

**IN THE COURT OF CLAIMS OF OHIO**

**PAUL MEOLA**, individually )  
and as Administrator of the Estate of )  
Chase Joseph Meola, deceased, Bergen )  
County, New Jersey Surrogate’s Court )  
Docket No. 2021-0311 )  
33 Maple Road )  
Mahwah, NJ 07430 )

and )

**MARGARET MEOLA** )  
33 Maple Road )  
Mahwah, NJ 07430 )

**Plaintiffs** )

**-vs-** )

**STATE OF OHIO** )  
Ohio Attorney General Dave Yost )  
30 East Broad Street, 14<sup>th</sup> Floor )  
Columbus, Ohio 43215 )

and )

**THE OHIO STATE UNIVERSITY** )  
281 West Lane Avenue )  
Columbus, Ohio 43210 )

**Defendants** )

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**CASE NO.**

Judge

**COMPLAINT FOR WRONGFUL  
DEATH AND OTHER RELIEF**

Now come the Plaintiffs, by and through their attorneys, and for their Complaint states as follows:

## **INTRODUCTION**

1. This is an action for damages based on the wrongful death of Chase Joseph Meola and the negligence that led to the violent shooting death of this Ohio State University student at a Phi Kappa Psi fraternity party on October 11, 2020.

2. Chase Meola was a fifth-year senior at the Ohio State University, and a beloved son and brother, and friend to many. He is sorely missed by all those who knew and loved him.

## **PARTIES AND JURISDICTION**

3. Plaintiff, Paul Meola, is the Legal Administrator of the Estate of Chase Joseph Meola (“Chase,” or “Chase Meola”), deceased, Bergen County, New Jersey, Docket Number 2021-0311 and is a resident of New Jersey (See Letter of Administration attached as Exhibit A), and he brings this lawsuit individually as the father of Chase and as Administrator of the Estate of Chase Joseph Meola.

4. Plaintiff Margaret Meola is the mother of Chase Meola.

5. Defendant State of Ohio is one of the United States and consents to be sued in the Court of Claims pursuant to R.C. 2743.01, *et seq.* of the Ohio Revised Code.

6. Defendant The State of Ohio University was at all relevant times and continues to be a public university organized and existing under the laws of the State of Ohio.

7. Plaintiffs have notified the Office of Risk Management concerning this claim and on or about October 6, 2022, and the Office of Risk Management notified undersigned counsel that the notification process was not applicable or required for this claim and lawsuit involving the Ohio State University.

8. Jurisdiction and venue are proper in this Court because all negligence at issue in this case and Chase’s shooting death, occurred in Franklin County, Ohio, and this Court has

exclusive jurisdiction over claims asserted against the State of Ohio or its agencies, including The Ohio State University (“OSU”).

## **STATEMENT OF FACTS**

### **Crime in OSU Off-Campus Areas**

9. The areas where OSU students must live to be near campus and attend the school are violent and dangerous, as OSU well knows.

10. OSU enrolls approximately 47,000 students, but only provides 18,000 units for housing students on campus.

11. In fact, OSU does not offer on campus housing to third year students or higher.

12. As OSU knows, therefore, it would be unable to maintain its enrollment numbers without students utilizing “off campus” housing.

13. OSU, in fact, advertises off campus housing under the Office of Student Life and on its website.

14. OSU benefits financially from its large student body, the majority of which reside in off-campus housing.

15. OSU further benefits from off-campus housing since the University avoids the cost of building and maintaining such housing, while reaping the benefits of the students’ attendance at the University.

16. In short, OSU reaped the benefits of treating the University District and other areas off campus as *de facto* parts of the campus without the associated expenses.

17. The University District, located between OSU’s campus at North High Street and the Fairgrounds, is one such “off campus” area, and it is heavily populated by OSU students.

18. Upon information and belief, over eighteen registered sororities and fraternities are located within a 12-block radius of the University District.

19. OSU promotes its Greek life in its efforts to attract students under the Office of Student Life and on its website.

20. Alcohol consumption and partying are rampant in the University District.

21. OSU knows that alcohol consumption and partying are rampant in the University District.

22. In the period preceding Chase's death, the excesses and dangerous levels of alcohol consumption and other partying in the University District created a dangerous condition for OSU students.

23. The partying, alcohol consumption, and the presence of Greek life, as occurred in the University District, are significant attractions for OSU students, as OSU well knows.

24. OSU failed to reasonably control or otherwise stop the partying, alcohol consumption, and the presence of Greek life, as occurred in the University District, in the period before Chase's death.

25. The dense population of fraternities and sororities as well as the impaired condition of young students, especially on weekend nights, are an invitation for criminals and criminal activity in the University District.

26. In fact, upon information and belief, rates of violent crime in University OSU's District are 93% higher than the national average.

27. Upon information and belief, a resident of the University District has a 1 in 39 chance of becoming a victim of crime.

28. According to a report from the OSU student newspaper, the “Lantern,” the Columbus Police Department received 218,000 service calls for service in the preceding five years in the off-campus cruiser district (encompassing the neighborhoods north of West Lane Avenue to East Arcadia Avenue, east of High Street to just beyond Summit Street, west of Olentangy River Road to North Star Road and south of 11th Avenue to West Third Avenue), which equates to 43,600 service calls per year and nearly 120 service calls every single day. See February 25, 2021 edition of the Lantern available online. Website address available upon request. (last accessed on October 6, 2022). The Lantern article also noted that this district is believed to underreport crimes more than most areas of Columbus. *Id.* Accordingly, the actual crime rates are likely even higher than these service call numbers would indicate.

29. In 2018, per Federal Bureau of Investigation statistics, OSU had the second highest per capita rate of violent crime for all Ohio public universities and the highest per capita rate of aggravated assault. See fbi website on crime in the US for 2018. Website address available upon request. (last accessed on October 6, 2022).

30. Collegetransitions review of key crime statistics at its website for calendar years 2018 through 2020 ranks safety levels from 1 (very unsafe) to 5 (very safe) and gives OSU a very unsafe ranking of 0.5 for “on-campus safety index,” “off-campus safety index,” and “overall safety index.” See website at collegetransitions. Website address available upon request. (last accessed on October 6, 2022).

31. Chase Meola was a member of the Phi Kappa Psi fraternity, whose house was located in the University District.

32. Phi Kappa Psi had been suspended in 2018, but OSU knew that suspended fraternities, like and including, Phi Kappa Psi continued to operate and flagrantly violate the law and OSU's code of conduct.

33. Phi Kappa Psi continued to operate like a speakeasy right next to campus, and OSU tacitly accepted its operation through its actions and inactions as set forth herein.

34. OSU not only failed to address its off-campus criminal environment, but it took proactive steps to suppress police enforcement in the University District and other off campus areas.

35. Upon information and belief, in the period before Chase's death, OSU made a push to limit Columbus Police Department patrols in the University District and other off-campus areas.

36. Upon information and belief, the Columbus Police Department has greater and more effective resources to address crime in the University District and other off-campus areas.

37. OSU nonetheless acted to limit joint patrols with the Columbus Police Department.

38. By taking steps to ensure OSU's own police force controlled the flow of policing in the University District, OSU also ensured it would control the flow of information concerning the area's dangerous levels of crime.

39. Given the University District's crime levels and dense populations of young students, OSU should have worked to ensure constant security in the University District, especially weekend nights like the early Sunday morning when Chase Meola was shot dead.

40. Upon information and belief, not only did OSU fail to provide constant security, but its leaders also made the conscious decision to limit police patrols in the area.

41. OSU's appalling response to tacitly allow dangerous alcohol consumption and other activity and obscure its crime problem off campus allowed it to maintain the attraction of a party district right near its campus proper.

42. Both results ensured OSU would maintain optimal qualitative and quantitative enrollment numbers for the school and continued funding through tuition dollars and otherwise.

43. In short, OSU's decisions made certain students would desire to attend OSU while their parents would not fear sending them there.

44. Indeed, on August 30, 2020 (approximately six weeks before Chase was shot in the University District), OSU football player Haskell Garrett was shot in the face while in the University District, when he intervened to protect a woman in an argument with a man.

45. Before August 30, 2020, OSU was already on notice of the dangers of the University District.

46. If one can somehow find OSU was not on notice before then, it—and the whole world—was placed on notice when a member of the school's football team, OSU's flagship entity, was shot in the face in that same University District.

47. OSU did not take any reasonable steps to address the dangerous level of criminal activity in the University District before the shooting of Haskell Garrett or at any time thereafter and up to the October 11, 2020 shooting death of Chase Meola.

### **Chase Meola**

48. Chase Meola was 23 years old on October 11, 2020 when he was gunned down in the University District at Ohio State University.

49. Chase Meola was a resident of New Jersey, and he resided at 33 Maple Road Mahwah, New Jersey, 07340.

50. Chase was a fifth-year senior residing off campus as required by the Ohio State University.

51. Although Chase was a member of the Ohio Delta chapter of Phi Kappa Psi Fraternity at the Ohio State University (the “Fraternity”), he did not live in the fraternity house location, instead he lived approximately one block away in his own apartment, mere blocks from OSU’s campus.

52. On October 11, 2020, the Fraternity hosted a party for its members. Certain individuals who were not invited to the party showed up and entered the house.

53. Among the individuals who entered the house uninvited was Kinte Mitchell, an individual with a lengthy criminal history.

54. Upon information and belief, individuals with a criminal history such as Kinte Mitchell were a continuous presence in the University District, especially in the nighttime hours.

55. Even though he was only 18 years old, Kinte Mitchell already had two prior burglary convictions.

56. On October 8, 2020, three days before he shot Chase Meola, Kinte Mitchell posted \$185,000 in bonds for his release following a third burglary charge.

57. A reasonable police presence, given the facts and circumstances of the University District, would have alerted OSU to the presence of individuals very well-known to the police, like Kinte Mitchell, in the University District.

58. At some point, Kinte Mitchell was asked to leave the Fraternity house and Chase along with some of his fraternity brothers escorted Kinte Mitchell and others in his group out of the Fraternity house.



59. After exiting the Fraternity house, Kinte Mitchell shot Chase Meola in the head, killing him.

**COUNT ONE: Wrongful Death**

60. Plaintiffs re-state and re-allege the preceding allegations of the Complaint as though fully rewritten herein.

61. The University District and other off-campus areas near OSU's campus contain dense populations of young, inexperienced college students, all of which increase crime levels as well as the relative vulnerability of such persons to become crime victims.

62. OSU had a special relationship with Chase Meola and its other students that gave rise to exercise due care in its University District and other off-campus areas.

63. OSU had a duty to warn Chase Meola, its other students, and their family members of the dangers associated with the University District and in its off-campus area.

64. The University District and other off-campus areas are high crime areas that experienced high levels of violent and non-violent crimes in the time period before Chase's violent death.

65. OSU knew that the University District and other off campus areas experienced high levels of violent and non-violent crime in the time period before Chase's death.

66. OSU owed a duty of care to Chase Meola and its other students it required to live in such off-campus housing, given OSU does not permit third year and more senior students to live on campus.

67. OSU owed a duty of care to adequately warn Chase Meola and its other students of the high levels of crime and violent crime in the University District and other off campus areas, of which OSU was aware.

68. OSU owed a duty to undertake reasonable steps to make these areas safer for Chase Meola and its other students.

69. OSU owed a duty to undertake reasonable steps to educate Chase Meola and its other young, inexperienced students on steps they may take to protect themselves from criminal activity.

70. OSU failed to provide security patrols, mobile lighting units, security cameras, and other safety measures that could have prevented this tragedy.

71. OSU failed to collaborate with Columbus Police Department to provide expanded surveillance and adequate security patrols.

72. OSU failed to prepare students for the transition from on-campus housing to living off campus.

73. OSU failed to provide services to students to educate about personal safety and increase awareness of crime prevention.

74. OSU negligently failed to render the University District and other off-campus areas safe for Chase Meola and its students for the reasons set forth above and violated its duty of care to these students.

75. OSU's negligence is a proximate and direct cause of Chase Meola's death.

76. Plaintiffs are entitled to damages under R.C. 2125.01, *et seq.* for the wrongful death of Chase Meola and for their loss of his services, protection, care, assistance, society, companionship, comfort, guidance, counsel and advice, and were forced to incur funeral and burial expenses.

77. Plaintiffs are further entitled to compensatory damages, interest, and their costs due to the negligence of Defendants.

### **COUNT TWO: Survival Action**

78. Plaintiffs re-state and re-allege the preceding allegations of the Complaint as if fully re-written herein.

79. Chase Meola was forced to endure great conscious pain and suffering and emotional distress during the course of his encounter with Kintie Mitchell and his shooting up until the moment he died.

80. Chase Meola filed no action for this cause during his lifetime, but under the laws of Ohio pursuant to R.C. 2305.21, *et seq.* this action survives and may be asserted by his estate.

81. Thus, Plaintiffs claim damages for the conscious pain, suffering, and emotional distress incurred by Chase Meola.

### **COUNT THREE: Negligence, Gross Negligence and Recklessness**

82. Plaintiffs re-state and re-allege the preceding allegations of the Complaint as though fully rewritten herein.

83. OSU acted negligently, with gross negligence and/or with recklessness, under Ohio law, by failing to warn Chase Meola and its other students and their family members of the dangers associated with the University District and in its off-campus area.

84. OSU had a special relationship with Chase Meola and its other students that gave rise to exercise due care in its University District and other off-campus areas.

85. OSU acted negligently, with gross negligence and/or with recklessness when it failed to render the University District and other off-campus areas safe for Chase Meola and its students for the reasons set forth above and violated its duty of care to Chase Meola and its other students.

86. OSU's negligence was a direct and proximate cause of Chase Meola's death and Plaintiffs' damages.

WHEREFORE, Plaintiffs pray for compensatory damages in excess of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), burial and other expenses, the costs of this action, attorney's fees, and any other relief to which they are entitled at law or equity.

/s/ Richard W. Schulte  
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