

The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

August 2025

Statewide Jury Verdict Coverage

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Unbiased and Independently Researched Jury Verdict Results

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Premises Liability - A family physician exercising in a fitness center's swimming pool in the early morning before work claimed to have suffered a career altering traumatic brain injury when she hit her head on the submerged concrete "wingwalls" adjacent to the pool's stairwell

Pennington v. Beacon Health and Fitness, 71C01-1804-CT-160

Plaintiff: Daniel A. Pfeifer, *Pfeifer Morgan & Stesiak*, South Bend

Defense: Louis W. Voelker and Kyle G. Grothoff, *Eichhorn & Eichhorn, LLP.*, Hammond

Verdict: Defense verdict on liability

County: **St. Joseph**, Circuit

Judge: John E. Broden, 6-16-25

In November of 2016, Jennifer

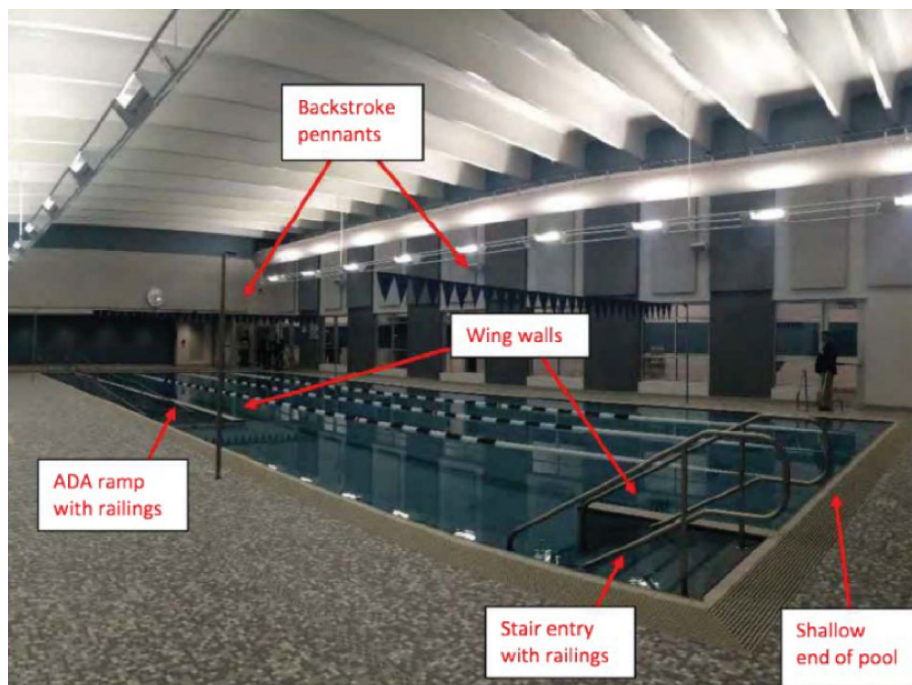
Pennington, then a 39 year-old married mother of three, was working as a family physician for Beacon Health and Fitness, a division of Memorial Hospital of South Bend, Inc. Pennington had worked in that position since 2007 and earned a base salary of \$190,350 per year.

It had long been Pennington's custom to exercise early each morning before work by swimming in the pool at Beacon's South Bend facility. In early November of 2016 Beacon opened a new facility located at 3221 Beacon Parkway in Granger. She is an experienced swimmer.

Like the South Bend facility, the new facility also included a swimming pool. Beacon had hired a company called Panzica Building

Civil Jury Verdicts

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



An image of the swimming pool in question

Historic Indiana Verdicts

Truck Negligence - A salesman was killed in a crash involving a semi-trailer and left behind his widow and five children – a federal jury in South Bend in 1958 awarded the estate \$152,000, which was then a St. Joseph County record and it was the first verdict in the state after the \$15,000 wrongful death cap was eliminated

Rankin v. Huber & Huber Express

Verdict: \$152,000 for plaintiff

Federal: **South Bend**

Date: May 28, 1958

Ralph Rankin, age 32, was traveling on U.S. 41 in Newton County on 10-4-57. He was a salesman. Suddenly a semi-trailer driven by James Stevenson for Huber & Huber Equipment of Louisville lost control. Stevenson skidded into the Rankin vehicle. Rankin was killed instantly. He was survived by his wife (Estelle) and five minor children.

The Rankin estate sought damages from Huber & Huber. The case was tried nine months later in federal court in South Bend. The plaintiff prevailed and took damages of \$152,000. This was described as the then largest verdict in the history of St. Joseph County. It was also the first verdict in Indiana since the legislature had repealed the \$15,000 limit on damages in a wrongful death case. The presiding judge and lawyers involved are not known.



WIDOW GETS \$152,000 AWARD IN HUSBAND'S DEATH—A U.S. District Court jury awarded \$152,000 to Mrs. Estelle Rankin, 32-year-old South Bend widow, and her five children Wednesday afternoon as damages in the death of her husband, Ralph, killed last October in an automobile-truck accident. The children, left to right, are Joan Marie, 3; Donna Jean, 12; Ralph Jr., 7; Sandra Kay, 2, and Larry Warren, 9.

— Photo by Tribune Staff Photographer.

The Rankin widow and family

Medical Malpractice - The plaintiff suffered a bladder injury during a hysterectomy that left her with incontinence and sexual dysfunction – she and her husband were awarded a total of \$5,000,000 which was ten times the then-statutory limit for medical malpractice plaintiffs

Wampler v. Draus,

10C01-9307-CT-298

Plaintiff: Steven W. Voelker, Jeffersonville

Defense: Richard Mattox, New Albany

Verdict: \$5,000,000 for plaintiff

County: **Clark (Circuit)**

Date: February 2, 1995

Robin Wampler, then age 30, underwent a hysterectomy in 1986.

It was performed by an Ob-Gyn, Dr. John Draus at North Clark Community Hospital. She suffered a bladder injury (described as a hole) during the surgery. While Wampler underwent eight surgeries (incurring medical bills of \$36,000) to repair the injury, she has permanent deficits. The hole was closed, but she is reliant on a catheter which sends her to the bathroom every thirty minutes or so. Wampler also suffers from sexual dysfunction.

In this lawsuit Wampler alleged malpractice by Draus in injuring her bladder. The matter was submitted to a Medical Review Panel. It unanimously concluded there was no deviation from the standard of care.

Wampler and her husband

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