

# The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

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Statewide Jury Verdict Coverage

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*Unbiased and Independently Researched Jury Verdict Results*

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## Medical Negligence - A woman who sought treatment from a chiropractor for headaches suffered an adverse reaction to a round of "cryotherapy"; she blamed the incident on the alleged failure of the chiropractor and his staff to take her blood pressure prior to beginning the treatment

*Williams v. Crooks, et al.,*

49D01-2011-CT-38984

Plaintiff: Ann Marie Waldron,

*Waldron Tate Bowen, LLC.,*

Indianapolis; and Michael E.

Simmons, *Hume Smith Geddes Green*

*& Simmons, LLP.,* Indianapolis

Defense: Trenton W. Gill and

Brooke M. Behrens, *Reminger Co.,*

*LPA.,* Indianapolis

Verdict: Defense verdict on liability

County: **Marion**, Superior

Court: J. Welch, 8-23-23

In June of 2017, Linda Williams was involved in an automobile accident that left her suffering from persistent headaches. On the recommendation of a friend Williams sought treatment at a chiropractic practice called Integrated Health Solutions in Indianapolis.

Williams first presented at the offices of Integrated Health Solutions on 2-2-18 where she came under the care of chiropractor Dr. Tyler Crooks. After an initial consultation, Dr. Crooks provided Williams with treatment that included acupuncture and chiropractic manipulation.

In addition, Dr. Crooks offered to give Williams a session of

"cryotherapy." This is a three-minute procedure in which the patient enters a small chamber and is subjected to temperatures as low as -130°. The door of the chamber is magnetically controlled, and it can easily be opened by the patient and the procedure brought to an end at any time.

Cryotherapy is contraindicated for patients whose blood pressure is higher than 150/90. Thus, one of the cardinal rules of cryotherapy is that the patient's blood pressure must be taken prior to the procedure. If the reading is 150/90 or higher, then the procedure must not be done.

There would later be some disagreement about whether Williams's blood pressure was in fact taken prior to the procedure. In any event, an assistant helped Williams into the chamber, and the procedure commenced.

The experience seemed to exacerbate Williams's headache. The pain became so unbearable that after only two minutes in the chamber she opened the door and ended the procedure. By this time Williams had become disoriented and at one point even vomited.

The medical staff, including Dr. Crooks, tended to Williams, laid her down on a massage table so she could recover, and monitored her condition. After some time had passed, Williams called her husband, Kevin, to come and pick her up.

When Kevin picked up his wife at the facility, he drove her immediately

**Civil Rights - The plaintiff, a young woman who fled the police at more than 110 mph on the interstate around Fort Wayne, finally crashed and was about to give herself up after hiding behind a bush – a few moments later a police K-9 (Blaze) found the woman and brutally mauled her on the face – the woman alleged the use of force was excessive**

*Fleming v. Fort Wayne Police*, 1:21-339  
 Plaintiff: Christopher C. Myers, *Myers Smith Wallace*, Fort Wayne and Dennis H. Geisleman, *Geisleman & Brown*, Fort Wayne  
 Defense: Carolyn M. Trier, *Trier Law Office*, Fort Wayne  
 Verdict: Defense verdict on liability  
 Federal: **Fort Wayne**  
 Court: J. Brady, 12-6-23

The Fort Wayne Police were patrolling after midnight on the northwest side of town near the Hawthorne Suites motel on 11-16-20. The area was then known for guns and drugs. A Cadillac Escalade pulled from the parking lot of the motel. The police followed it.

Trinity Fleming, age 19, was driving the SUV. She failed to signal a lane change. The police turned on the blue lights and prepared to make a traffic stop. Fleming fled the scene at speeds that reached 100 mph on nearby I-469. A K-9 officer for the police, Scott Wilson, placed a set of spike strips after Fleming exited the highway. Fleming drove over them and lost control. She crashed into a residential front yard.

Fleming jumped from the SUV and fled on foot. It was pitch dark in the residential area. She hid under a bush for some 30 minutes. At the same time Wilson had brought in his K-9 Unit (Blaze) to assist in locating the driver of the Escalade. Blaze first

got a scent from the vehicle, and shortly thereafter he located Fleming behind the bush.

At this juncture Fleming realized the jig was up and she was essentially caught. She then heard Wilson order the dog to “Get the rabbit.” A moment later Blaze grabbed Fleming by the face and began to maul her. Wilson arrived an instant later and attempted a tactical “take-off” of the dog. This wasn’t easy but ultimately Blaze released his bite. This was no ordinary dogbite either. Fleming’s face was mauled. In photographs at the hospital it is clear she had suffered a serious, gruesome, and grotesque injury. She later underwent a surgery to repair a broken nose and her facial lacerations.

Fleming sued the Fort Wayne Police and alleged that Wilson had used excessive force in releasing the aggressive and vicious Blaze upon her to inflict a prolonged mauling. If she proved the case, the jury could award her compensatory damages.

Wilson denied he had acted unreasonably in releasing Blaze to find the hiding Fleming. In this regard he noted she had been involved in a dangerous high speed chase (she later pled guilty to charges related to that chase) and that the area was dark.

The case was tried for three days in Fort Wayne. Judge Brady’s instructions asked if Wilson had exercised “unreasonable force” against Fleming. The jury said no and did not reach damages. A defense judgment was entered.

#### **Case Documents:**

[Pretrial Order](#)  
[Jury Verdict](#)

**Auto Negligence - Plaintiff claimed to have been injured in a crash for which defendant admitted fault but disputed the nature and extent of plaintiff’s injuries; the jury awarded plaintiff zero damages**

*Reeves v. Verh*, 06D01-2211-CT-1453  
 Plaintiff: Kevin W. McIntosh, *Ken Nunn Law Office*, Bloomington  
 Defense: Bette J. Peterson, *State Farm Litigation Counsel*, Indianapolis  
 Verdict: \$0 for plaintiff  
 County: **Boone**, Superior  
 Court: J. Kincaid, 11-13-23

A crash took place in Boone County on 4-13-22. It happened near the intersection of Lafayette Avenue and Mar Lee Lane in Lebanon when Carl Verh collided with Mary Reeves. The record does not reveal the nature of Reeves’s claimed injuries or the amount of her medical expenses.

Reeves filed suit against Verh and blamed him for causing the crash. Additionally, she presented an uninsured/underinsured motorist claim against her own insurer, State Farm. Her UM/UIM coverage under her State Farm policy was 50/100.

Reeves ultimately stipulated to the dismissal of her claim against State Farm. The litigation proceeded thereafter solely against Verh. He admitted fault for the crash but disputed the nature and extent of Reeves’s claimed injuries.

The case was tried in Lebanon solely on the issue of damages. The jury returned a verdict in which Reeves’s damages were set at \$0. Based on that finding, the court entered a defense judgment for Verh. Prior to trial, Verh had made a qualified settlement offer of \$12,000. At the time the IJVR reviewed the record, no post-trial motions had yet been filed.

#### **Case Documents:**