



A. Richard M. Blaiklock

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As a creative problem solver, Rich thrives on reading, writing, and oral advocacy—serving clients and tackling challenges head-on through responsive, transparent communication.

Practice Areas

Alternative Dispute Resolution
Appellate
Business Litigation
Business Transactions & Corporate Services
Real Estate Transactions

Biography

An accomplished litigator, Rich leverages immense experience in high-pressure, high-stakes cases at both the trial and appellate levels. Recent cases have involved multi-million-dollar business disputes, including shareholder disputes, contract disputes, lease/land use disputes, and supply chain disputes. Rich has significant experience in “stop ship” issues on behalf of manufacturers in Indiana. He also has extensive experience representing billboard companies in Indiana and beyond, including on First Amendment and eminent domain issues. In 2022, he represented Indiana’s sitting Governor before the Indiana Supreme Court on a separation-of-powers dispute between the state’s executive and legislative branches. Rich has represented the Indiana Department of Insurance for more than 20 years, including representing the Patient’s Compensation Fund on multi-plaintiff lawsuits, as well as various cases in which statutory construction is a central issue. Rich thrives on creativity and developing unique solutions that prove to be both effective and efficient. He advocates aggressively for clients, while simultaneously respecting the profession and professionalism, which earned him the prestigious Professionalism Award from the Indiana State Bar Association in 2011. For years, Rich has been actively involved in raising money for the Leukemia & Lymphoma Society (LLS), helping raise more than \$225,000 in 10 weeks in 2017, resulting in his designation as “Man of the Year” from LLS. In his spare time, Rich enjoys playing ice hockey, golfing, and walking. He is married with two adult children.

Accolades, Affiliations and Activities

- ALFA International
- American Jurisprudence Award – Civil Procedure
- American Jurisprudence Award – Contracts
- Indiana University Robert H. McKinney School of Law Dean’s List, 1994, 1995, 1996, 1997
- *Defense Trial Counsel of Indiana* – Defense Lawyer of the Year, 2009
- *Indiana Law Review* – Executive Notes Editor, 1996, 1997
- John J. Dillon Memorial Fellowship, 1994, 1995
- Indiana State Bar Association
 - Litigation Section Civility Award, 2011
- *Indiana Super Lawyers*, 2009 - 2023
 - Top 25, 2019-2020
 - Top 50, 2010, 2013-2017, 2019, 2021, 2023
- Indiana University Alumni Scholarship, 1995
- Indianapolis Bar Foundation Scholarship, 1995
- Law School Scholarship, 1994, 1995
- Leukemia and Lymphoma Society of Indiana – Board of Trustees
- *Martindale-Hubbell Peer Review* – Rated AV⁺ Preeminent
- National Dean’s List, 1994, 1996
- *The Best Lawyers in America*, 2013-2023
 - Indianapolis, Lawyer of the Year – Business Organizations, 2016
 - Indianapolis, Lawyer of the Year – Corporate Law, 2021
 - Indianapolis, Lawyer of the Year – Real Estate, 2022
- “Top Papers” Awards – Contracts I, Civil Procedure I & II, Employment Discrimination, Family Law, and Juvenile Law

Publications and Presentations

- Blaiklock and Lee on Developing New Practice Areas within a Firm, by Ian Goodman, *The Indiana Lawyer*, August 19, 2020.
- “COVID-19 and Force Majeure in the Manufacturing Context,” *The Indiana Lawyer*, June 26, 2020.
- “BUSINESS LITIGATION: It’s a Team Sport,” Indiana Continuing Legal Education Forum (ICLEF), Program Chair, February 24, 2017.
- “Buy-Sell Agreements: Anticipating Issues with Scope, Enforcement and Valuation,” Methodology, Business Valuation Conference, Indiana CPA Society, September 18, 2015.
- *The DRI Defense Library Series*, 2009-present.
- Center for Business Preparation, Hanover College – Guest Lecturer, 2005, 2006.
- “Tortious Interference,” Business Litigation Seminar, 2005.
- “Technology in the Courtroom,” ICLEF, 2004.
- “Shareholder Disputes, Indiana Hot Topics in Business Litigation,” PESI, 2003.
- “Tortious Interference, Shareholder Disputes, Indiana Hot Topics in Business Litigation,” PESI, 2002.
- “Trade Secrets and Agreements Not to Compete: A State-by-State Compendium,” *Trade Secrets, Indiana*.
- “Enhancing the Spectrum: Media Power, Democracy, and the Marketplace of Ideas,” *3 Ill. Law Rev.* 813, co-author with Ronald J. Krotoszynski, Jr., 2000.
- “Indiana Appellate Procedure in 1998,” *32 Ind. L. Rev.*, 873, co-author with Michael A. Wilkins, 1998.
- “Fiduciary Duties Owed by Frozen out Minority Shareholders in Close Corporations,” *30 Ind. L. Rev.*, 763, 1997.
- “Indiana Appellate Procedure in 1997,” *31 Ind. L. Rev.*, 667, co-author with Michael A. Wilkins, 1997.

Selected Cases and Representation

- *Holcomb v. Bray, et al.*, 215-Pl-518 (Ind. 2022)
- Represented Indiana Governor Eric J. Holcomb in a separation of powers dispute with the Indiana legislature. Conducted oral argument at both the trial court and Supreme Court. Prevailed on the case in June 2022.
- *Heather McKenzie, et al.*, 205-CT-648 (Ind. Ct. App. 2020)
 - Represented Defendant Indiana Department of Insurance and Patient’s Compensation fund. Plaintiff claims that a family member of her ex-husband, who worked for Community Hospital, accessed certain medical records and did not have a medical necessity to ascertain and read the records. The Indiana Patient’s Compensation Fund filed an Amicus Curiae brief arguing that the trial court was correct in its ruling that the medical malpractice act does not apply to the claims of Plaintiff. The Appellate Court affirmed Trial Court’s ruling.
- *G.F. v. St. Catherine Hospital, Inc.* (Ind. Ct. App. 2020)
 - Represented Defendant Indiana Department of Insurance and Patient’s Compensation Fund. Plaintiff received in-patient treatment at St. Catherine Hospital for pneumonia-related symptoms. While in the hospital, physician Patel told Plaintiff in the presence of Plaintiff’s co-worker that he needed to see an infectious disease doctor. Based on physician Patel’s comments, Plaintiff concluded that he contracted HIV/AIDS and the friend severed all ties with Plaintiff. Plaintiff claimed the discussion of his medical condition in the presence of his friends constituted medical malpractice. The Indiana Court of Appeals agreed with the lower court’s conclusion that as a matter of law, the Indiana Medical Malpractice Act does not apply to the physician’s actions.
- *Garau Germano v. Indiana Department of Insurance* (Ind. Ct. App. 2019)
 - Appellate Court upheld the lower court’s ruling dismissing Plaintiff’s claim for failure to state a claim upon which relief can be granted stating that the Garau Law Firm did not have standing to bring a complaint under the Medical Malpractice Act. Petition to transfer Denied.
- *Whitesell Precision Components, Inc. v. Autoform Tool & Manufacturing, LLC*, 110 N.E.3d 380 (Ind. Ct. App. 2018)
 - Transfer Denied, 2019, Court of Appeals affirmed trial court’s denial of Whitesell’s attempt to dissolve a preliminary injunction; oral argument before Indiana Supreme Court.
- *Howmedica Osteonics Corp. v. DJO Global, Inc et al.*, 2017 WL 1136671 (D.N.J. March 27, 2017)
- “Non-compete/trade secrets case against Indiana employees transferred to Indiana from New Jersey: Court previously denied Stryker’s motion for temporary restraining order against ex-Stryker employees.
- *GEFT Outdoor, LLC v. Consolidated City of Indianapolis and County of Marion, Indiana*, 187 F.Supp.3d 1002 (S.D. Ind. 2016)
 - Declaring a version of Indianapolis sign ordinance unconstitutional.
- *Marsh Supermarkets, LLC v. Roche Diagnostic Operations, Inc.*, 987 N.E.2d 72 (Ind. Ct. App. 2013)
 - Trans. denied, Lead trial and appellate counsel; Breach of long-term lease case in which judgment of \$19,563,933 was entered in favor of Marsh after a 7-day trial. Judgment included pre-judgment interest and attorney fees incurred by Marsh. Presented oral argument to the Indiana Court of Appeals, which affirmed the trial court award. Marsh was awarded the present value of its damages for an 18-year lease, prevailing party attorney fees through entry of judgment, and post-judgment interest, for a total recovery of \$22,496,918.
- *Sofaer Global Hedge Fund v. Brightpoint, Inc., et al.*, 2011 WL 2413831 (S.D. Ind. June 10, 2011)
 - Summary judgment in fraud and promissory estoppel case.
- *Freudenberg - KVK General Partnership v. Allison Transmission, Inc.*, 934 N.E.2d 972, 2010 WL 3706573 (Ind. Ct. App. 2010)
 - Lead trial and appellate counsel; Preliminary injunction on behalf of transmission manufacturer against supplier, upheld on appeal.
- *Brown v. Automotive Components Holding, LLC*, 2009 WL 425005 (S.D. Ind. 2009)
 - Obtained summary judgment for automobile manufacturer in discrimination suit.
- *Butler v. Indiana Department of Insurance*, 904 N.E.2d 198 (Ind. 2009)
 - After patient’s medical malpractice action for failure to diagnose her cervical cancer was converted to wrongful death, personal representative of patient’s estate sought damages from Patient Compensation Fund for medical and funeral expenses. The Marion County Superior Court ruled that estate was not entitled to recover the difference between medical expenses billed and amounts medical providers agreed to accept pursuant to contractual agreement with insurers and government benefit providers. The Indiana Supreme Court affirmed the Appellate Court’s ruling and held that the estate was not entitled to recover difference between medical expenses billed and amount accepted by medical providers pursuant to contractual agreement.
- *U.S. Specialty Insurance Co. v. Harley Davidson Credit Corp.*, 2009 WL 4693511(S.D. Ind. December 2, 2009)
 - Partial summary judgment against insurer on behalf of noteholder for plane crashed by Marcus Schrenker.
- *Randles v. Indiana Patient’s Compensation Fund*, 860 N.E.2d 1212 (Ind. Ct. App. 2007)
 - Appellate Court affirmed trial court ruling regarding status of plaintiff’s inability to obtain damages, and the amount of damages awarded in wrongful death case.
- *Northstar Partners v. Marsh Supermarkets*, 2005 WL 3429251 (7th Cir. 2005)
 - Oral argument to 7th Circuit Court of Appeals, summary judgment on lease dispute.
- *Medical Assurance of Indiana v. Indiana Patient’s Compensation Fund*, 808 N.E. 2d 737 (Ind. Ct. App. 2004)
 - Surgeon’s malpractice insurer filed declaratory judgment action against state Patient’s Compensation Fund, asserting that insurer was required to pay surgeon’s maximum statutory payment once, not twice, regarding surgery that involved two acts of malpractice. The Marion County Circuit Court entered summary judgment in favor of Patient’s Compensation Fund. On appeal, the Indiana Court of Appeals affirmed the lower court’s summary judgment ruling.