

The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

January 2025

Statewide Jury Verdict Coverage

26 IJVR 1

Unbiased and Independently Researched Jury Verdict Results

In This Issue

Marion County

Auto Negligence - \$10,500,000 p. 4

Auto Negligence - Defense verdict p. 7

Hamilton County

Medical Malpractice - \$50,000 p. 1

Federal Court - Indianapolis

Invasion of Privacy - \$380,000 p. 2

Civil Rights - Defense verdict p. 8

Lake County

Premises Liability - Defense verdict p. 6

Porter County

Auto Negligence - \$10,481 p. 7

Clark County

Auto Negligence - \$42,500 p. 8

Vanderburgh County

Utility Negligence - \$120,000 p. 9

Civil Jury Verdicts

Timely coverage of civil jury verdicts in Indiana including court, division, presiding judge, parties, cause number, attorneys and results.

Medical Malpractice - On two successive annual mammogram screenings, two different radiologists interpreted plaintiff's mammograms as showing no evidence of abnormalities; when plaintiff was subsequently diagnosed with breast cancer and underwent chemotherapy, a double mastectomy, and radiation treatments, she criticized the two radiologists for having missed the correct diagnosis

Papacek v. Anderson, et al.,
29D03-2212-CT-9807

Plaintiff: Kelley J. Johnson, *Law Office of Kelley J. Johnson*, Indianapolis; and Katherine A. Franke, *Broadwing Legal*, Indianapolis

Defense: David S. Strite and Rachel Dalton Dearmond, *O'Bryan Brown & Toner, PLLC.*, Indianapolis

Verdict: \$50,000 for Michelle Papacek against Anderson and Northwest Radiology; \$0 for Jason Papacek; defense verdict for Hagman

County: **Hamilton**, Superior
Judge: William J. Hughes, 8-30-24

On 8-24-18, Michelle Papacek, then age 42, presented for her annual mammogram screening. The mammogram was interpreted by a radiologist in Indianapolis, Dr. Thomas Hagman who was an employee of Northwest Radiology Network, P.C.

Dr. Anderson recorded his interpretation as indicating "no evidence of malignancy." He also made no recommendations for

further evaluation. Not quite a year later on 7-26-19, Papacek presented for another annual mammogram screening.

This time the mammogram was interpreted by radiologist Dr. Caryn Anderson, another employee of Northwest Radiology Network. Dr. Anderson also recorded her interpretation as indicating no abnormalities and no evidence of malignancy. She also made no recommendations for further evaluation.

A few months later on 10-15-19, Papacek consulted with her gynecologist and reported she had a lump on her left breast. The office staff confirmed the presence of the lump and referred Papacek to a hematologist/oncologist.

Papacek saw the oncologist two weeks later on 10-30-19. At that time she was diagnosed with invasive ductal carcinoma of her left breast. The cancer had metastasized to her lymph nodes. As a result, Papacek underwent chemotherapy which began on 11-13-19.

The chemotherapy caused Papacek to suffer multiple adverse reactions. She ultimately underwent a double mastectomy approximately five months later on 4-21-20. This, in turn, was followed by radiation treatments.

Papacek presented her case to a medical review panel. She was critical of both Dr. Hagman and Dr. Anderson for having missed the correct diagnosis of breast cancer.

