

# 2025

## *Year in Review*

Firm Highlights and Notable Cases



**Wilson  
Kehoe  
Winingham** LLC

INJURY ATTORNEYS. RESTORING LIVES.



## Dear Colleague:

Our 2025 *Year in Review* gives us the opportunity to reflect on another meaningful and impactful year at WKW. Inside, you'll find a selection of notable cases spanning medical malpractice, premises liability, trucking collisions, and other complex matters that required careful attention and thorough advocacy. Just as importantly, this booklet allows us to express our sincere appreciation to the many attorneys who continue to place their trust in us. Your referrals are the foundation of our work, and we are grateful for every relationship that allows us to serve clients alongside you.

This past year brought significant growth and momentum for WKW. Our team expanded, our attorneys continued to secure strong results for clients facing catastrophic injuries or the loss of loved ones, and our staff upheld the high standards of care and detail that define our firm. None of the work reflected on these pages would be possible without the dedication of our entire team, whose commitment allows us to uphold the standard of excellence our clients and referring partners rely on.

Thank you for taking the time to read our *Year in Review*. We value the trust you place in us and look forward to continuing to serve you and your clients in 2026 and beyond.

**Bruce Kehoe**  
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**Bill Winingham**  
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**Jon Noyes**  
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**Kent Winingham**  
Partner / Attorney at Law  
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**Emily Chimenti**  
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**Kayla Carmosino**  
Attorney at Law  
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Whether you're referring a case or seeking co-counsel, WKW will be happy to collaborate with you.

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

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



## Securing Justice: Maximum Recoveries in Birth Injury Cases

**Bruce Kehoe and Emily Chimenti's deep expertise in birth injury litigation led to several significant recoveries this past year, including multiple cap recoveries from the Patient's Compensation Fund. These complex matters illustrate the sophisticated medical and legal insight required for such results.**

### Delayed C-Section and HIE Lead to \$1.65 Million Cap Recovery

At 38 weeks pregnant, a mother presented to her obstetrician after decreased fetal movement. Office ultrasound and biophysical profile results were critically abnormal. Despite this, the obstetrician sent the mother and her unborn child for an induction of labor. After over nine hours of labor, an emergency C-section was performed. The child was born limp and not breathing; though revived, she was ultimately diagnosed with hypoxic ischemic encephalopathy. Despite a difficult medical review panel opinion, Bruce and Emily settled the case with the Qualified Healthcare Providers. With the help of key damages experts, they proved the significant damages this child will endure and secured the statutory cap of \$1.65 million from the Patient's Compensation Fund.

### Securing a \$1.65 Million Cap Recovery for Fetal Distress and Brain Injury

A first-time mom presented to a hospital for a routine induction at three centimeters dilated. The nurse-midwives subsequently monitored her labor, which progressed slowly as the unborn baby began to experience a lack of oxygen. After almost three days of labor, the baby was finally born with no detectable heart rate. Thankfully, the baby was resuscitated but ultimately diagnosed with a profound brain injury. After a unanimous panel opinion, the case was swiftly resolved with the Qualified Healthcare Providers. Bruce and Emily then utilized expert testimony to garner a cap offer of \$1.65 million from the Patient's Compensation Fund—only five months after filing the petition for excess damages.



**Bruce Kehoe**



**2025 Highlight**  
Recognized by Top 10  
Super Lawyers List for the  
17th Consecutive Year



**Areas of Focus**  
Birth Injury  
Obstetrical Malpractice  
Spinal Cord Injury  
Auto / Truck Collisions



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**Emily Chimenti**



**2025 Highlight**  
Selected to serve as  
the 2025 Chair of IndyBar's  
Women and the Law Division



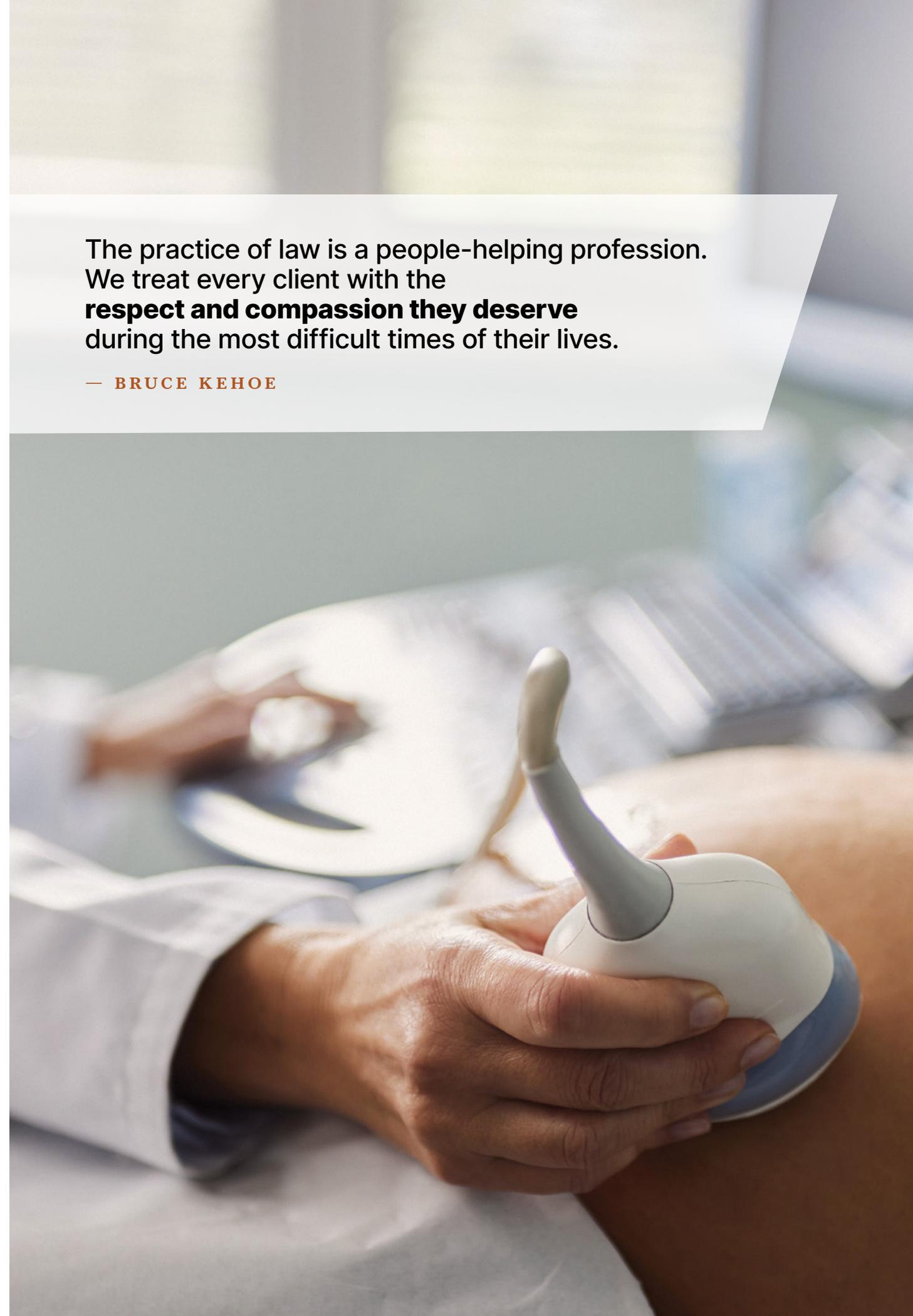
**Areas of Focus**  
Birth Injury  
Medical Malpractice  
Auto / Truck Collisions  
Products Liability



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The practice of law is a people-helping profession. We treat every client with the **respect and compassion they deserve** during the most difficult times of their lives.

— BRUCE KEHOE



## Medical Malpractice

### **\$1 Million Settlement Following Failure to Inform Patient of Suspicious Findings**

A wife and mother presented to a small emergency department complaining of low back pain. Although imaging ordered by the ER physician revealed a suspicious mass on her kidney, the physician failed to inform the patient or recommend follow-up care. A year later, the woman returned to the same ER with similar complaints and was seen by the same physician. A second imaging study again noted a suspicious lesion, yet the physician failed to inform her of the findings once more. Ultimately, 22 months passed before the kidney cancer was diagnosed, leading to the total loss of the kidney.

**Emily Chimenti** and **Kent Winingham** represented the woman, swiftly resolving the case with the Qualified Healthcare Provider prior to the medical review panel process. After filing a petition for excess damages, and with the support of an expert oncologist, Emily and Kent secured \$1 million for the client.

### **Additional \$575,000 Recovery for Nerve Injury Sustained by English Professor**

A college professor's posterior interosseous nerve was inadvertently sutured during surgery to repair a wrist fracture. The injury and subsequent treatments limited the use of her hand, impacting her career as an English professor and published author due to her difficulty typing. **Kent Winingham** utilized intraoperative video from the client's subsequent treating hand surgeon to demonstrate the nature and extent of the damage. This evidence proved critical during the Patient's Compensation Fund phase of the case. Kent's work ultimately secured an additional \$575,000 from the Fund.

### **\$1.2 Million Resolution for Failure to Monitor Kidney Transplant**

A man in his early fifties underwent a kidney transplant, after which his post-operative care went uncoordinated and unmonitored. In the months following the procedure, his kidney function worsened as he developed an unrecognized BK virus and severe polyoma nephritis. These complications ultimately led to total kidney failure, necessitating a second transplant. **Bruce Kehoe** and **Kayla Carmosino** resolved the case with the qualified healthcare defendants before the issues were presented to a medical review panel. Following this resolution, Bruce and Kayla obtained an additional \$1.2 million from the Patient's Compensation Fund.



**Kent Winingham**



**2025 Highlight**  
Selected to be the 2026  
President of the  
Indianapolis Bar Foundation



**Areas of Focus**  
Auto / Truck Collisions  
Medical Malpractice  
Nursing Home Neglect



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**Bill Winingham**



**2025 Highlight**  
Recognized by Top 10  
Super Lawyers List for the  
10th Consecutive Year



**Areas of Focus**  
Auto / Truck Collisions  
Catastrophic Injury  
Products Liability



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## Auto / Truck Collisions

### **\$3.4 Million Recovery for Traumatic Brain Injury Following Truck Collision**

A retired Indiana farmer was traveling to purchase livestock feed when his vehicle was struck by a truck that had disregarded a red light. Our client, who was not wearing a seatbelt, was ejected from the vehicle and suffered life-altering injuries, including a traumatic brain injury. The severity of these physical injuries forced the sale of his farming operation, as he could no longer perform the necessary labor. **Bruce Kehoe** and **Kayla Carmosino** filed the lawsuit within days of the crash, successfully securing the filing before a change in state law allowing for a seatbelt defense. Discovery revealed the truck driver was a convicted felon with a history of driving infractions who had not been properly vetted for employment. The matter was resolved at mediation for \$3.4 million.

### **\$2.975 Million Resolution for Pediatric Brain Injury and Family**

A father and his two young children were traveling home when their vehicle was violently rear-ended by a teenage driver. The collision caused a brain bleed and required an extensive hospital stay for the 12-month-old infant. **Bill Winingham** and **Emily Chimenti** represented the family, securing a \$2.975 million settlement without the need for a single deposition. To demonstrate the likelihood of long-term cognitive challenges for the young child, they took the unconventional step of engaging a pediatric neuropsychologist for a comprehensive evaluation. This expert report, coupled with a compelling demand, compelled the insurance carrier to settle for an amount just under the policy limits.

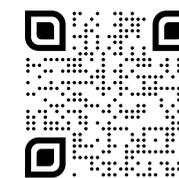
### **\$750,000 Settlement for TBI Following Semi Crash**

A young businessman was traveling with friends on US 31 in northern Indiana when a semi-truck turned directly into the path of his vehicle. The resulting collision caused the young man to suffer a traumatic brain injury. **Bill Winingham** and **Emily Chimenti** filed suit and conducted critical discovery into the trucking company's records, proving a failure to properly vet a driver with a known history of safety infractions. Following an amendment to the complaint to include a claim for punitive damages, the case was resolved shortly after mediation for \$750,000.

### **Construction Company Accountability for Catastrophic Brain Injury**

A woman was commuting to work when a construction company driver disregarded a red light and struck her vehicle, causing devastating physical and neurological injuries. Her family retained **Jon Noyes** and **Kayla Carmosino** to hold the company accountable. Utilizing the company's own fleet management technology, Jon and Kayla proved the driver was speeding and established a history of prior safety violations that should have resulted in his termination. By utilizing a high-tech animation to illustrate the impact on the client's brain and body, they successfully resolved the case at mediation for a confidential amount.

**SCAN FOR A DAMAGES ANIMATION THAT WE PRESENTED IN A RECENT CASE:**





Our mission is simple: to be on the side of those who have suffered and **do everything in our power** to help them recover as fully and as quickly as possible.

— **BILL WININGHAM**

### **\$550,000 Settlement for Elderly Driver Struck by City Ambulance**

An elderly woman was driving in Fishers, Indiana, when she pulled to the side of the road to allow an approaching ambulance to pass. The ambulance driver, failing to maintain a proper lookout, struck the rear of her vehicle at a high rate of speed. **Bill Winingham** and **Emily Chimenti** immediately deployed an accident reconstructionist to the scene to preserve key evidence and later developed an animation to illustrate the exact sequence of events. Despite the challenges of Indiana's contributory negligence standard, the City of Fishers settled the matter for \$550,000 without the need for depositions.

### **Dram Shop Resolution Achieved Despite Lack of Forensic Evidence**

Two brothers were returning from a concert when a speeding driver ignored a stop sign and t-boned their vehicle, killing one brother and leaving the other with profound physical and emotional scars. Although the negligent driver was not subjected to a blood draw at the scene, **Bill Winingham** and **Jon Noyes** uncovered text messages from the driver's girlfriend regarding his level of intoxication. They traced the evidence to a specific bar, utilizing bar tabs, eyewitness testimony, and police bodycam footage to establish that the establishment had overserved the driver. The firm achieved a confidential settlement at the conclusion of a multi-day mediation.

### **Expeditious Resolution in Fatal Semi-Truck Collision**

**Kent Winingham** secured a swift resolution for the family of a man killed by a distracted semi-truck driver. The decedent was tending to his own truck on the shoulder of the road when he was struck. Through the strategic use of dashcam footage and initial discovery, Kent was able to establish clear liability while proactively minimizing defense arguments regarding comparative fault. The case was successfully resolved in a confidential proceeding less than one year following the incident.

### **\$500,000 Recovery for Aggravation of Preexisting Conditions**

A woman was stopped at a red light when a drunk driver and a landscaping truck driver both disregarded a signal, collided with one another, and subsequently struck the client's vehicle. The client had a significant history of back pain and prior fractures, for which she was receiving ongoing pain management. Through a Rule 35 examination and deposition testimony, **Kent Winingham** proved that her condition was significantly aggravated by this second collision. He further established that the landscaping company bore a higher degree of liability than the drunk driver, a distinction critical to the final \$500,000 recovery for the client's long-term care.

### **Justice Secured Following Fatal Back-of-Queue Catastrophe**

A dangerous traffic backup formed on an interstate highway, stretching for over a mile without any warning signage for approaching and unsuspecting motorists. A semi-truck driver failed to notice the queue and crashed into the stopped vehicles, resulting in three catastrophic fatalities. Following this tragic incident, **Jon Noyes** and **Emily Chimenti** were retained by the families to investigate the cause of the backup. Their investigation revealed that contractors had manually slowed traffic for their own convenience in violation of binding safety standards. The case was resolved for a confidential amount on the eve of trial.



## Rewind '25

- A.** WKW sponsored the 2025 IndyBar Bench Bar Conference, where members of Indiana's legal community shared valuable insights and engaged in exceptional conversations.
- B.** WKW staff and friends stepped up to the plate for the Brain Injury Association of Indiana's annual wiffleball tournament. We finished as proud runners-up after a tough battle with an impressive middle school team. Here's to taking the trophy home next year!
- C.** WKW hosted our annual outing at 3UP Rooftop Lounge for local attorneys and colleagues. More from this social on the opposite page!
- D.** WKW staff spent a Saturday morning volunteering at Second Helpings, preparing meals for those in need. It was a meaningful opportunity to give back and spend time together as a team.
- E.** Attorney Kent Winingham and several WKW attorneys attended an IndyBar speaking event featuring U.S. Supreme Court Justice Ketanji Brown Jackson, where Kent also participated in the meet and greet with Justice Jackson.
- F.** Attorney Kayla Carmosino completed the Indianapolis Monumental Marathon, proudly finishing the full race with the support of her friends, family, and WKW staff. Congrats, Kayla!
- G.** Our law clerks won the IndyBar Young Lawyers Division Scavenger Hunt within their first month at the firm. We're so proud!



## Other Interesting Cases

### Diverse Advocacy: Protecting the Rights of the Injured

The breadth of our practice at Wilson Kehoe Winingham extends to every corner of personal injury law. Our firm applies the same rigorous investigative standards to every matter, working tirelessly to uncover internal evidence and challenge defense narratives. The results that follow reflect our unwavering commitment to securing the resources our clients need to move forward with their lives.

#### **\$400,000 Recovery Following Trip and Fall at Downtown Restaurant**

A young woman suffered significant fractures to her left foot after tripping on a hazardous step while exiting a popular downtown restaurant. The defense argued that because the client had visited the restaurant previously, she should have been aware of the step's condition, and further claimed that existing signage provided adequate warning.

Through strategic deposition testimony and a comprehensive expert report, **Kent Winingham** proved that the restaurant had a documented history of prior falls on that specific step yet failed to remediate the danger. He further demonstrated that the signage was ineffective at alerting patrons to the hazard. Within one year of the incident, Kent successfully secured a \$400,000 settlement to benefit his client.

#### **\$250,000 Resolution for Facial Injuries in Dog Bite Incident**

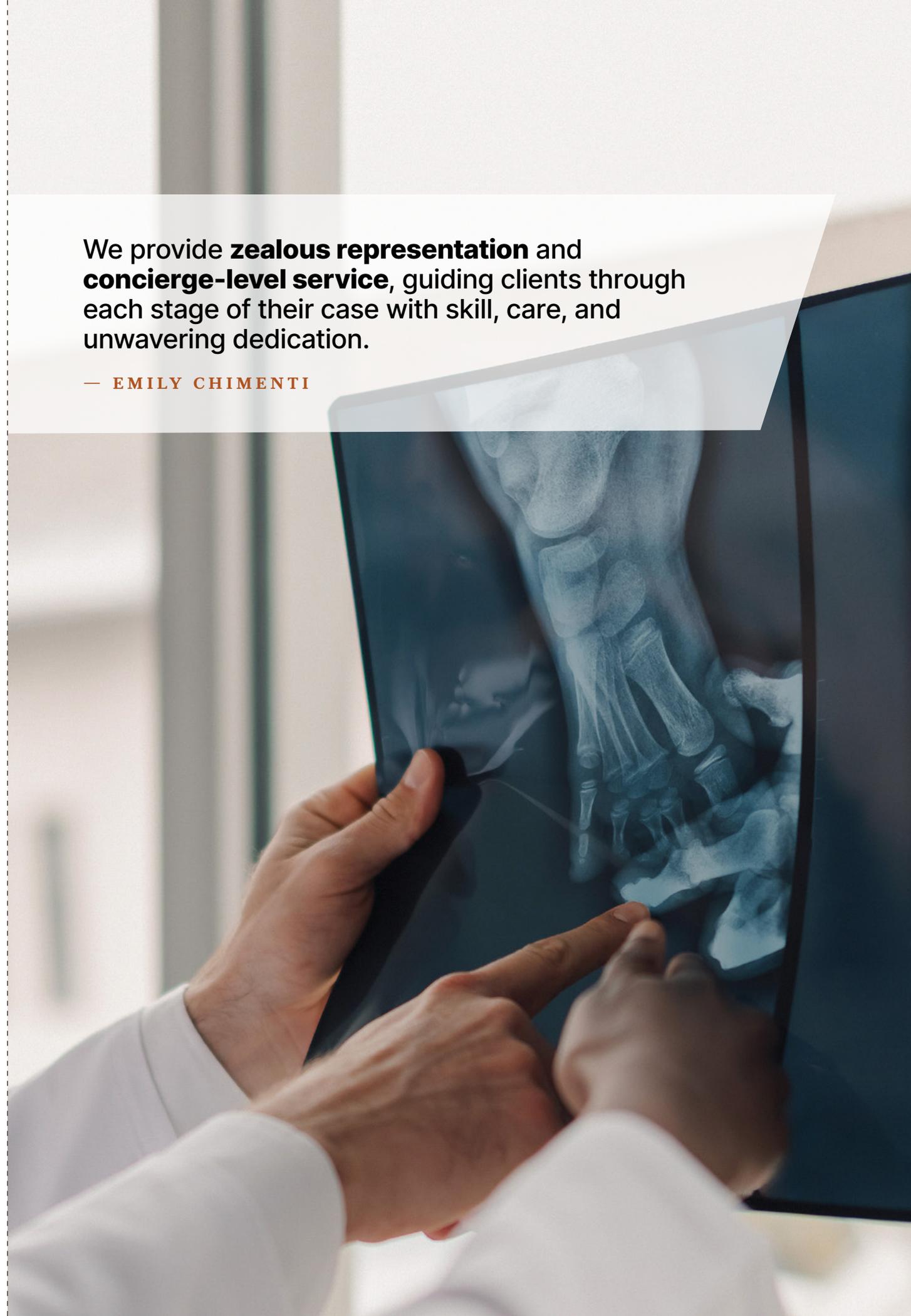
A high school teacher sustained significant facial injuries when she was bitten while babysitting a friend's dog. Despite the lack of prior evidence regarding the dog's history or a known vicious propensity, **Kent Winingham** secured a \$250,000 pre-suit resolution. This successful outcome was driven by Kent's collaboration with the client's treating plastic surgeon, whose substantive report detailed the permanency of the scarring and the necessity of extensive future medical treatment to address her injuries.

#### **Landlord Negligence Exposed in Residential Mold Case**

After a family began experiencing declining health, they alerted their landlord to suspected mold in their home. The landlord dismissed their concerns and refused to conduct testing or repairs. The family retained **Jon Noyes**, who uncovered internal emails proving the landlord had been warned of the mold by a contractor months earlier. Jon engaged a mold specialist to establish a direct link between the environmental conditions and the family's medical issues. After a second mediation held just one month before trial, the case was resolved for a confidential amount.

We provide **zealous representation** and **concierge-level service**, guiding clients through each stage of their case with skill, care, and unwavering dedication.

— EMILY CHIMENTI



## Appellate Issues

# Upholding Accountability: Prevailing on Appeal

A true commitment to justice frequently requires legal advocacy that extends well beyond the trial court level. The following appellate victories highlight WKW's dedication to challenging legal obstacles and ensuring that victims of medical misconduct and state negligence are not denied their day in court. Through rigorous oral advocacy and sophisticated legal analysis, our attorneys continue to shape the law to protect the rights of the injured.

## Redefining Reasonable Diligence in Fertility Fraud Litigation

Kent Wingham and Emily Chimenti represent the largest number of families affected by a fertility physician who used his own sperm to inseminate patients rather than that of a husband or donor. In one such case, the defendants argued that given the news publicity surrounding the physician's actions, our client—a daughter of one of the physician's patients—should have known she could be affected and was thus required to seek a DNA test immediately.

The trial court granted summary judgment, finding that "reasonable diligence" required the client to investigate whether she had a claim by obtaining a DNA test. However, the Court of Appeals unanimously agreed with WKW, holding that an issue of fact existed as to what "reasonable diligence" required of the client given the specific information she possessed. WKW is proud to advocate for clients at all levels to ensure justice is secured.

**COURT OF APPEALS OPINION**  
*Anonymous Child 1 v. Anonymous Physician*,  
261 N.E.3d 814  
(Ind. Ct. App. 2025)

SCAN FOR A VIDEO OF THE ORAL ARGUMENT:



**Jon Noyes**



**2025 Highlight**  
Joined the Amicus Committee,  
a well-respected arm  
of the Indiana Trial  
Lawyers Association



**Areas of Focus**  
Auto / Truck Collisions  
Construction Injury / Death  
Tree Failure



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**Kayla Carmosino**



**2025 Highlight**  
Selected to serve on the  
Board of IndyBar's  
Women and the Law Division



**Areas of Focus**  
Medical Malpractice  
Auto / Truck Collisions  
Premises Liability



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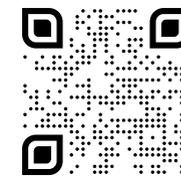
## Challenging DCS Immunity for Negligence in Foster Care

Jon Noyes and Kayla Carmosino successfully represented a mother at the Court of Appeals after a trial court dismissed her claims that Department of Child Services (DCS) failed to protect her son from pedophile foster parents. Jon and Kayla argued that, contrary to its claims, DCS was not immune for its negligence under the Indiana Tort Claims Act. The Court of Appeals agreed, prevailing in reinstating her case and holding that the mother was free to assert common law claims against DCS on behalf of her child. WKW is proud to fight for the protection of children and to hold state agencies accountable for their oversight.

### COURT OF APPEALS OPINION

*Shawtai Sandifar v. Patterson*,  
255 N.E.3d 1190  
(Ind. Ct. App. 2025)

SCAN FOR A VIDEO OF THE ORAL ARGUMENT:





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