

The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

March 2025

Statewide Jury Verdict Coverage

26 IJVR 3

Unbiased and Independently Researched Jury Verdict Results

In This Issue

Hamilton County	
Medical Neg. - Defense verdict	p. 1
Marion County	
Auto Negligence - \$97,104	p. 6
Auto Negligence - \$6,250	p. 10
Lake County	
Auto Negligence - \$3,700,000	p. 2
Allen County	
Government Neg. - Defense verdict	p. 3
Federal Court - Terre Haute	
Civil Rights - Defense verdict	p. 5
Bartholomew County	
Fraud - \$54,000	p. 8
Floyd County	
Auto Negligence - \$150,000	p. 9
Federal Court - Hammond	
Civil Rights - Defense verdict	p. 10

Civil Jury Verdicts

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

Medical Malpractice - A woman undergoing a hysterectomy at the hands of a first-year fellow through the IU School of Medicine suffered a bowel perforation that led to a colostomy; the woman blamed the incident on the attending physician for failing to supervise the procedure appropriately and failing to intervene to prevent the woman's injury

Cohen v. Del Priore,
29D02-1502-CT-1494

Plaintiff: Christopher D. Simpkins and Laura J. Conyers, *Christie Farrell Lee & Bell, P.C.*, Indianapolis
Defense: Jeremy W. Willett and Kathleen M. Erickson, *O'Neill McFadden & Willett, LLP.*, Schererville

Verdict: Defense verdict on liability
County: **Hamilton**, Superior
Judge: Jonathan Brown, 2-18-25

In January of 2013, Michele Cohen was diagnosed with invasive breast cancer and began chemotherapy. Around that same time a pelvic ultrasound revealed the presence of a cyst. In light of these developments, Cohen was referred for a consultation to Dr. Guiseppe Del Priore, a gynecological oncologist.

Dr. Del Priore recommended that Cohen undergo a hysterectomy. Cohen agreed to this plan and was admitted to IU Health North on 3-25-13 to have the procedure. As it turned out, Dr. Del Priore would not be the one to perform the surgery.

At that time Dr. Del Priore was

also a professor at the IU School of Medicine. In that capacity he would function as the attending physician to observe and supervise while the actual surgery would be performed by a first-year fellow through the school, Dr. Maria De Leon.

Cohen's personal ob-gyn was also present and observed the surgery. He would later be critical of Dr. De Leon's technique and of Dr. Del Priore's lax supervision. In particular, it would later be alleged that Dr. Del Priore failed to recommend that Dr. De Leon use different methods.

During the surgery Cohen sustained a bowel perforation that was repaired intraoperatively. Following the surgery she endured significant abdominal pain and an elevated white blood cell count. Cohen was discharged home two days after the surgery on 3-27-25 with instructions to follow up with Dr. Del Priore in two weeks.

A few days later on 4-2-13 Cohen went to the ER with complaints of worsening abdominal pain. A CT scan revealed a large pelvic abscess. In response to this a drain tube was placed in her abdomen, and it began to drain brown fluid consistent with fecal material. On 4-4-13 brown fluid began to drain from Cohen's vagina.

It was determined that Cohen had a rectovaginal fistula. Five days later on 4-9-13 she underwent a colostomy. Further complications followed and led to a final surgery on 11-27-13 to take down the colostomy and close

Jury Verdict

Auto Negligence - Plaintiff was injured in an intersection crash that happened when another driver ran a red light; the jury assigned fault 80% to the tortfeasor and the remaining 20% to plaintiff

Strange v. Roberts, et al.,
22D03-2312-CT-1688

Plaintiff: Michael P. Pieknik and Darryl Isaacs, *Isaacs & Isaacs, P.S.C.*, Louisville, KY

Defense: Jay R. Langenbahn, *Lindhorst & Dreidame Co., LPA.*, Cincinnati, OH

Verdict: \$150,000 for plaintiff less 20% comparative fault

County: **Floyd**, Superior

Judge: Maria Granger, 2-13-25

In the late morning of 12-14-21, James Roberts was driving west on U.S. 150 in Floyd County in a 2021 Ford F-150 pickup truck owned by his employer, EAN Holdings, LLC. Roberts was on the job and driving the truck in the course of his employment.

At the same time, Kirstie Strange was driving south on Paoli Pike Road in a 2018 Chevrolet Equinox SUV. Roberts and Strange arrived at the intersection of the two roads at the same time. Roberts allegedly ran a red light and crashed into Strange. It was a hard hit.

Strange, who is a special education teacher, has since treated for chronic back pain. Her injuries were confirmed by the treating Dr. Andrew Dec, Pain Management, Seymour. Her medical bills are not known.

Strange filed suit against Roberts and blamed him for running the red light and crashing into her. Strange also named EAN Holdings as a co-defendant on a theory of vicarious



23dff3-32cb-41cb-95ee-18f891ece549.jpg



d4ccb250-2952-453f-ac84-ab33a06fc412.jpg



icaa64c-7958-4934-9faa-eb4fe9c632bd.jpg



d8651dcc-ae2b-43ba-b681-54a74891a165.jpg

Images of the Strange vehicle

liability. Finally, Strange presented an uninsured/underinsured motorist claim against her own insurer, Progressive.

The parties later stipulated to the dismissal of Progressive. The case proceeded against Roberts and EAN Holdings. They defended the case, minimized Strange’s claimed injuries, and implicated Strange’s fault. The identified defense IME was Dr. Jeffrey Konopka, Orthopedic Surgery, Carmel. As to the crash itself, even if Roberts ran the red light, the defense noted that it was clear and wide open intersection – thus but for Strange’s failure to keep a proper look-out, she could have avoided the collision.

The case was tried for four days in New Albany. During Roberts’s testimony, the jury asked a question: “Did the [sic] do a background or DL check that you know of?” Roberts’s answer to the question is not known.

The jury returned a verdict in which 80% of the fault was assigned to Roberts and EAN Holdings, and the remaining 20% was assigned to Strange. The jury set Strange’s raw damages at \$150,000. After reduction for comparative fault, her final award came to \$120,000. The court entered a judgment for that amount, plus costs of \$252.

Case Documents:

[Complaint](#)

[Jury Verdict](#)

[Final Judgment](#)