



# Indiana Judicial Nominating Commission

30 South Meridian Street, Suite 500  
Indianapolis, IN 46204  
(317) 232-4706

## Application for the Indiana Supreme Court

The application for the Spring 2017 vacancy on the Indiana Supreme Court includes two parts. Both Part One and Part Two must be completed. Part Two *must* be provided separately as directed in the instructions. Answers in Part One and Part Two are a matter of public record and will be supplied to the media and public upon request. However, only answers in Part One may be posted online by the Indiana Judicial Nominating Commission.

### Part One, Sections 1-11

#### 1. Contact/General Information

A. Full legal name and any former names.

**William Norman Riley**

B. State the full name (use initials for minor children), age, and relationship of each person residing in your household. For each adult living in the household (other than yourself), also state the person's occupation and employer.

**William Norman Riley, age 53; my wife, Kristen L. Riley, age 52; and our son, J.S. Riley, age 14. Kristen is a homemaker.**

C. Business address, email, and telephone number.

**Riley Williams & Piatt, LLC  
301 Massachusetts Avenue, Suite 300  
Indianapolis, IN 46204  
wriley@rwp-law.com  
(317) 633-5270**

D. Attorney number.

**14941-49**

E. Month and year you were admitted to the Indiana Bar.

**October 1989**

a. Indicate current law license status, i.e. active/inactive/retired.

**Active**

- b. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide date(s) of admission and current license status.

**Not applicable**

- F. Date and place of birth.

**October 9, 1963; born in Indianapolis, Indiana**

- G. County of current residence and date you first became a resident.

**I live in Hamilton County. I first became a resident of Hamilton County in November 2015.**

2. Secondary Education/Military Experience

- A. List all undergraduate colleges and universities you attended. Include the school name; dates enrolled; degree or certificate earned; and any academic honors, awards, or scholarships you received and when.

**Indiana University – Bloomington**

**Dates enrolled: 1982-1986**

**Degree awarded: Bachelor of the Arts with a double major in history and political science and a minor in philosophy**

**Honors/Awards/Scholarships: Pi Sigma Alpha – Political Science Honor Society and National Society Collegiate Scholars**

- B. Include with your original application a certified transcript from each school named in Subsection 2A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.)

**Attached**

- C. If applicable, list any military service. Include the name of the military branch; dates of service; last rank achieved; and any honors, awards, or commendations received and when. Attach a copy of your Certificate of Release or Discharge from active duty (“DD 214” paperwork).

**Not applicable**

3. Post-Secondary Education

- A. List all law schools, graduate schools, and post-J.D. programs attended. Include the school name; dates enrolled; degree or certificate earned; class rank; and any academic honors, awards, or scholarships you received and when.

**Indiana University Maurer School of Law– Bloomington**

**Dates enrolled: 1986-1989**

**Degree awarded: Doctor of Jurisprudence**

**Honors/Awards/Scholarships: Indiana Law Journal 1987-1989; Executive Editor of the Indiana Law Journal 1988-1989**

**Class rank: I believe I was in the top third.**

- B. Include with your original application a certified transcript from each school named in Subsection 3A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.)

**Attached**

4. Employment

- A. Provide your employment history since graduation from college. Include name of employer, titles or positions, locations, and dates of employment.

**1987 – Summer intern for the City of Indianapolis Parks & Recreation Department**

**1988 – Law Clerk for Kightlinger & Gray, Indianapolis, Indiana**

**1989-1991 – Associate at Baker & Daniels, Ft. Wayne, Indiana**

**1991-1994 – Associate at Thomas J. Young & Associates, Indianapolis, Indiana**

**1994-1998 – Partner at Young & Riley, Indianapolis, Indiana**

**1998-2000 – Partner at Young Riley & Dudley, Indianapolis, Indiana**

**2000-2003 – Partner at Young Riley Dudley & DeBrotta, LLP, Indianapolis, Indiana**

**2003-2004 – Partner at Riley DeBrotta, LLP, Indianapolis, Indiana**

**2004 to the present – Owner of William N. Riley, PC, Indianapolis, Indiana**

**2004-2005 – Principal Member at Price Waicukauski Riley & DeBrotta, LLC, Indianapolis, Indiana**

**2005-2015 – Principal Member at Price Waicukauski & Riley, LLC, Indianapolis, Indiana; Principal Managing Member from 2010-2015**

**2015 to the present – Principal Member of Riley Williams & Piatt, LLC, Indianapolis, Indiana; Principal Managing Member from 2015 to the present**

- B. If applicable, describe the nature and extent of your practice of law (present and former), and provide the names of your partners, associates, office mates, and employers.

## Nature and extent of my practice:

My practice of law began immediately after graduation as an associate with Baker & Daniels in Fort Wayne, Indiana. I was faced with what many associates are suddenly faced with after graduation: learning the basic nuts and bolts of how to practice law. From law school, I knew that I had an interest in trial work, and at Baker & Daniels I was assigned to the commercial litigation department. Initially my tasks were document review for contract cases, deposition preparation for partners, and a great deal of legal research. The legal research for partners quickly branched out to motion and brief writing. One of the most important things I learned at Baker & Daniels was how to craft a persuasive brief. Many a long night was spent on working and reworking sections of briefs, usually involving issues of contract language interpretation. Legal research and brief writing at that time involved hitting the books in the firm's law library; online research was in its infancy and there was only one terminal at the firm (it is interesting to note how far we have come – when I first began to practice law as an associate, there were no computers on the desks of the lawyers).

While in Fort Wayne I came to know lawyers at Roby & Hood, a local trial firm. The idea of trying cases appealed to me. In my third year of law school I took trial process with Judge Marc R. Kellams, and developed a real taste for case preparation and courtroom presentation. I had been reading articles about asbestos litigation and learned that Thomas Young, an Indianapolis lawyer, was looking for an associate to help him with his considerable asbestos case load. This opportunity, combined with my wife's family and my family living in Indianapolis, seemed a good fit for both professional and personal reasons. Tom offered me the position as an associate and I jumped at it.

Tom was an old-fashioned lawyer, and on my first day of work he informed me my first jury trial would be in two weeks. This came as a major surprise to me, in that I had never even taken a deposition up to that point. Like any good young lawyer, with barely enough knowledge to know how to file an appearance in court, I immediately ordered a treatise on trials and set out to both learn the case and how to go about trying it. This first trial occurred in front of Judge Houston in Marion County Municipal Court and my clients won. Afterwards, Judge Houston asked me if I wanted to poll the jury, to which I responded, "Certainly, Your Honor. How do I do that?" (It would be later explained to me that when you win a jury trial, you do not want to poll the jury – just leave well enough alone.) We all have to learn how to cut our teeth somehow, and this was a good experience for me. After the trial I had a sense of exhilaration that supplanted my earlier feelings of raw terror.

The next major trial I took part in was for a woman who had a traumatic brain injury. She had been tragically injured when her car was struck by a truck driver during a snow storm on I-69 outside Anderson, Indiana. The trial was my first experience in Federal Court in front of District Judge John Tinder. I conducted the pre-trial briefing, including handling the

bifurcation briefing. During trial preparation we utilized two jury psychologists and I was tasked with working with them and two focus groups to determine how best to present the case to the jury. At that point I had never heard of using jury psychologists or of running focus groups to crystalize issues for presentation to a jury. It was exciting to learn this methodology while actually preparing for the trial in “real time.” The drafting of the jury instructions fell to me as well as taking part in arguing them to Judge Tinder. After a weeklong bifurcated trial, a verdict on liability was delivered by the jury in favor of my client, the plaintiff, and the case settled shortly thereafter. This case also offered me my first chance to make an appellate argument before the 7<sup>th</sup> Circuit.

I continued from there to try cases in state court, the United States Department of Labor (Longshore and Harbor Workers Act), and in federal court. The cases at that time were all personal injury matters. During that time I also attended and argued hundreds of motions and other pre-trial proceedings. Having started with a trial, I now also began to take depositions in earnest, and over the ensuing years I must have taken over a thousand.

During this time it was common for lawyers to settle their cases over the phone and in person. As a young lawyer, I enjoyed this opportunity to meet and interact with opposing counsel and to present my case in a persuasive and respectful fashion. Mediation began after I was in practice a few years, and I have participated in hundreds of mediations to date. I still enjoy the opportunity to resolve cases on the phone or in person with opposing counsel; it maintains a tradition of contact between lawyers that I believe is important for the efficient administration of justice.

During this timeframe, I also worked with a number of national firms on our asbestos cases and began to learn issues of medicine as it related to the disease process caused by asbestos. This led to my interest in medical malpractice law. The first medical malpractice case I took was a referral from the partner I worked for at Baker & Daniels. Over the years I have taken numerous cases through the panel process and tried cases to verdict. Medical malpractice allowed me to learn areas of another discipline in depth, which to this day I continue to find intellectually challenging.

Tom made me his partner, and I continued to practice with him for several years in the areas of personal injury, product liability and medical malpractice. After Tom retired, I began to practice with Mark Dudley, now a judge in Madison County. Our practice continued to grow, and we became involved in the tobacco litigation along with a number of other excellent firms. Together with these firms, we tried a second-hand smoke case in Delaware County for six weeks. We represented the estate of a nurse who we alleged had died from lung cancer caused by second-hand smoke she was exposed to in the VA hospital located in Marion, Indiana. We did not prevail, but I did learn a great deal from that litigation. I had the opportunity to observe

many fine lawyers on both sides and learned from them techniques and strategies that I still use to this day. Although we had been defeated, our Indiana trial team ended up ultimately being successful in holding the tobacco companies responsible through our participation in a national litigation group that brought the first class action on behalf of an addicted smoker. The case, although decertified by the United States Court of Appeals for the Fifth Circuit, continued when the Attorney General of California, Gray Davis, asked our national group to represent the State for monies it had expended on smoking-related illness. This case settled. This was a very good opportunity for me as a young lawyer because it allowed me to meet some truly great legal practitioners and it also exposed me to class action law.

Additionally, I also had the opportunity to practice in the areas of environmental and employment law during this period. I brought a Resource Conservation and Recovery Act suit against N.L. Industries, which resulted in the company's remediation of a neighborhood that had for decades been contaminated by lead residue from a nearby lead smelter. Another case at the time took me again outside my usual practice when I served as co-counsel for a case in federal court in front of Judge Richard Young. My client was a waitress who worked at a truck stop and who had been subjected to repeated sexual harassment by her manager. The jury found for her. These two cases developed in me an interest in other areas of law and expanded the nature of my practice.

During this time I continued to handle the business aspects of running a small practice, which taught me the importance of business decisions, managing and motivating people, and how to balance competing demands of time management, allocating resources, and meeting the needs of our clients.

My firm was approached by Henry Price's firm about merging in 2004. We agreed, and what would eventually become Price Waicukauski & Riley, LLC was formed and became one of the largest boutique complex litigation firms in the state. Although I had involvement in class actions before that, with tobacco litigation, at the new firm this became a significant area of my practice. I also became actively involved in Federal Multi District litigation cases, focusing on third party payor cases and mass tort actions for pharmaceutical drugs and medical devices. A number of federal judges overseeing MDLs have appointed me to leadership positions, which taught me how to manage complex litigation involving thousands to tens of thousands of cases and the art of working together with lawyers on the same side in an effort to advance the litigation to a successful result. The federal judges that have assigned me leadership positions in class actions or MDL cases are: William Lawrence; Tonya Walton Pratt; Harry Leinenweber; Eldon Fallon; and, Charles Breyer. I have also received appointments by lead counsel on various Plaintiff Steering Committees. In Indiana state court Judge Patrick L. McCarty and in Arkansas state court Judge Dennis Sutterfield have appointed me class counsel.

In a change that took me back to the start of my career, I began practicing in the area of commercial disputes. Initially, I began by representing Taft Hartley plans seeking to recover the price differential between reimbursements they received for plan participants for pharmaceutical drugs and the actual value of the drugs after issues were brought to light by the United States Food and Drug Administration. Next, I started to represent business owners and shareholders in corporate dissolution cases. This, in turn, led me to undertake commercial cases involving breach of contract and breach of fiduciary duty. This area of my practice has grown over the years and now occupies a considerable portion of it. My clients have ranged from individual shareholders to venture capital firms. I also tried, as lead counsel, another six-week jury trial in Hamilton Superior 1 in front of Judge Steven R. Nation. My client was the owner of a contracting company whom we alleged had been wrongfully defamed by State Farm, causing both the business and the reputation of the owner to be destroyed. The jury agreed and returned a verdict of \$14.5 million in favor of my clients.

Starting in 2010, I also acted as managing principal member of the firm and had the administrative task of overseeing a much larger operation. This position taught me skills in personnel management, day-to-day and strategic financial planning, and general skills in keeping everyone working toward a common goal.

In 2015, I had the opportunity to start my own firm with two principal members who began their legal careers as associates with me. They are truly two of the finest lawyers I know, and they will continue to be a credit to the bar long after I have retired.

**Partners, Associates, Office mates and employers:**

**Partners:** Thomas Young, Mark Dudley, Amy DeBrotta, Henry Price, Ron Waicukauski, Joseph Williams, and James Piatt

**Associates:**

Riley DeBrotta, LLC – Richard Gableman

Price Waicukauski & Riley, LLC - Jamie Kendall, Christopher Moeller, Brad Catlin, Carol Nemeth Joven, Jana Strain, Yvonne Ballesteros, Gabe Hawkins, Carolyn Clay Hall, Christine Jackson, Matthew Laydon, Joseph Williams, and James Piatt

Riley Williams & Piatt, LLC – Anne Lowe

**Office Mates:** Rich Hailey and Marybeth Ramey (at Young Riley & Dudley and at Riley DeBrotta, LLP)

**Employers:** Baker & Daniels, Thomas J. Young & Associates

## 5. Trial/Judicial Experience

A. Describe the extent of your jury trial experience, if any.

During my time in practice, I have had the opportunity and privilege to try a number of cases to verdict for my clients. These trials have stretched from two six-week jury trials, to my first trial that lasted only one day.

The trials at the beginning of my career, as I stated earlier, were personal injury cases ranging from the standard automobile collision, slip-and-fall and pedestrian injury cases. I had the good fortune to learn from Tom Young, my first partner, and other fine attorneys in the state, on how to try much larger cases. The majority of my early trials were in Marion and Hamilton counties, although I had two federal jury trials before I had completed my first five years of practice.

The progression of my trial practice led to more complex cases involving medical malpractice and products liability. I had the opportunity to try, along with a team of lawyers, a six-week trial against the tobacco companies for the alleged wrongful death of a nurse who was exposed to second-hand smoke who worked in a psychiatric ward of a hospital in Marion, Indiana. This was certainly the hardest fought case I had been involved in up to that point, and although we lost, I learned a great deal about the organization, management, and actual trial of major litigation involving scores of witnesses on both sides.

My practice continued to involve the trying of product liability cases, including co-counseling asbestos cases in both Indiana and Ohio. As I mentioned earlier, the nature of my trial experience evolved when I had the opportunity to try an employment case in Federal court, which was different than what I had been trying. This evolution included a change in the law, the nature of what had to be proved and how to try to persuade a jury.

Having thought my time for having six week trials was over, in 2011 I again found myself involved in a six-week jury trial in front of Judge Steven R. Nation for a business and the owner of that business that resulted in the largest defamation verdict in Indiana history.

I continue to try cases for clients, having recently completed a medical malpractice trial last year, also in Hamilton County in front of Judge Nation.

For each of the cases tried by me there are hundreds of cases that were prepared for trial and were settled beforehand that covered a broad range of legal matters. This experience taught me that preparation is fundamental to the result one achieves for the client. It is true that in every case, preparation cannot ameliorate every bad fact, but at least it allows you to know the

fact, or facts, beforehand and prepare to handle the situation when it arises or give the client practical advice on their case.

One thing I have taken away from my experience of conducting jury trials for clients is the toll the case takes on the client. The emotional stress of a trial and the fear of having to speak in court for most clients is very real. It makes no difference if they are a normal citizen or a business owner. A key part of what I have had to do in a trial is not concerned with the law, but in providing human reassurance to my clients that they can do this, and that the result, no matter what it might be, will not ultimately define them.

This application has made me reflect on my career up to this point. I have tried cases involving medical malpractice, products liability, tortious battery, employment discrimination and defamation. When I sat in Judge Kellam's trial process class, I would not have believed that I would have had the opportunity to represent people in such varied types of cases.

B. Describe the extent of your bench trial experience, if any.

I have had one trial before an Administrative Law Judge for the United States Department of Labor for a Longshore and Harbor Workers Act case. The claim resulted from an injury to my client at a government facility. My client received a verdict and order in his favor. I have also conducted a shareholder dissolution bench trial before Judge Cynthia Ayres. The case involved the freezing out of one shareholder from decision making and an allegation of breach of fiduciary duty. Judge Ayres entered final judgement for my client for breach of fiduciary duty and the matter was not appealed.

C. If applicable, describe the nature and extent of your judicial experience (including as a judge *pro tempore*). Include a description of your experience presiding over jury trials, if any.

**Not applicable**

## 6. Professional Experience

*Include as writing samples, four selections (in total) from the written materials listed below in Subsections 6A – 6C.*

A. If applicable, list up to five trial or appellate briefs and/or judicial opinions you have written. Refer to them by caption, case number, and filing date.

*City of Glendale, Arizona vs. Vieste, SPE, LLC, et al., Maricopa County Superior Court, Arizona, Cause No. CV2015-005387 – Vieste SPE, LLC and Vieste Energy, LLC's*

**Motion for Summary Judgment and Memorandum of Law In Support (filed February 17, 2017)**

***State Farm Fire & Casualty Co., v. Joseph Martin Radcliff, et al.*, Hamilton County Superior Court 1, Cause No. 29D01-0810-CT-1281 – Defendants/Counterclaimant’s Brief in Opposition to State Farm’s Motion for Relief from Judgment (Filed October 16, 2013)**

***In re Actiq Sales and Marketing Practices Litigation*, USDC Eastern District of Pennsylvania, Cause No. 07-cv-4492 – Plaintiffs’ Combined Memorandum of Law in Opposition to Defendant’s Motion for Summary Judgment (Filed August 2, 2010)**

***Cynthia Kartman, et al. v. State Farm Mutual Automobile Ins. Co., et al.*, 7<sup>th</sup> Cir. Ct. App., Cause No. 09-1725 – Brief of Plaintiffs-Appellees (Filed May 26, 2009)**

***Cynthia Kartman, et al. v. State Farm Mutual Automobile Ins. Co., et al.* USDC So. District of Indiana, Cause No. 1:07-cv-474-SEB-TAB (class cert brief) – Plaintiffs’ Motion for Class Certification and Memorandum in Support (Filed February 15, 2008)**

- B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, date, and subject matter.

**Not applicable**

- C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

**“On the Telos of Man and Law,” Indiana Law Journal, Vol. 64, No. 4, 1989. Law journal note on the basis of positive law in natural law.**

**Common Truths, New Perspectives on Natural Law, ISI Books, 2000. Chapter on how the law contributes to a just social ordering.**

- D. Identify the five most significant legal matters entrusted to you, whether as a judge or lawyer, and describe why you believe them to be so.

**1. *State Farm Fire & Cas. Co. v. Radcliff, et al.*, Cause No. 29D01-0810-CT-1281. My clients, Joe Radcliff and his company, Costal Property Management, LLC a/k/a CPM Construction of Indiana (“CPM”), were sued by State Farm Fire & Casualty Company, alleging that they had committed insurance fraud by intentionally damaging homes to simulate wind and hail damage. Mr. Radcliff and CPM counterclaimed against State Farm for defamation. Before the suit, Mr. Radcliff and CPM had been subject to an investigation by State Farm that caused Mr. Radcliff to be arrested and charged with fourteen (14) felony counts. The charges were**

dropped, but CPM was driven out of business and Mr. Radcliff's life was ruined. As lead counsel, along with a tremendous trial team, I represented Mr. Radcliff and CPM in a six-week trial against State Farm, in which a jury awarded \$14.5 million in compensatory damages. The matter was appealed, and after the appellate process was concluded, the amount paid to my clients was \$17,284,000.00. I believe this to be the largest defamation verdict in Indiana history, and it ranks amongst the highest defamation verdicts in the country.

2. *Amanza Brown v. Lucky Strike Entertainment, LLC*, Superior Court of California, County of Los Angeles, Cause No. LC091883. Amanza Brown is a model and television personality who was a featured model on the television show "Deal or No Deal." Ms. Brown alleged that Lucky Strike, LLC, appropriated her image for a nationwide advertising campaign without her consent and without a model release. We brought suit under California Statutory and Common Law. This case involved a number of unique challenges. I was required to learn an entirely different area of substantive law and also the procedural rules of California state court. Additionally, from a case preparation standpoint, the calculation of damages involved looking at the extent and cost of the media campaign utilized against the revenues of the defendant, before and after the campaign. Although this was my first and only foray into entertainment law, it was a significant litigation that expanded my practice and my legal knowledge. The case was resolved through settlement.

3. *Frances Napier, as Personal Representative of the Estate of Clarence Napier, deceased and Widow in her own right v. Physician and Nurse*, Indiana Department of Insurance, Claim No. 1002518. Frances Delois Napier was the wife of Clarence J. Napier. She brought the action against physicians and a nurse who treated her husband. Mr. Napier had presented to his physician with complaints of two incidents of blood with bowel movements. Neither the physician nor the nurse made an effort to follow up on Mr. Napier's complaints with the appropriate diagnostic tests. Mr. Napier was diagnosed with colon cancer on October 12, 2001. He died of the disease on December 6, 2001. Mr. Napier was 69. An action was brought against the health providers for malpractice, and the medical review panel found the providers fell below the standard of care. Ultimately the case settled. Mrs. Napier was one of those individuals law students dream about having the opportunity to represent. She was a woman who lived her life by the rules and tried to help people. I was glad to see the system provide her the opportunity to be heard and to be compensated, as much as the law can, for the loss of her husband.

4. *City of Glendale, Arizona v. Vieste SPE, LLC, et al.*, Maricopa County (Arizona) Superior Court. Case No. CV2015 005387. I am currently representing two Indiana corporations, Vieste SPE, LLC and Vieste Energy, LLC ("Vieste"), in the Superior Court of Maricopa County, Arizona. This case arose out of a contract with the City of Glendale, Arizona, and Vieste to build a \$30 million recycling facility. Both sides have claimed a breach

of contract. The factual and procedural history is lengthy, and we have just completed the briefing of summary judgment motions. This case is among my most significant intellectually because of the technical aspects I have had to master about the engineering involved in the building and running of a waste-to-energy facility, and the generation and sale of power on the secondary power market. This remains a contract case; but the technical details have proved critical for not only the interpretation of the contract, but in rebutting the case of the City. I find this case particularly rewarding because of the relationships I have formed with the principals of the clients, and also the opportunity to work with bondholders' counsel and representatives of the equity investors.

5. *Stewart v. Kingsley Terrace Church of Christ, Inc.*, 767 N.E.2d 542 (Ind. Ct. App. 2002). Kingsley Terrace was sued by its former minister for a breach of contract. I represented the church and argued to the trial court that the termination of the minister was based on religious grounds. The minister's claim was dismissed for lack of subject matter jurisdiction. The Court of Appeals affirmed the trial court's decision. This case afforded me the opportunity to engage again in an area completely outside what I had practiced in before, First Amendment law. I found it an intellectually challenging case that required me to reacquaint myself with First Amendment jurisprudence that I had not looked at since law school. I also believe it was significant because it prevented the Court from entangling itself in a doctrinal matter, which would clearly be impermissible.

7. Efforts to Improve the Legal System, Administration of Justice, or Society

- A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice. Include a description of any management or leadership roles you undertook to achieve these goals, and describe any specific instances in which your collaborative efforts helped achieve these goals.

I was invited to be a Goodrich Lecturer at Wabash College by Edward McLean, Ph.D. Dr. McLean taught political science at Wabash College. This invitation allowed me to give a formal lecture to political science students on the nature of tort law and its role in the ordering of society based on natural law. This opportunity helped me to think critically and explain the role of law, in particular tort law, and its societal impact in allowing redress from wrongdoers as a means of securing natural justice. It also allowed me to act as a representative of the profession by helping to direct the students to a concept of law and lawyering that reinforced their importance for society and the inherent dignity of the law.

I was later asked to attend an academic symposium on law and society that was put on by the Goodrich Foundation at IUPUI on the concepts of Federalism. This was a symposium between academics and practitioners. Once again, I was afforded the opportunity to stress the

**importance of the law and lawyering and to discuss the nature of our constitutional system and its resilience and adaptability.**

**These two events led to me being asked to contribute a chapter on law and society in a book entitled COMMON TRUTHS which is used as a textbook for undergraduate political science classes. With this work, I sought to discuss the role of law in society and how it contributes to both societal order and securing natural justice that helps lead to a just society. By contributing a chapter to this book, I sought to both make an argument for the intellectual underpinnings of the law, the important role law plays in society, and the obligations of a practicing attorney in the administration of justice.**

**I have, over the years attempted to mentor every young lawyer who worked with me. I think it is important to not only teach young lawyers the practical aspects of practice, but also to teach them to respect the practice by how they conduct themselves with the client, opposing counsel, and the bench.**

**Recently I have begun to mentor law students from Maurer School of Law at Indiana University Bloomington. I see this as a way to communicate some of what I have learned to a circle broader than my immediate firm or other firms I routinely interact with. I look forward to continuing this mentoring.**

- B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

**I have an ongoing participation in the Republican Party. In particular, I am active in the Hamilton County Republican Party, and I am a member of the Chairman's Club. I have attended fundraisers to benefit the local party and consistently attend monthly Hamilton County Republican Party breakfasts that deal with issues confronting the state from education to the state of our roads. This involvement provides me the opportunity of hearing about issues occurring in our state, while at the same time providing a forum to discuss solutions and opportunities that these issues present.**

- C. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) to improve your local, state, or national community through charitable work or public service. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

**My charitable efforts to respond to the condition of others fits into the context of a more global perspective. I am fortunate to be a member of the Equestrian Order of the Holy Sepulchre of Jerusalem. The Equestrian Order is represented in almost every country in the world, and its mission is devoted to charitable acts and attempting to bring peace, through dialogue, to the Middle East. The Equestrian Order has financed the construction of 40 schools in Israel, Palestine, and Jordan. These schools serve all children, regardless of religion or nationality. Part of the mission of the schools is to develop a culture where children can see their fellow students not as “enemies,” but as friends. Today roughly 19,000 students attend these schools. The Equestrian Order also helps to support 1,500 teachers who staff the schools. Bethlehem University is underwritten by the Equestrian Order for the purpose of trying to achieve the same goals at the collegiate level.**

**The Equestrian Order’s efforts are not limited to primary and secondary education. It also runs health clinics that treat all individuals. Physical suffering cuts across all nations, cultures, and religions. The providing of healthcare helps to open channels of communication that might otherwise be closed.**

**Although this is an international charitable activity, I believe it is also a national activity. My involvement in this, through serving on committees, has brought me into contact with many individuals across our nation that have a commitment to trying to help a particular problem in one small corner of the world. I have found their commitment to be inspiring and it has raised my awareness of how things in this world are truly interdependent.**

**I have also served on the parish council and various commissions at St. Simon the Apostle Catholic Church. These activities ranged from working at St. Vincent DePaul providing furniture and other household supplies to the needy to working at the parish festival.**

D. Describe the nature and extent of any *pro bono* legal services you have contributed.

**I have made myself available at my parish to assist individuals in need of assistance or counsel without charge. I have often been called by the parish office to offer legal assistance or advice to individuals or to provide such advice to the pastor so that he can assist those who seek his counsel. I have also helped individuals who did not have the financial means to pay a lawyer to draft wills, powers of attorney and health care powers of attorney without charge.**

E. Indicate your experience teaching law. Provide the dates, names of institutions or programs, and a description of the subject matter taught.

**Not applicable**

8. Memberships and Other Activities

- A. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

**Indiana State Bar Association, 1989 to the present**

**Indianapolis Bar Association, 2015 to the present**

**Federalist Society, 2007 to the present**

**Indianapolis Law Club, 2009 to the present**

**Indiana Trial Lawyers Association, Emeritus Director 2013 to the present**

**Indiana Trial Lawyers Association 1991 to the present**

**American Association for Justice 2005-2015**

**Indiana Trial Lawyers, Board of Directors 1997-2013**

**American Trial Lawyers Association, Key Person Committee 1995-2005**

**American Trial Lawyers Association, 1991-2005**

- B. List any memberships and offices you have held in civic, charitable, or service organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

**Legatus, 2014 to the present**

**Equestrian Order of the Holy Sepulchre of Jerusalem – North America, 2010 to the present. I was knighted in the Sovereign Military Order September 26, 2010. Promoted to Knight Commander by the Holy See in 2013.**

**Knights of Columbus, 3<sup>rd</sup> degree, 1984 to the present**

**Parish Council of St. Simon the Apostle Catholic Church, 2009-2016**

- C. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

**Hawthorns Country Club, 2016 to the present**

**Fellowship of Catholic Scholars (inducted 2010)**

D. Describe your hobbies and other leisure activities.

**Golf**

**Reading (in particular, military history)**

9. Legal Proceedings

A. List any lawsuits or legal proceedings in any jurisdiction, including but not limited to bankruptcies, dissolutions, and criminal matters to which you have been a party. Provide dates, case numbers, courts, names of other parties, and, if needed, a brief explanation. (If minor children are involved [i.e. an adoption], use initials only.)

*Donnell Sawyer v. David P. Matthews, Lizzy Santiago, Julie Rhoades, Matthews & Associates, William N. Riley, Jamie R. Kendall and Price Waicukouski [sic] & Riley, LLC an Indiana Limited Liability Company, Cause No. 1:15-cv-01541-SEB-DML.*

Several years ago, under my old firm, Price Waicukauski & Riley, LLC, I acted as local counsel for Matthews & Associates and filed a complaint against Eli Lilly & Co. (“Lilly”) on behalf of several clients for injuries related to the schizophrenia drug Zyprexa. Mr. Sawyer's case was included in this group. Lilly eventually made settlement offers to each plaintiff in that case. Other than Mr. Sawyer, every client in the case accepted the settlement offer.

We then stipulated to the dismissal of each settling plaintiffs’ claims, expressly providing that Mr. Sawyer’s claims were to remain. We tendered a proposed Order to the Marion County court that dismissed only the settling plaintiffs’ claims — Mr. Sawyer’s claims were to remain pending while he decided what he wished to do – while national counsel continued to correspond with Mr. Sawyer about the merits of the settlement or obtaining other counsel.

Mr. Sawyer filed a complaint in United States District Court for the Eastern District of North Carolina alleging his case was dismissed without his consent. When I found out about Mr. Sawyer’s filing, my office checked the Marion County court’s docket and realized that on December 2, 2014, the Marion County Court had mistakenly dismissed the entire action, despite the fact that the stipulation of dismissal expressly reserved Mr. Sawyer’s claims. We were never served with a copy of this dismissal order. We called Lilly’s counsel to see if they had received a copy of the December 2, 2014 order of dismissal and learned that she had not. The Marion County court had inadvertently dismissed all of the cases despite the agreement of the parties that Mr. Sawyer’s case would remain.

On November 10, 2015, I filed an unopposed motion for relief from the judgment correcting the court’s error in dismissing Mr. Sawyer’s case. The case was reinstated when the court granted the motion on November 16, 2015. We then moved to withdraw our representation, which was granted on December 22, 2015. Mr. Sawyer’s case was then active

and in a position to be litigated. I advised Mr. Sawyer of all of this. Mr. Sawyer never retained counsel and his case was administratively dismissed on February 2, 2016.

Mr. Sawyer, acting *pro se*, was unable to effectuate service in the North Carolina action. He re-filed a case in the Southern District of Indiana. Mr. Sawyer has repeatedly asked the court to appoint him counsel, which the court has declined to do. It is anticipated that a summary judgement motion will soon be filed on behalf of all defendants. Briane House is counsel for the defendants in this matter, and he has included a separate letter of recommendation that also discusses the matter.

Tom Young and I were sued early in my career when I was his associate. I was dismissed from the case. I cannot recall the plaintiffs' names.

- B. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

**Not applicable**

- C. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number (if applicable), and describe the circumstances and the nature of the outcome or resolution.

**I have not been disciplined or cautioned, either formally or informally, by any entities.**

- D. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

**None**

## 10. References

- A. Provide the names of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to the Indiana Supreme Court (contact information to be included in Part Two of this application).

**Jason Scheele**

**Mark Lienhoop**

**Dennis Cantrell**

- B. Provide the names of three professional references other than those listed in Subsection 10A (contact information to be included in Part Two of this application).

**The Hon. Steven R. Nation, Hamilton County Superior Court 1**

**The Hon. William T. Lawrence, USDC So. District of Indiana**

**John F. Kuckleman, General Counsel for Elanco Animal Health**

- C. Provide the names of three personal references other than those listed in Subsection 10A or 10B (contact information to be included in Part Two of this application).

**Paul R. Sweeney**

**Lori D. Lowe**

**Jerry T. Hatley**

11. State Police Release Form and Photograph

- A. Complete a State Police release form printed on green paper (you may obtain the release form by contacting the Nominating Commission Office at 317-232-4706). Include the release form with the original application only and not with the copies.

**Attached**

- B. Attach a recent photograph of you to the front of the original application and to each copy of your application. (This allows the Commission members to put a face with a name if you are interviewed in person.)

**Attached**

March 3, 2017

/s/ William N. Riley

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Date

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Applicant Signature

William N. Riley

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Printed Name

