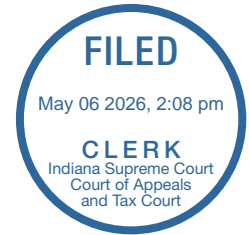


# In the Indiana Supreme Court



In the Matter of: Michael L. Deppe,  
Respondent

Supreme Court Case No.  
25S-DI-84

## Published Order Finding Misconduct and Imposing Discipline

Upon review of the report of the hearing officer, the Honorable Adam J. Sedia, who was appointed by this Court to hear evidence on the Indiana Supreme Court Disciplinary Commission's "Disciplinary Complaint," the Court finds that Respondent engaged in professional misconduct and imposes discipline on Respondent.

**Facts:** Respondent represented "Client" in a medical malpractice action after Client's original attorney, Raymond Gupta, was suspended. During Gupta's representation, Client settled with the defendants for the statutory cap and then sought damages from the Indiana Patient's Compensation Fund. However, Gupta failed to comply with an initial and an extended deadline to disclose expert witnesses to the Fund.

When Respondent took over the case from Gupta, he sought to file a belated disclosure, but the Fund successfully moved to strike those expert witnesses. The trial court certified its order for interlocutory appeal. Respondent filed a notice of appeal, but he did not notify Client of this or obtain her permission to appeal. Respondent also failed to timely request the Court of Appeals to accept jurisdiction. As a result, the Fund successfully moved to dismiss the appeal.

Back in the trial court, Client and the Fund settled for \$174,279. Respondent initially retained 40% of that amount, based on a contingency fee agreement calling for a fee of either one-third or 40%, depending on the circumstances. After Client objected, Respondent agreed to reduce the fee to one-third and refunded Client the difference. However, both the 40% and the one-third contingent fees exceeded the 15% statutory cap on fees associated with recovery from the Fund.

Respondent testified that he was unaware of the 15% statutory cap on fees and he would have refunded the difference at the time had he been aware of the cap, but that he is presently unable to do so.

**Violations:** The Court finds that Respondent violated these Indiana Professional Conduct Rules prohibiting the following misconduct:

- 1.1: Failing to provide competent representation.
- 1.4: Failing to promptly inform a client of any decision or circumstance with respect to which the client's informed consent is required and to reasonably consult with a client about the means by which the client's objectives are to be accomplished.

1.5(a): Charging an unreasonable fee.

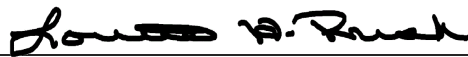
**Discipline:** The hearing officer recommended Respondent be suspended for 30 days and thereafter be placed on probation until such time as he repays Client in full, with interest. Neither party has filed a petition for review or brief on sanction, and we substantially agree with the hearing officer's proposed framework.

For Respondent's professional misconduct, the Court **suspends Respondent from the practice of law for a period of 30 days, beginning June 17, 2026**. Respondent shall not undertake any new legal matters between service of this order and the effective date of the suspension, and Respondent shall fulfill all the duties of a suspended attorney under Admission and Discipline Rule 23(26).

At the conclusion of Respondent's suspension, he shall be automatically reinstated to the practice of law, subject to the conditions of Admission and Discipline Rule 23(18)(a) **and additionally subject to at least two years of probation**. During this time Respondent shall make restitution to Client in the amount of \$48,725.02 (the excess fee collected by Respondent plus 8% interest accrued through the date of the hearing officer's report) and then shall provide the Commission with a verified accounting and report of same. Upon expiration of the probationary period, Respondent may submit a petition for release from probation provided he has fully complied with the terms of his probation, and the Commission may petition to revoke his probation and suspend Respondent indefinitely if he has not fully complied with these terms.

The costs of this proceeding are assessed against Respondent. The hearing officer appointed in this case is discharged with the Court's appreciation.

Done at Indianapolis, Indiana, on 5/6/2026.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.