

The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

September 2026

Statewide Jury Verdict Coverage

27 IJVR 9

Unbiased and Independently Researched Jury Verdict Results

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Medical Malpractice - Plaintiff claimed that an orthopedic spine surgeon was negligent in his performance of a procedure to implant a spinal cord stimulator and then failed to timely investigate her postoperative complaints of numbness and weakness, all of which purportedly resulted in permanent spinal-cord injuries

Rooks v. Chang, 45D05-2205-CT-488
Plaintiff: Holly S. Wojcik Rooth and Robert A. Langer, *Langer & Langer*, Valparaiso

Defense: Gregory A. Crisman and Allison Pulliam Morgan, *Eichhorn & Eichhorn, LLP.*, Hammond

Verdict: Defense verdict on liability
County: **Lake**, Superior

Judge: Daniel W. Burke, 5-1-26

On 8-26-19, Jill Rooks, then age 55 and an interventional cardiology nurse, underwent surgery for the implantation of a permanent spinal-cord stimulator intended to relieve chronic back pain. The surgery took place at the outpatient facility of Interventional Pain Management, LLC. in Munster.

The surgery was performed by Dr. Mark Chang, an orthopedic spine surgeon employed by Midwest Spinecare, P.C. He performed laminectomies at the T7-T8 and T8-T9 levels in order to place the stimulator electrodes. Dr. Chang encountered difficulty positioning the paddle lead during the procedure.

Immediately after awakening from anesthesia Rooks experienced

severe pain as well as weakness and numbness in both lower extremities. She was transported by ambulance to Community Hospital, where an emergency-room physician documented complete loss of strength and numbness in her left leg. Although an MRI of the thoracic spine was considered, it was not performed at that time. Instead, Rooks was admitted to the neurological intensive-care unit and placed on a spinal-cord-injury protocol.

Dr. Chang elected to observe Rooks overnight. She continued to suffer motor and sensory deficits and severe thoracic pain the following morning. Dr. Chang then returned her to the operating room for exploration and possible decompression. He removed additional bone in an effort to ensure adequate decompression. A thoracic MRI performed the next day revealed findings consistent with spinal-cord injury caused by prolonged postoperative compression.

Rooks claims that as a result of this experience she has been left with permanent urinary and bowel incontinence, persistent weakness in her legs, and vaginal atrophy. In consequence of the latter injury, she is no longer able to have sex.

Rooks presented her case to a medical review panel. The panel members were Dr. Jaideep Chunduri, Orthopedic Spine Surgery, Indianapolis; Dr. Richard Kim, Neurosurgery, Anderson; and Dr. Tyler Atkins, Neurosurgery, Indianapolis.

Civil Jury Verdicts

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

Premises Liability - An apartment tenant suffered multiple fractures when she slipped on an icy rooftop access walkway and fell approximately nine feet to an alley below; plaintiff alleged the landlord failed to provide required guardrails and a safe means of ingress and egress; the jury assigned the landlord 90% of the fault and also awarded punitive damages

Estate of Sibbo v. Underwood Apts., LLC.,
75C01-2306-CT-14

Plaintiff: Jack A. Kramer, *Allen Law Group, LLC.*, Chesterton

Defense: Clint A. Zalas and Jeremy J. McDonald, *Lee & Zalas, P.C.*, South Bend

Verdict: \$602,500 for plaintiff
(allocated \$475,000 compensatory damages less 10% comparative fault and \$175,000 punitive damages)

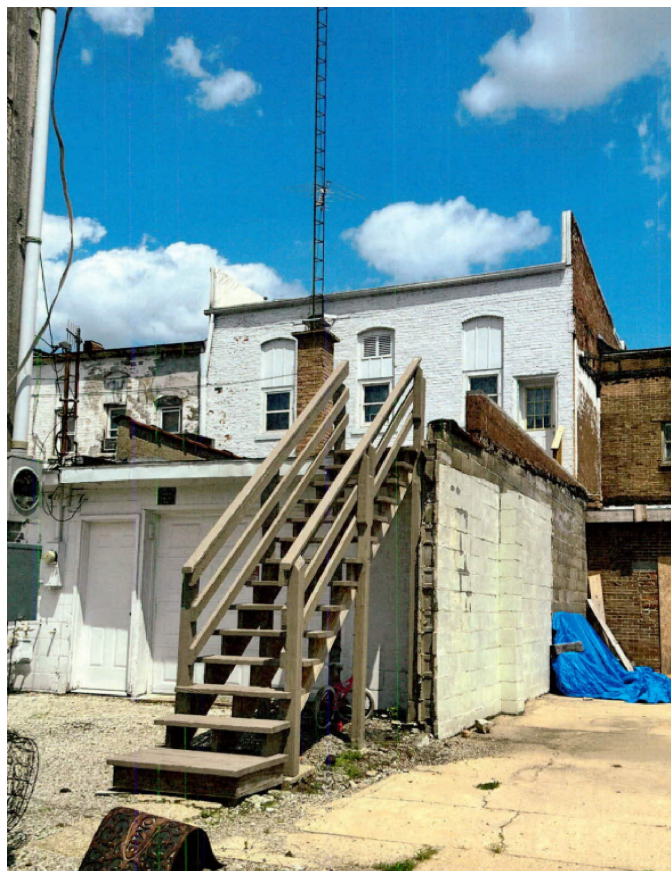
County: **Starke**, Circuit

Judge: Micah Cox (Magistrate),
8-6-26

In 2023 a company called Underwood Apartments and Commercial Leasing, LLC. (hereinafter, "UACL") owned a building located at 15 ½ N. Main Street in Knox. The building contained two commercial storefronts on the ground floor and two apartments on the second floor. Mary Sibbo was a tenant in Apartment B and lived there with her adult son, Randy Sibbo. She had originally leased the apartment on 12-29-21.

The apartments had two entrances: one in the front and the other in the back. The primary entrance was through a front door on Main Street and up a staircase. The back entrance was accessible from the alley behind the building.

To use the back entrance, tenants had to climb a wooden staircase to the roof, walk across the rooftop,



The scene where Sibbo fell from the roof

enter a second door, and then navigate a second smaller staircase leading to the common hallway outside the apartments. The roof sloped toward the alley, which was approximately nine feet below, and there were no guardrails along its edge. The roof would become slippery when it was wet or icy.

On 12-9-22, police officers were pursuing a criminal suspect who had taken refuge in an adjacent building. In the course of the pursuit, the police damaged the front door to the apartment building. Gregg Underwood, the sole member of UACL, posted a sign directing tenants not to use the damaged door while repairs were pending. The sign read "Door is

Broken. DO NOT USE." This effectively left the rooftop route at the rear as the only available means of entering and leaving the apartments.

On 1-1-23, Sibbo attended a family gathering at her daughter's home and then did some shopping at a local Dollar General store. When she returned to her apartment the front door was still inoperable. Sibbo thus had to use the rear entrance and made her way to the rooftop.

Sibbo was carrying some shopping bags, a

pack of cigarettes, and what the record describes as her "last \$40.00." Upon reaching the roof she put the items down so she could open the second door. When she did so a wind came up and blew the items away, including her cash.

Sibbo chased after the cash but soon saw it was heading toward the edge of the roof. Sibbo attempted to stop when she was about five feet from the edge. However, she encountered a patch of ice, slipped, slid over the unprotected edge of the roof, and fell some nine feet to the alley below.

Sibbo would later relate that she lay in the alley for some time before she finally managed to crawl back up the staircase, across the roof, through the second door, and along the second

professionals concerning required clearances.

Defendants' identified experts included Benjamin Hosinski, OSHA Standards, Fishers; and Paul Thorgersen, Electrical Safety Code, Fishers. However, defendants subsequently withdrew Hosinski as a trial witness.

The case was tried for four days in Auburn. The jury returned a verdict for M & S Steel and Fuller (that verdict is not part of the court record), and the court entered a defense judgment.

Prior to trial, defendants had made a qualified settlement offer of \$150,000 and then later a superseding offer for \$250,000. Webb rejected the first offer and did not respond to the second. Post-trial, defendants filed a motion for costs of \$5,000 based upon the rejected offers. The motion was denied, and the defendant has since asked the court to reconsider. That motion to reconsider is pending.

Case Documents:

[Joint Stipulation of Facts](#)

[Plaintiff Summary Judgment Motion](#)

[Defense Summary Judgment Motion](#)

[Final Judgment](#)

Historical Jury Verdicts

Workplace Negligence - During a demolition project of a metal factory, the plaintiff was severely burned in a flash fire when aluminum shavings ignited – the plaintiff took \$3.2 million at a 1990 jury trial in Rochester

Woodcox v. U.S. Granules,

Plaintiff: Harry Wilson, *Wilson Kehoe & Winningham*, Indianapolis

Defense: Arthur May, *May Oberfell & Lorber*, South Bend

Verdict: \$3,200,000 for plaintiff

County: **Fulton**

Judge: Douglas Morton
January 17, 1990

Lonnie Woodcox was working on 9-5-87 on a demolition project at the old IRECO Metals facility in Plymouth. It was now owned by U.S. Granules. Woodcox, working for a contractor, was standing on a ladder and using a blowtorch. Suddenly aluminum shavings were ignited and there was a flash fire.

Woodcox (his clothes aflame) jumped backwards from the ladder. He broke both heels in the fall. Woodcox also suffered third-degree burns to 55% of his body including serious injuries to his hands. He was hospitalized in a South Bend burn unit for several months. Woodcox sued U.S. Granules and alleged negligence by it in supervising the demolition project and failing to warn him of the fire hazard.

The case was filed in Marshall County and then venued to Fulton County. It was tried in Rochester for two weeks and the jury deliberated for four hours. Woodcox prevailed and took \$2,000,000 in compensatory damages. The jury imposed \$1,000,000 more in punitives. His wife took \$200,000 for her

consortium interest. The verdict totaled \$3.2 million. U.S. Granules paid it. Woodcox would later indicate he ended up with about "\$1.6 million" in a lump sum after paying his lawyers and incurred medical bills. The \$3.2 million in 1990 would be about \$8.175 million in 2026 dollars.

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