

From: Indianapolis Bar Association indybar@news.indybar.org
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To: Becca Lienemann blienemann@indybar.org

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AFTERNOON BRIEF

From the Indianapolis Bar Association

March 5, 2026

Looking to add a furry forever friend to your home? Check out Indianapolis Animal Care Services' [Lucky Tails Adoption Event](#) on March 14, where all fees will be waived and every pet available has been microchipped, spayed or neutered, and is up to date on vaccinations. In the meantime, today's *Afternoon Brief* offers legal news, updates, and member headlines to keep you informed.

-- Bryssa, Julie, and Deneen

The Afternoon Brief: Everything you need to know to end your day, brought to you by IndyBar.

Indiana's Crypto Retirement Breakthrough

Indiana has become the first U.S. state to require that state-managed retirement and savings plans offer cryptocurrency investment options, including Bitcoin and crypto-linked ETFs, through self-directed brokerage accounts under House Bill 1042, signed into law March 3, 2026. This landmark legislation not only opens public retirement portfolios to digital assets but also establishes legal protections for crypto transactions and custody, signaling a major shift in financial regulation that could lead to [increased demand for legal counsel](#) on retirement plan compliance, investment disclosure, fiduciary duties, and digital asset risk management.

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Today's Court Updates

Take a look at the published Indiana Supreme Court and Court of Appeals decisions from today, featuring concise summaries provided by IndyBar member [Josh Tatum](#).

Waggoner v. Anonymous Health System, Inc., No. 26S-CT-71

Indiana Supreme Court; Civil (medical malpractice; immunity)
Transfer granted and trial court affirmed in an opinion by Justice Goff in which Chief Justice Rush, Justices Massa, Justice Slaughter, and Justice Molter joined.

Counsel of Record: Arie J. Lipinski, Lipinski Law (Appellant); Katherine M. Haire and Trenton W. Gill, Reminger Co. LPA; Ryan T. Wood and Kyle L. Childress, Barnes Maloney PLLC; Colleen O. Davis, Thompson Miller & Simpson PLLC; Allyson R. Breeden and Alyssa F. Ricker, Stoll Keenon Ogden PLLC; Margaret M. Christensen and Moncerrat Z. Alvarez, Dentons Bingham Greenebaum LLP; Patrick P. Devine and Sam S. Zabaneh, Hinshaw & Culbertson LLP; Mark E. Hammond and Morgan N. Blind, O'Bryan Brown & Toner PLLC; Jon M. Pinnick, Schultz & Pogue LLP (Appellee)

In a COVID-related medical-malpractice case, the Vanderburgh Superior Court dismissed claims against more than eighty providers based on federal and state COVID immunity statutes. It did so in a preliminary determination taken to the Court before a medical-review panel could issue an opinion. The Court of Appeals reversed, holding the medical-review panel should decide immunity because that question required the panel's opinion on the patient's cause of death. The same day it granted transfer, the Indiana Supreme Court affirmed the trial court. The Court held the trial court could make a preliminary determination without an opinion from a medical-review panel. Immunity involved statutory interpretation, not medical causation. It further concluded the statutes granted providers immunity from liability because the patient's injuries—bed sores from prolonged immobilization—arose from treatment provided in response to COVID-19. And because the estate failed to present evidence of gross negligence or willful misconduct sufficient to overcome statutory immunity, the providers were entitled to summary judgment.

[Full Opinion](#)

Clarence White, et al. v. Reiling Teder & Schrier, LLC, No. 25A-CT-940

Indiana Court of Appeals; Civil (Landlord-Tenant / Summary Judgment)
Affirmed in an opinion by Judge Mathias joined by Judge May and Judge Felix.

Counsel of Record: Duran L. Keller, Keller Law (Appellant); Crystal G. Rowe, Jacob W. Zigenfus, and Nicholas W. Levi, Kightlinger & Gray LLP (Appellee)

Tenants abandoned rental property in damaged condition. Landlord hired Law Firm to collect for the repairs, assuring law firm Landlord had already sent the required "45-day letter." In a deposition, Landlord admitted he in fact did not send the letter. Landlord then paid Tenants damages and legal fees. Tenants filed claims against Law Firm under the federal Fair Debt Collection Practices Act. Law Firm moved for summary judgment. Tenants did not respond. The Tippecanoe Circuit Court granted summary judgment. Tenants appealed, arguing the debt Law Firm attempted to collect was unenforceable. The Court of Appeals held Law Firm established a prima facie case for summary judgment by demonstrating that it acted in good-faith reliance on Landlord's statements that he sent the required notice. That shifted the burden to Tenants. Because Tenants failed to respond on and did not otherwise present evidence or legal authority creating a genuine issue of material fact, Law Firm was entitled to judgment as a matter of law.

[Full Opinion](#)

Celebrate Women's History Month at the Birch Bayh Federal Building

During

Step into Courtroom 307 on March 25 at 2:00 p.m. for a [Women's History Month program](#) hosted by the United States District Court, Bankruptcy Court, and Probation Office for the Southern District of Indiana and the Marion County Bar Association. Hear Senior District Judge Jane E. Magnus-Stinson connect the courtroom advocacy of Sojourner Truth and the courageous resistance of Harriet Tubman to the ongoing pursuit of justice today, followed by a dynamic living history performance that brings their stories to life. The event is free, followed by a reception, but space is limited and [pre-registration is required](#).

Member Headlines

Congratulations to these IndyBar members on their accomplishments! Have something to share? Email [Becca Lienemann](#) to be featured.

[Stephanie Bibbs](#) was inducted to the American College of Trial Lawyers.

[Annie Pagonis](#) has recently joined Frank & Kraft. Annie focuses on helping families preserve their wealth by avoiding guardianship and probate, saving taxes, and avoiding unnecessary expenses to leave their legacy to their heirs.

PARALEGAL MENTORING PROGRAM KICK-OFF EVENT

Tuesday, April 14 // 4:30-6 p.m.

Gather 22



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