

PRACTICE

LITIGATION

Bodily Injury/Wrongful Death

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OVERVIEW

Our lawyers have represented numerous individuals and their family members who have suffered serious bodily injuries or death. We also defend clients in such actions. Our experience in this area is wide-ranging and includes auto accidents resulting in quadriplegic injuries to death from a natural-gas explosion. The experiences from both the plaintiff and defense side allow our litigators to more effectively resolve cases.

EXPERIENCE

- *Lindsey v. DeGroot*, 898 N.E.2d 1251 (Ind. Ct. App. 2009) (Determined Indiana's Right to Farm Act was constitutional and applied to bar the nuisance claim of a neighbor against DeGroot Dairy).
- *The Sierra Club v. Gates*, 499 F. Supp. 2d 1101 (S.D. Ind. 2007) (successfully defended action which sought to enjoin continuing shipments of the product of the hydrolosis of the chemical warfare agent VX from a depot in Indiana to Veolia Environmental Service's incineration facility in Texas)
- *Pound v. Airosol Co., Inc.,* 316 F.Supp.2d 1079 (D. Kan. 2004) and 498 F.3D 1089 (10th Cir. 2007) (obtained summary judgment holding competitor's product, which contained ozone-depleting substances violated the Clean Air Act and establishing a competitor's right in the Tenth Circuit to recover attorney fees in bringing a successful citizen's suit under the Clean Air Act)
- *Raybestos Prods. Co. v. Indiana Dept. Envtl. Mgmt.*, Cause No. 49Dl2-0209-PL-001553 (Marion County Superior Court—summary judgment July 6, 2004, June 12, 2006 judgment ($11.6 million) & October 30, 2006 ($4.7 million), (obtained a $16 million judgment against the Indiana Department of Environmental Management for reneging on an agreed order for a risk-based PCB cleanup, reversed on appeal)

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WALKER
CHRISTINE C. H. PLEWS
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- *Port Comm'n v. Consolidated Grain & Barge Co.*, 701 N.E.2d 882 (Ind. Ct. App. 1998) (preliminary injunction regarding use of rail and port facilities)
- *Natural Gas Odorizing, Inc. v. Downs*, 685 N.E.2d 155 (Ind. Ct. App. 1997) (duty to warn gas users)
- *Town of Montezuma v. Downs*, 685 N.E.2d 108 (Ind. Ct. App. 1997) (negligence per se claims involving a gas explosion)

[Include significant environmental and insurance coverage cases?]

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