

The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

October 2025

Statewide Jury Verdict Coverage

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Unbiased and Independently Researched Jury Verdict Results

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Civil Jury Verdicts

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

Bad Faith - Plaintiffs' auto insurance company canceled their policy based on an erroneous suspension of their son's driver's license; plaintiffs mistakenly thought the matter had been cleared up and their policy was still in effect when they were rear-ended by an uninsured driver; the insurance company denied plaintiffs' claim, and plaintiffs sued for bad faith and breach of contract – the case first came to trial in June of 2022 (Judge Sedia then presiding) and the court granted a judgment on the evidence for the insurer – the plaintiff appealed and Court of Appeals affirmed, the Indiana Supreme Court granting transfer and reversing – at a second trial in 2025 the plaintiffs prevailed and took damages of \$8.125 million on the underlying collision, breach of contract and bad faith

Cosme v. Erie Insurance,
45D11-1803-CT-39

Plaintiff: Steven J. Sersic, *Smith Sersic, LLC*, Munster; and Angela M. Jones, *The Law Office of Angela M. Jones, LLC*, Saint John

Defense: James P. Strenski and Tyler L. Jones, *Drewry Simmons Vornehm, LLP*, Carmel

Verdict: \$8,125,407 for plaintiffs (comprised of \$5,000,000 compensatory, \$3,000,000 consequential, and \$125,407 punitive)

County: Lake, Superior

Judge: Bruce D. Parent, 2-21-25

In 2017, Roy Cosme and his wife Christine Cosme were longtime

holders of an automobile insurance policy issued by Erie Insurance on a heavy work van they owned. Their 19 year-old son, Broyce Cosme, was also listed on the policy as a named driver of the covered vehicle.

The policy carried uninsured/underinsured motorist coverage of 250/500, and it had apparently been arranged and/or managed by an agency called Churilla Insurance. The owner of the agency was Dan Churilla.

In February of 2017 Broyce was riding as a passenger in a vehicle driven by one of his friends when the vehicle was pulled over by Officer Kevin Garber, a member of the Hobart Police Department. Officer Garber arrested both Broyce and his friend for possession of marijuana.

In filling out the paperwork related to the arrest, Officer Garber mistakenly identified Broyce as having been the driver of the vehicle. When Broyce discovered this, he contacted Officer Garber and asked him to correct the mistake.

Although Officer Garber promised he would do so, he failed to follow through on that promise. As a result of this uncorrected error, the Bureau of Motor Vehicles suspended Broyce's driver's license. This would later have dramatic consequences for Roy and Christine.

In August of 2017, approximately six months after the arrest, Roy and Christine's insurance policy with Erie Insurance came up for automatic renewal. When Erie Insurance performed a routine search for

Truck Negligence - Plaintiff suffered several fractures (broken pinky finger, wrist and a tib-fib fracture) when she crashed into the trailer of a big rig whose driver had parked in a lane of traffic without placing warning signs; the jury assigned half the fault to plaintiff, 10% to the trucker, and the remaining 40% to the trucker's employer

Hill v. Stemaly Excavating, Inc., et al.,
82D06-2305-CT-2213

Plaintiff: Chris Moeller and Jon Heck, *Isaacs & Isaacs, P.S.C.*,
Louisville, KY

Defense: J. Todd Spurgeon,
Kightlinger & Gray, LLP., New
Albany

Verdict: \$400,000 for plaintiff less
50% comparative fault

County: **Vanderburgh**, Superior
Judge: Jillian N. Kratochvil,
8-13-25

On 7-29-21, Mark Detty was on the job and driving a large dump truck for his employer, Stemaly Excavating, Inc. He'd been involved in a project to demolish a house on Fulton Street near Cody Avenue and materials from the house were being loaded into the truck. The work was done for the afternoon. While during the day there had been orange cones placed behind the truck to alert motorists of the truck's prescene, at this moment and for five minutes or so, the cones had been picked up as Detty was about to leave.

In that five minute period when there were no warning cones, Rana Hill, age 44, arrived on the scene. She was driving a Ford Mustang sedan. Hill did not recognize that Detty's rig was parked, and an instant later she crashed into his trailer. It was a hard hit.

Hill suffered several injuries in the



Two images depicting the scene of the collision in this case

crash. She broke the pinky finger on her right hand and a bone (the styloid) in her left wrist. More seriously Hill suffered a tib-fib fracture in her right leg which culminated with an ankle fusion surgery. Her incurred medical expenses totaled \$330,143 of which the *Stanley* medicals were \$163,632.

Hill filed suit against Detty and blamed him for illegally parking his rig in the roadway (there were "No Parking" signs posted) and failing to place warning signs to warn other drivers of the hazard. It was also argued Stemaly Excavating could have used a smaller truck and parked it in the adjacent alleyway

(instead of blocking the primary road) for this job. She also targeted Stemaly Excavating, Inc. on a theory of vicarious liability.

The defendants are insured by West Bend Insurance. Hill identified several experts in building her case. They included Dr. Robert Gregori, Physical Medicine, Indianapolis, a plaintiff's IME who confirmed Hill's injuries, and Dr. Nancy Grugle, Human Factors, Phoenix, AZ.

Detty and Stemaly Excavating defended the case, denied negligence, and disputed the nature and extent of Hill's claimed injuries. Finally, defendants blamed the crash on Hill's failure to stop in time and otherwise

Historical Indiana Jury Verdict

Negligent Entrustment/Car Dealership Negligence - On a test drive of a sports car, a rookie salesman told the plaintiff's boyfriend (she was a passenger) to "punch it" -- he did, and the car crashed into a tree and the plaintiff was left a permanent C-4 quadriplegic

Grau v. Terry Shafer Pontiac, et al.,
45D01-9902-CT-0149

Plaintiff: Donald R. Capp and
Richard F. James, *James James & Manning*, Dyer

Defense: Jay S. Judge, *Judge & James*,
Park Ridge, IL and Steven P. Polick,
Steven Polick & Associates, Highland
for Terry Shafer Pontiac
Nels Kompier, *Funk & Foster*,
Highland for Sulelman

Verdict: \$36,960,000 for plaintiff
assessed 90% to Terry Shafer Pontiac
and 10% to Sulelman

County: **Lake**, Superior

Judge: Jeffrey Dywan

Date: October 1, 2002

On 2-10-98, Melanie Grau, then age 23, visited the Chicago Auto Show with her then boyfriend, Bilal Sulelman. A car caught Sulelman's eye, the sporty Pontiac Firebird Trans Am. The next day, the pair visited a dealership in Munster, Terry Shaver Pontiac, for service on Grau's car. It wasn't ready immediately, and they met with a salesman, Michael Lipowski.

A novice in the car business, Lipowski had been with Terry Shaver for just ten days and in fact was still in training. The pair first looked at a new Firebird, only Lipowski driving it on a short test. Back at the dealership, Lipowski

placed Grau and Sulelman in a 1998 Firebird Trans Am. Not just any car, the Firebird featured a 5.7 liter V-8 engine, described at the time as the third fastest car made in North America, trailing only the Corvette and the Viper.

On the city streets which were soaked by a rainstorm, the salesman drove first. At some point, he handed over the wheel to Sulelman. Grau was in the back seat. On residential Fran-Lin Parkway, Lipowski suggested Sulelman get a feel for the car, advising him to "Punch it."

Sulelman complied. The Firebird fishtailed and wrapped around a nearby tree. Sulelman and Lipowski were not hurt, while Grau had sustained a devastating injury. She suffered a serious C4 fracture and was taken to Northwestern Memorial in Chicago. She remained there for six weeks, then entering a rehabilitation hospital for a time.

Grau is now a permanent C-4 quadriplegic and relies on round-the-clock care. She does have extremely limited use of one arm, having the ability to lift it vertically and grasp objects. However, she has no bowel or urinary control; in her recovery period, an infection developed and, for a time, she had a colostomy.

Grau's medical proof confirmed the injury is permanent. Her medical bills to the date of trial were \$486,782. Quantifying her lifetime of care, an economist, Jonathan Furdek, Munster, estimated its cost to present-value at \$7,242,567.

Grau was then working a clerical job and had eighteen hours of college. Her wage loss was valued at \$599,748. Through portions of this week-long trial, the very pretty

Grau, who had modeled before the wreck, sat several feet from the jury in her wheelchair.

Grau targeted two defendants in this lawsuit. The first was her former boyfriend, Sulelman, criticizing his loss of control of the Firebird. More importantly, she presented a negligent entrustment claim against Terry Shaver Pontiac.

Grau argued Sulelman was incompetent to drive the sports car in that he was not instructed about its capabilities and tendency to fishtail *and* that he was not familiar with it. Making matters worse, the wreck happened because a *rookie salesman* was eager to make a sale -- Lipowski knowing that if Sulelman got a feel for the car's power, he'd be more likely to buy it. In that circumstance Lipowski disregarded safety and set off a tragic chain of events.

Sulelman defended the case and denied fault, noting there seemed to be a gear missing in the Firebird. While he was driving the car, it stalled three times, Sulelman having trouble with the six-speed transmission.

Terry Shaver Pontiac and Lipowski also defended, citing a fact dispute. Lipowski specifically denied telling Sulelman to "punch it." The test drive process was called reasonable, and while the results of the wreck were tragic, it had nothing to do with the dealership. It was caused instead by Sulelman's having lost control and then making matters worse with an oversteer after losing control.

Damages were minimized with a life care plan expert, Robert Jackson, Oak Brook, IL, who is also a paraplegic. He explained that if Grau graduated from college, she could become partially independent. Jackson also minimized the future

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