



**Wilson  
Kehoe  
Winingham** LLC

**INJURY ATTORNEYS.  
RESTORING LIVES.**



## **Year in Review**

Firm Highlights and Notable Cases

## Dear Colleague:

As we reflect on the previous year of our work, we're humbled to share with you a snapshot of personally and professionally rewarding cases that have crossed our desks, many of which were referred to WKW by attorneys like yourself.

In the following pages you'll find fun updates from the firm—including a new addition to our legal team—and a diverse mix of resolved matters, ranging from medical malpractice and product liability cases, to cases involving motor vehicle collisions and premises liability. We appreciate the unique challenges and opportunities that each case brings, and are grateful that you have trusted us to obtain successful outcomes in a variety of complex injury cases.

Thank you for viewing our annual publication. We hope to hear from you in 2024!

**Bruce Kehoe**  
kehoe@wkw.com

**Bill Winingham**  
winingham@wkw.com

**Chris Stevenson**  
cstevenson@wkw.com

**Jon Noyes**  
jnoyes@wkw.com

**Emily Chimenti**  
echimenti@wkw.com

**Kent Winingham**  
kwiningham@wkw.com

**Kayla Carmosino**  
kcarmosino@wkw.com



*In 2023, we expanded our legal roster to seven full-time attorneys with the addition of Kayla Carmosino.*

*Learn more about Kayla and her unique history with WKW on the pages that follow.*

LEFT TO RIGHT:  
BILL WININGHAM, CHRIS STEVENSON, JON NOYES, EMILY CHIMENTI (FORMERLY VANTYLE), BRUCE KEHOE, AND KENT WININGHAM.



**Bruce Kehoe**

**2023 HIGHLIGHT**

Recognized by  
Top 10 Super Lawyers List  
for the  
16th Consecutive Year

**PRIMARY PRACTICE AREAS**

Birth Injury  
Obstetrical Malpractice  
Spinal Cord Injury  
Auto/Truck Collision

**CONNECT WITH BRUCE**

kehoe@wkw.com

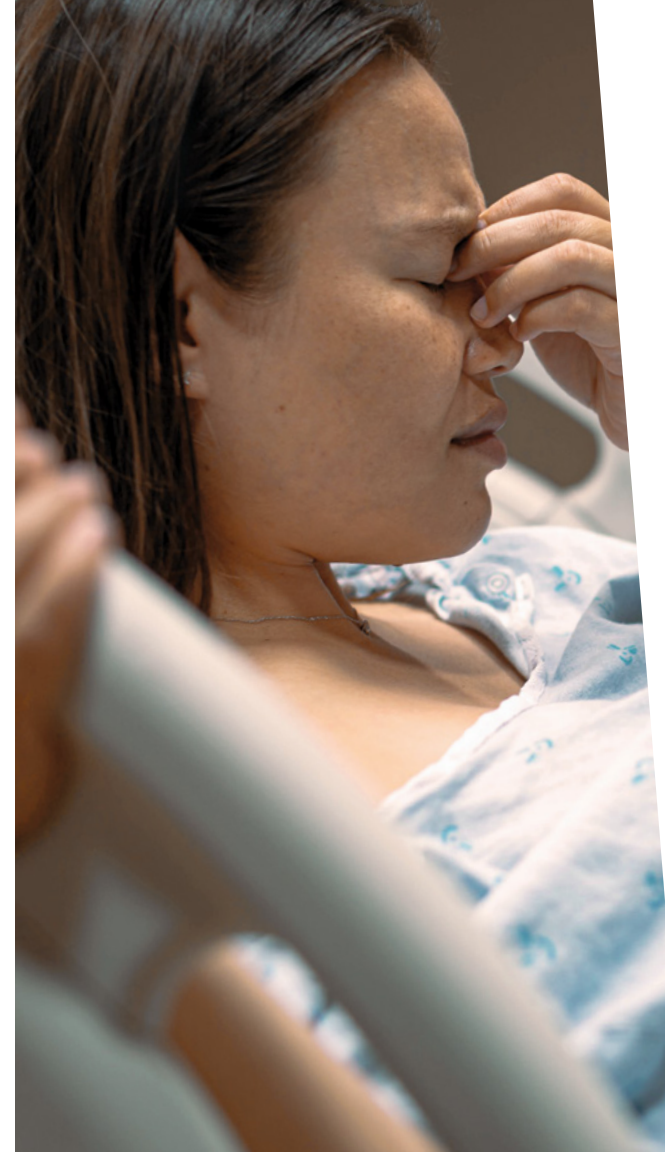
**MEDICAL MALPRACTICE**

**\$1.025 Million Recovered for Army Serviceman**

A 31-year-old, active-duty U.S. Army serviceman suffered a minor shoulder injury requiring routine resection of his distal clavicle. However, almost twice as much clavicle was removed during the surgery than was necessary, resulting in permanent instability of the distal clavicle, AC joint, and shoulder. More devastatingly, it resulted in him being determined unfit to serve in the U.S. Army, and he was discharged. **Kent Winingham** was able to get the case resolved prior to any Medical Review Panel convening. He was then successful in recovering an additional \$1.025 million from the Patient's Compensation Fund on behalf of the veteran. WKW prides itself on representing veterans as often as they can, and was pleased to obtain this life-changing recovery for this deserving young man.

**\$950,000 Recovery for Woman with Hand Tremor Post-Hysterectomy**

A young woman underwent a hysterectomy, but during the procedure suffered an IV infiltration that required an emergent fasciotomy. However, given the length of time of the infiltration and amount of fluid accumulated in the hand, she suffered a severe nerve injury resulting in a permanent and unrelenting hand tremor. After resolving the case with the underlying healthcare provider, **Kent Winingham** was able to recover an additional \$950,000 from the Patient's Compensation Fund. Before the young woman sought WKW's guidance, her case had been reviewed by a separate firm and physician expert, and declined. WKW, however, analyzed the case from a different angle, took a chance, and ultimately secured a significant recovery.



**A Swift Resolution in Case Involving Newborn's Death**

A mother presented to a local hospital in labor at 39 weeks. Upon admission, the baby demonstrated non-reassuring fetal heart tracings including continued variable and late decelerations. Labor was allowed to continue over 16 hours with decreasing variability. On birth, the baby suffered from hypoxia, metabolic acidosis, and a brain injury from the failure to properly monitor the fetal heart tracings and convert to an emergency C-section. The baby subsequently passed away. **Bruce Kehoe** filed this case before the Indiana Department of Insurance where he was able to get a swift resolution, and was ultimately able to recover \$1 million in excess damages from the Patient's Compensation Fund.

**\$1.25 Million Recovery for Disabled Child**

A young mother brought her 15-month-old baby to a local emergency room following concerns for shortness of breath. While in the ER, the baby's respiratory rate declined rapidly, and it became necessary to intubate him. The ER physician failed to properly intubate him on the first try, leading to a severe anoxic brain injury. The child survived but is now wheelchair-bound with severe cognitive and developmental delays. **Bruce Kehoe** and **Emily Chimenti** were able to resolve the case with the Qualified Healthcare Provider and subsequently obtained an additional \$1.25 million in excess damages from the Patient's Compensation Fund for the disabled child.





## Kent Winingham

### 2023 HIGHLIGHT

Unanimously Selected to Serve as the 2026 IndyBar Foundation President

### PRIMARY PRACTICE AREAS

Auto/Truck Collision  
Medical Malpractice  
Nursing Home Neglect

### CONNECT WITH KENT

[kwiningham@wkw.com](mailto:kwiningham@wkw.com)

# Vacation Gone Wrong: Carbon Monoxide Poisoning in Gatlinburg

*Carbon monoxide (CO) at a rental cabin in Gatlinburg, Tennessee, caused significant injuries to seven women visiting for a get-away weekend. Chris Stevenson and Kent Winingham filed suit in Federal Court in Tennessee against the cabin owners, property manager, builder, plumber, HVAC company, and water heater manufacturer.*

A tankless gas water heater was emitting high levels of CO, for which the fire department had been called to the cabin four prior times to address. The water heater was set to operate on natural gas; however, the cabin had liquid propane. The property manager called an HVAC company to correct the issue, who then failed to fix the problem with the water heater. While a CO detector had been in the cabin to alert the prior occupants of CO, the property manager took down the CO detector and replaced it with a regular smoke detector just prior to WKW's clients' arrival at the cabin.

As CO poisoning harms the body in multiple ways, Chris and Kent worked with a variety of damages experts to demonstrate exactly how their clients were injured by CO, including neuropsychologists, a neurologist, and a SPECT brain imaging expert. The case was settled a few days before the start of trial in Tennessee for a confidential amount as to the property owner, manager, and HVAC company. WKW obtained an additional judgment against the plumbing company for \$2.7 million.



## Chris Stevenson

### 2023 HIGHLIGHT

Securing a Multi-Million Dollar Resolution for Carbon Monoxide Poisoning Matter

### PRIMARY PRACTICE AREAS

Aviation  
Construction  
Carbon Monoxide  
Auto/Truck Collision

### CONNECT WITH CHRIS

[cstevenson@wkw.com](mailto:cstevenson@wkw.com)



**Bill Winingham**

**2023 HIGHLIGHT**

Recognized by Top 10 Super Lawyers List for the 9th Consecutive Year

**PRIMARY PRACTICE AREAS**

Auto/Truck Collision  
Catastrophic Injury  
Products Liability

**CONNECT WITH BILL**

winingham@wkw.com

**PRODUCT LIABILITY**

**Lawsuit Highlights Defective AED Design and Maintenance Negligence**

A woman suffered a heart attack at work. When co-workers went to use the AED to restart her heart, the battery was dead. EMTs showed up 10 minutes later and were able to get her heart started with a working AED, but the anoxic event left her brain dead, and she died the next day.

**Chris Stevenson** and **Emily Chimenti** sued the company that was contracted to maintain and service the AED, and the manufacturer of the AED. They alleged the dead battery should have been discovered through inspections and the AED was defectively designed so as to allow the battery to rapidly drain while the AED was not in use. Chris and Emily were able to overcome the wrongful death damage cap on loss of love and affection for those who die without dependents. They showed that the decedent’s relationship with her adult children gave rise to a claim for dependency that would negate the cap. The case was successfully settled at mediation benefiting the decedent’s two surviving adult children.

**Machine Accident Leads to \$1.8M Resolution**

A young man suffered the amputation of his hand just above the wrist when the die of a machine came down unexpectedly while his hand was in the path of the die. The machine was more than 10 years old and work comp exclusivity prohibited suing the employer.

**Bill Winingham** discovered that an outside company had been providing maintenance and repair work on the machine for many years, including work on the guard that only partially protected users. WKW showed that the guard should have been extended across the front of the machine to protect the young worker. After an expert report, Day in the Life video, and lost future earnings assessment, the case was settled at a second mediation for \$1.8 million.

**SEMI-TRUCK COLLISION**

**Truck Crash Case Settled with Old-Fashioned Detective Work**

A family was driving to dinner when a semi-truck came into their lane and hit their vehicle twice, sending the vehicle tumbling down the highway and severely injuring everyone inside. **Jon Noyes** tracked down three witnesses who were not listed on the police report. They testified that they saw the semi-truck enter the family’s lane and cause the collision. Jon also used neuropsychological testing to show several family members suffered traumatic brain injuries and had cognitive impairments from the crash. The case settled at mediation weeks before trial.



**WKW Obtains Justice for Young Mother and her Twins**

A young mother and her two infant daughters were killed in a fiery crash on I-465 on the north side of Indianapolis when rear-ended by a semi-truck. Years of litigation involved claims against the truck driver, trucking company, the company that screened the driver, and multiple defendants participating in the design and oversight of the construction zone. **Jon Noyes** and **Bill Winingham** resolved the case against the last defendants in 2023.



**Jon Noyes**

**2023 HIGHLIGHT**

Celebrating 10 Years with WKW as an Attorney

**PRIMARY PRACTICE AREAS**

Auto/Truck Collision  
Construction Injury/Death  
Tree Failure

**CONNECT WITH JON**

jnoyes@wkw.com





## BRAIN INJURY

### Settlement with Drunk Driver and Enabling Employer

A father of four sustained a severe brain injury at the hands of a drunk driver in Zionsville, Indiana. After settling with the drunk driver, **Bruce Kehoe** and **Jon Noyes** learned the driver had gotten drunk at work with her employer's knowledge, and that she and her co-workers routinely used alcohol and drugs at work. Bruce and Jon brought suit against the employer and uncovered text messages showing the drunk driver's manager buying her alcohol and allowing other employees to use drugs at work. Bruce and Jon then obtained an order compelling the manager to produce additional text messages relating to drug and alcohol use at her place of employment, and the case settled at mediation shortly thereafter.



### Kayla Carmosino

#### 2023 HIGHLIGHT

Returning Home to Indiana to Join the WKW Team

#### PRIMARY PRACTICE AREAS

Medical Malpractice  
Auto/Truck Collision  
Premises Liability

#### CONNECT WITH KAYLA

[kcarmosino@wkw.com](mailto:kcarmosino@wkw.com)



## New Hire: Kayla Carmosino

We're thrilled to have expanded our legal roster to seven full-time attorneys with the addition of Kayla J. Carmosino.

A former WKW law clerk, Kayla returns to the firm after living in Denver, Colorado, and working for a nationally recognized medical malpractice firm. Kayla's practice is focused on cases involving medical malpractice, transportation accidents, and premises liability.



*Milestone  
Anniversaries*



Angie Briley, Paralegal  
20 years



Jon Noyes, Attorney  
10 years  
AS AN ATTORNEY, HE CLERKED  
FOR US PRIOR TO BAR ADMISSION



Megan Bellamy, Paralegal  
10 years

## The past year at WKW has been filled with many notable celebrations.

We kicked off 2023 by promoting Jon Noyes and Kent Winingham to partner status within the firm.

Mid-summer, Jon and his wife experienced the joy of parenthood for the first time as they welcomed their son, Alex, into the world. And not to be outdone, Kent and his wife welcomed their second child, Tate.

In September, attorney Emily VanTyle became Mrs. Emily Chimenti when she married her sweetheart, Pete Chimenti.

These special moments serve as a reminder that beyond the firm's professional achievements, WKW is a place where love, family, and milestones are celebrated. We extend our heartfelt congratulations to our colleagues and their expanding families.





### Emily Chimenti

#### 2023 HIGHLIGHT

Named an Up and Coming Lawyer by the *Indiana Lawyer* Leadership in Law Awards

#### PRIMARY PRACTICE AREAS

Birth Injury  
Medical Malpractice  
Auto/Truck Collision  
Products Liability

#### CONNECT WITH EMILY

echimenti@wkw.com

## PREMISES LIABILITY

### Elderly Woman Injured by Unrestrained Dog at Hotel

An elderly woman was staying at a Greenwood, Indiana, hotel when suddenly a guest's unrestrained Newfoundland dog jumped on the woman, knocking her down and breaking her hip and femur. Emily Chimenti was able to find key evidence regarding hotel policies on dogs that showed the hotel violated their own policies. Ultimately, **Emily Chimenti** and **Bill Winingham** were able to resolve the case for \$175,000 with contributions from both the dog owner and hotel.

### \$600,000 Recovery in Improper Crosswalk Design Case

A man was severely injured when he was struck by a car while using a pedestrian crosswalk connecting an establishment to a parking lot. He suffered a number of significant orthopedic injuries requiring multiple surgeries. After resolving the matter with the motorist, **Emily Chimenti** and **Kent Winingham** pursued an improper crosswalk design case against the City of Shelbyville. Emily was able to secure critical testimony through her depositions of multiple witnesses, supporting the plaintiff's belief that there was not proper signage identifying the crosswalk for oncoming motorists. Emily and Kent were able to secure an additional \$500,000 recovery against the city.

### Settlement for Woman Shot in the Eye at a Car Care Facility

When a woman suffered a serious eye injury at a car care facility, **Jon Noyes** and **Bill Winingham** conducted discovery to determine what went wrong. It turned out that a surveillance video showed a small bead was run over by a nearby car, which shot the bead directly into the woman's eye. The bead had not been noted by the car care facility employees ahead of time, and there was no written protocol for inspection of the area where the bead had been located. The case was settled at mediation.

## Collaborate with us.

*Whether you are referring a case or seeking co-counsel support, WKW will be happy to hear from you.*

[Wkw.com](http://Wkw.com) | 317.920.6400

WKW has earned a distinguishable reputation with experience in injury cases involving:

- Auto/Truck Collisions
- Medical Malpractice
- Birth Injury
- Spinal Cord Injury
- Brain Injury
- Aviation Accidents
- Premises Liability
- Products Liability
- Farming Accidents
- Nursing Home Negligence
- Construction Injuries







2859 North Meridian Street  
Indianapolis, IN 46208  
317.920.6400

[WKW.com](http://WKW.com)

PRSR STD  
U.S. POSTAGE  
**PAID**  
VDM

**INJURY ATTORNEYS. RESTORING LIVES.**