Barred From Hosting Social Events*, WRTV INDIANAPOLIS (Nov. 18, 2025, 6:43PM).
[6] Nelson, *supra* note 4.
[7] Miller, *supra* note 3.
[8] Cate Charron, *IU Lifts Fraternity Event Ban. National Org Says It Has Free Speech Concerns*, INDIANAPOLIS STAR (Nov. 26, 2025, 10:29AM).
[9] *See* Ilana L. Linder, *What Happened in Maryland Must Stay in Maryland*, 185 FRATERNAL L. 1, 4 (March 2024).

effectively prevented member interaction regardless of content.[10] But unlike UMD's more extreme directive—which warranted immediate legal action by fraternal organizations due to its sweeping no-contact rule—IU's restrictions were more tailored, as they allowed limited non-hazardous functions and did not prohibit communication wholesale among members. Nonetheless, IU's actions serve as an important reminder that these sorts of directives remain significant concerns for the Greek community.

For fraternity and sorority leaders, the IU situation reminds us of how safety incidents across multiple chapters can trigger institution-wide scrutiny, the ways universities frame system-wide suspension measures as preventative rather than punitive, and the legal and constitutional debates surrounding association and speech rights in the context of Greek life governance. Understanding these dynamics equips Greek leaders to navigate crises, advocate for fair processes, and work proactively with administrators while protecting student welfare and organizational integrity.

[10] *Id.* at 2.

Federal Court Issues Injunction in OSU Disenrollment Case Over Social Media Posts

Timothy M. Burke, Fraternal Law Partners, tburke@manleyburke.com

On January 14, 2026, Federal District Judge A. Edmond Sargus[1] issued a Preliminary Injunction ordering Ohio State University (OSU) to expunge any mention of involuntary disenrollment from Plaintiff Guy Christensen's academic transcript and enjoin the university from making any equivalent representations through academic records or other means.[2]

Christensen, a "political activist and social media influencer," has more than three million followers on the social media platform TikTok. During the 2025 summer break (after leaving campus in late April), Christensen had posted two videos, which drew OSU's attention. Both contain what the Court described as polarizing language related to the Israeli-Palestine conflict. At the time of the lawsuit, Christensen was attending another university and planning an international transfer, requiring a clean OSU transcript.

OSU took quick action, claiming in a letter to Christensen dated May 25, 2025, that "there is reasonable cause to believe your presence on university premises or at any university-related or registered student organization activity poses a significant risk of substantial harm to the safety or security of yourself, others, or to the property." That communication temporarily and immediately suspended Christensen from campus. A second letter advised Christensen to set up a meeting with the Director of Student Conduct, which was ultimately scheduled to be held by video conference on June 5, 2025. Before that meeting could take place, Christensen received yet another letter from the University dated May 30, 2025, stating that he had been "disenrolled from the university." The

[1] Judge Sargus was once a speaker at the National Fraternal Law Conference.
[2] *Christensen v. Carter*, No. 2:25-cv-1062, 2026 U.S. Dist. LEXIS 7322, *30 (S.D. Ohio Jan. 14, 2026)

letter explained that he may petition to be reinstated but "the petition must include supporting documentation or evidence that the conditions found to have existed that resulted in the disenrollment no longer exist and will not recur." Because Christensen was disenrolled, the June 5th meeting was cancelled.

The Court ultimately found two constitutional faults with OSU's actions. First, the disenrollment violated Christensen's First Amendment rights. Second, his disenrollment without a hearing violated his Fourteenth Amendment due process rights.

The Court was clear in writing that the First Amendment to the U.S. Constitution "applies to loathsome and unpopular speech with the same force as it does to speech that is celebrated and widely accepted*." Id.* at *2 (citing *Bible Believers v. Wayne Cnty., Michigan*, 805 F.3rd 228, 243 (6th Cir. 2015) (en banc)). It continued by noting that speech on a matter of public concern "cannot be restricted simply because it is upsetting or arouses contempt." *Id.* (quoting *Snyder v. Phelps*, 562 U.S. 443, 458 (2011)).

The Court examined "speech that causes a substantial disruption" under the standards of *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969):

> This case involves a public university's response to the speech of one of its students. "[W]here state-operated educational institutions are involved, [the Supreme Court] has long recognized 'the need for affirming the comprehensive authority of the States and of school officials, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools.'" *Healy v. James*, 408 U.S. 169, 180 (1972) (quoting *Tinker*, 393 U.S. at 507). At the same time, however, Supreme Court precedent "leave[s] no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large." *Id.* Students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." *Tinker,* 393 U.S. at 506.
>
> *Christensen,*2026 U.S. Dist. LEXIS 7322, at *23-24.

In the end, the Court had little difficulty in concluding that Christensen met the legal standards required to issue a Preliminary Injunction: a strong likelihood of success; that he had engaged in protected speech; that the Defendants took an adverse action against him; and that there was a causal connection between the protected speech and the adverse action.

The Court went on to examine Christensen's claim under the Fourteenth Amendment that he had been deprived of due process of law. Generally, the minimal requirement for basic due process is (1) notice and (2) an opportunity to be heard. Christensen got neither before the University suspended and quickly thereafter "administratively disenrolled" him. As the Court noted, "the fundamental requirement of Due Process is the opportunity to be heard 'at a meaningful time and in a meaning manner.'"[3]

The only process OSU offered was after the fact, and then the burden on Christensen was not to prove that the videos did not warrant the disciplinary action taken, but instead that circumstances had changed and he was no longer a danger if readmitted as a student. As the Court put it, the post-deprivation opportunity to petition for reenrollment "only afforded him the opportunity to argue that the circumstances giving rise to his disenrollment had dissipated, not that the circumstances failed to justify disenrollment in the first instance."[4]

In summarizing the irreparable harm issue necessary to establish Christensen's right to a Preliminary Injunction regarding both the violation of his First Amendment Freedom of Speech right and his Fourteenth Amendment Due Process right, the Court quoted *Elrod v. Burns*, 427 U.S. 347, 373 (1976): "The loss of First Amendment freedoms for even minimal periods of time,

[3] *Id.* at *32–33 (quoting *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965)).

[4] *Id.* at 35–36.

unquestionably constitutes irreputable injury." OSU simply ignored that long standing directive from the Supreme Court.

Before any university decides in the future to issue immediate system wide shutdowns of fraternities and sororities and do so without pre action hearings the university would be wise to recognize the rights discussed in this case or be prepared to face the consequences.

Court of Appeals Upholds Constitutionality of Garret's Law, Michigan's Hazing Statute

Haellie M. Gordon, Fraternal Law Partners, hgordon@manleyburke.com

On the evening of November 19, 2021, Ethan Cao ("Mr. Cao"), a Michigan State University student and former Pi Alpha Phi member, attended a party with other fraternity members intended to celebrate the transition of new members to full fraternity membership.[1] Mr. Cao was known as the "pledge master," and was therefore the "authoritative figure" for the new member transition process. Upon Mr. Cao's arrival, he handed four new members (the "New Members") a total of twenty (20) shots (five each), which they immediately consumed. Throughout the night, senior fraternity members encouraged the New Members to continue drinking. Eventually, the New Members ended up in the basement of the home, where other fraternity members drew on their shirtless torsos while they appeared unconscious.

Later that evening, police responded to a report of an individual unconscious and not breathing at the property. When they arrived, they found three of the New Members unconscious but alive, while the fourth, Phat Nguyen ("Mr. Nguyen"), was pronounced dead at the scene. According to a

[1] *People v. Cao,* No. 373185, 2025 WL 2832310, *1 (Mich. Ct. App. Oct. 6, 2025).

subsequent investigation, Mr. Nguyen's death was attributed to acute ethanol toxicity, with a blood alcohol concentration of .386. The three surviving New Members were hospitalized and later discharged, although one remained in the intensive care unit for two days due to his .427 blood alcohol concentration.

Procedural Background

Mr. Cao was charged under MCL 750.411t, commonly known as "Garret's Law," in connection with the death of the New Member and injuries to the three surviving New Members.[2] After a two-day preliminary examination before the district court, the prosecution moved to bind[3] the case to circuit court for trial.[4] Mr. Cao opposed the motion and separately moved to hold Garret's Law as unconstitutional, both facially and as applied.[5] The district court denied Mr. Cao's motion and granted the prosecution's. While before the circuit court, Mr. Cao renewed both arguments, which were likewise denied. Mr. Cao applied for an interlocutory appeal to the Court of Appeals of Michigan, which granted his application. The Court ultimately upheld the circuit court's denial of Mr. Cao's motions, most notably on the following grounds.

First Amendment

Mr. Cao first challenged Garret's Law on First Amendment right of association grounds.[6] More specifically, he contended the statute impermissibly "targets and broadly criminalizes otherwise lawful conduct of student organizations so much that it impinges on the First Amendment."[7] He further analogizes to religious student organizations—for example, a Roman Catholic student

---

[2] *Id.*
[3] To move to "bind" a matter to the circuit court for trial means to request a finding at the conclusion of the preliminary examination that (1) a felony has been committed and (2) there is probable cause for charging the defendant with a felony.
[4] *People v. Cao,* No. 373185, 2025 WL 2832310, *2 (Mich. Ct. App. Oct. 6, 2025).
[5] *Id.* at *1.
[6] *Id.* at *5.
[7] *Id.*

organization that requires "fasting in its strictest form during Lent of its members."[8] The Court found these arguments to be unpersuasive and a mischaracterization of the statute. First, the Court clarified "Garret's Law does not criminalize lawful expressive conduct by student groups," but rather "narrowly defines 'hazing' to include an 'intentional, knowing, or reckless act… that the person knew or should have known endangers the physical health or safety of the individual.'"[9] The Court then emphasized the State's interest in preserving human life and the absence of any constitutional protections over conduct "that deliberately or recklessly endangers the physical health or safety of current or prospective members."[10]

Equal Protection Clause

Mr. Cao also challenged Garret's Law as a violation of the Equal Proection Clause by drawing improper distinctions between student organizations by not applying to "an activity that is normal and customary in an athletic, physical education, military training, or similar program sanctioned by the educational institution."[11] The Court found this argument to also be unpersuasive. The Court noted Garret's Law is rationally related to the State's legitimate government purpose, and therefore satisfies the requirements of the Equal Proection Clause.[12] The Court drew attention to the fact that "[a]thletics, physical education, and military training programs inherently involve physicality that might otherwise seem hazardous, yet they serve legitimate purposes and are subject to institutional oversight." The Court further emphasized that the programs were "not given carte blanche to haze" as the exception applies "only to normal and customary activities within those settings."[13]

---

[8] *Id.*
[9] *Id.*
[10] *Id.*
[11] MCL 750.411t(5).
[12] *Cao,* 2025 WL 2832310 at *6.
[13] *Id.*

Vague and Overbroad

Next, Mr. Cao challenged Garret's Law on the contention that it was unconstitutionally vague and overbroad.[14] More specifically, he contends the statute "fails to provide fair notice of what qualifies as a 'reckless act' or what conduct may 'endanger the physical health or safety' of an individual."[15] He further alleges Garret's Law "is so indefinite that it confers unstructured and unlimited discretion on the trier of fact to determine whether the law has been violated."[16] Mr. Cao finally contends Garret's Law is unconstitutional to the extent it precludes consent as a defense. The Court once again disagreed with Mr. Cao's arguments. To begin, the Court acknowledged hazing is "something of a moving target" and it would "be an impossible task if the legislature had attempted to define [it] specifically."[17] The Court further emphasized that a statute does not need to define an offense with mathematical certainty, and that parties are not permitted to manufacture uncertainty to invalidate a law.[18] Next, the Court noted that many criminal laws already require an evaluation of whether a defendant acted recklessly or endangered another's safety.[19] The Court held that "reckless" or "endanger" are not impermissibly vague simply because they require a fact-specific judgment, and that "a person of ordinary intelligence could understand what the statute prohibits."[20] Finally, the Court rejected Mr. Cao's contention that the absence of consent as a defense renders Garret's Law unconstitutional, noting that this is a "well-established principle."[21]

---

[14] *Id.*
[15] *Id.*
[16] *Id.*
[17] *Id.* (*citing People v Lenti*, 44 Misc. 2d 118, 121-122, 253 N.Y.S.2d 9 (Nassau Co. Ct. 1964)).
[18] *Id.*
[19] *Id.*
[20] *Id.*
[21] *Id.* at *7.

As Applied

Mr. Cao also challenged Garret's Law as applied to his actions. He contended the prosecution "merely alleged that he was 'cheering' at the party and that punishing him under the statute impermissibly targets expressive conduct."[22] The Court rejected this argument, noting the record demonstrates Mr. Cao "went far beyond cheering," as he was "the person in charge of the initiation process," "helped plan the party," and "dictated when the most intensive alcohol consumption would begin."[23] The Court even noted the evidence suggested Mr. Cao may have physically taped alcohol bottles to the New Members' hands.[24] Accordingly, the Court emphasized this is not a case of punishing protected speech, but rather, an application "to conduct that involved organizing and facilitating a dangerous drinking ritual that led to one death and multiple hospitalizations," thereby falling "well within constitutional bounds."[17]

People v Otto

Finally, Mr. Cao invoked the Court's decision in *People v Otto*, 348 Mich App 221, 18 N.W.3d 336 (2023), to argue that the application of Garret's Law "would stretch the statute beyond its intended reach."[18] The Court quickly rejected this assertion, holding that the "conduct charged is precisely the type of behavior Garret's Law was intended to address: orchestrating a drinking ritual that subjected fraternity pledges to dangerous amounts of alcohol."[19]

Next Steps

---

[22] *Id.*
[23] *Id.*
[24] *Id.*
[17] *Id.*
[18] *Id.*
[19] *Id.* at *8.

This case will now return to the circuit court for additional proceedings. However, Mr. Cao's counsel has indicated he and Mr. Cao intend to "continue [their] appeal to the Michigan State Court."[20] The events surrounding Mr. Nguyen's passing underscore the critical importance of adherence to alcohol policies, risk management protocols, and proactive education on personal and group safety. By reinforcing these measures and promoting a culture of accountability, fraternal organizations can better protect their members and surrounding communities. Fraternal Law Partners will provide further updates as the case progresses.

Update: Kappa Kappa Gamma Likely Headed to Oral Arguments

Timothy M. Burke and Haellie M. Gordon, Fraternal Law Partners, tburke@manleyburke.com and hgordon@manleyburke.com

The litigation regarding Kappa Kappa Gamma's ("Kappa") decision to admit a transgender student identifying as female into its University of Wyoming chapter continues before the Tenth Circuit Court of Appeals.[1] With the parties having filed their briefs—the final being the Appellant's reply brief on January 16, 2026—the briefing schedule is now complete. Now, the parties await the scheduling of oral arguments before the Court. While the Court is typically prepared to consider its

[20] Matt Mencarini, *Appeals court rules against ex-MSU student charged in hazing death,* Lansing State Journal (October 7, 2025), https://www.lansingstatejournal.com/story/news/education/2025/10/07/michigan-state-hazing-death-appeal-ethan-cao-phat-nguyen/86552289007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z119837p119750c119750d00----v119837d--xx--b--xx--&gca-ft=151&gca-ds=sophi.

[1] *Holtmeier v. Kappa Kappa Gamma*, No. 25-8058 (10th Cir.).

decision on an appeal upon the completion of briefing, it will usually schedule oral arguments at the request of a party. While Kappa did not request oral argument, the Appellants did.

In addition to the traditional briefs filed by the Parties, several entities filed amicus curiae briefs (also known as friend of the court briefs), three of which were in support of the Appellant and one of which was in support of Kappa. One of the amicus briefs in support of the Appellants was filed by the Women's Declaration International ("WDI").[2] WDI claims to consist of more than 37,000 women in 517 organizations from 160 nations and has, as its primary message, "never again will we return to a world where women are defined by the patronizing, regressive, and oppressive stereotypes of gender, of which 'gender identity' is one form."[3] The second amicus brief in support of the Appellants comes from the Women's Liberation Front ("WoLF"),[4] which describes itself as "a non-profit, radical feminist organization dedicated to the liberation of women by ending male violence, preserving woman-only spaces, abolishing sex stereotyping, and protecting reproductive sovereignty."[5] The final amicus brief submitted on behalf of the Appellants comes from the True Blue Sapphires, LLC, which was founded in 2024 by a group of Kappa alumnae opposed to the admission of transgender women as members of Kappa Kappa Gamma.[6]

In support of Kappa, the National Panhellenic Conference ("NPC") filed its amicus brief.[7] NPC identifies itself as "the premier advocacy and support organization for the advancement of the sorority experience" and describe its twenty-six (26) national and international women's only social

---

[2] Brief for Women's Declaration International USA as Amicus Curiae Supporting Appellants, *Holtmeier* (No. 25-8058), ECF. No. 26.
[3] *Id.*
[4] Brief for Women's Liberation Front Amicus Curiae Brief as Amicus Curiae Supporting Appellants, *Holtmeier* (No. 25-8058), ECF No. 34.
[5] *Id.*
[6] Brief for True Blue Sapphires, LLC, as Amicus Curiae Supporting Appellants, *Holtmeier* (No. 25-8058), ECF No. 29.
[7] Brief for National Panhellenic Conference, as Amicus Curiae Supporting Appellees, *Holtmeier* (No. 25-8058), ECF No. 44.

sororities as being located on "approximately 670 college and university campuses in all 50 states, with more than 375,000 current undergraduate members across 3,200 chapters."[8]

While the Appellants and their supporting amicus parties essentially argue that the term "woman" can only include individuals identified at birth as a woman, NPC's brief focuses its argument on two points:

> **First**, as recognized by the District Court, courts cannot interfere with a private organization's right to interpret its own governing documents. Plaintiffs may disagree with that interpretation but that is not grounds for litigation. **Second**, the First Amendment prohibits any court from dictating the membership structure of a private organization, as doing so violates rights of freedom of association.[9]

(Emphasis in original.)

While oral argument has not yet been scheduled in this matter, the Court will likely do so in the foreseeable future. Any oral argument will likely be heard by a three-judge panel at the Byron White Courthouse, the home of the Tenth Circuit.[10]

Fraternal Law Partners previously reported on key developments in this litigation this matter,[11] and we will continue to provide further updates as the case progresses.

---

[8] *Id.*
[9] *Id.*
[10] If arguments occur at that courthouse, the oral arguments will be livestreamed and may be viewed live. The oral arguments are preserved for viewing on the Court's website, www.ca10.uscourts.gov/oralargument/search, typically the day after such arguments, regardless of where the arguments occur.
[11] Timothy M. Burke, *Lawsuit Against Kappa Kappa Gamma Over Transgender Member Dismissed*, 183 FRATERNAL L. 1 (September 2023); Timothy M. Burke, *NPC Files Amicus Curiae Brief in KKG Transgender Appeal*, 184 FRATERNAL L. 1 (January 2024); Haellie M. Gordon, *Update: Federal Appellate Court Dismisses Appeal Challenging Kappa Kappa Gamma's Acceptance of a Transgender Woman at the University of Wyoming* 186 FRATERNAL L. 1, 5 (June 2024); Timothy M. Burke and Haellie M. Gordon, *Update: Kappa Kappa Gamma Litigation Consolidated to U.S. District Court of Wyoming,* 189 FRATERNAL L. 1, 9 (March 2025); Timothy M. Burke, *Kappa Kappa Gamma Prevails, Again,* 191 FRATERNAL L. 1, (September 2025).

The goal of *Fraternal Law* is to provide a discussion of fraternity law, but its contents are not intended to provide legal advice for individual problems of Greek organizations. The latter should be obtained from your attorney.

Fraternal Law is published four times a year as a non-profit service of Manley Burke, LPA, 225 West Court Street, Cincinnati, Ohio 45202, (513) 721-5525. Please address all editorial inquiries and all subscription correspondence to this address or to ilana.linder@fraternallaw.com.

Printed in the U.S.A