

The Paper

OF MONTGOMERY COUNTY

Montgomery County's oldest locally owned independent newspaper

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TODAY'S VERSE

1 John 4:20 If a man say, "I love God," and hateth his brother, he is a liar. For he that loveth not his brother whom he hath seen, how can he love God whom he hath not seen?

FACES OF MONTGOMERY

People who call our community their own.



Donald Carson gives a smile for one of our roving photographers. Thanks for your smile!

THREE THINGS You Should Know:

1 It was a sight to behold at Skydive Perris in Orange County California when 101 freefalling 60-year-old senior citizens jumped from five airplanes in a record-breaking snowflake formation. The next day 95 of them broke another record when they leaped from their planes in a "sequential" formation. The organizers of these events are seeking recognition from the Guinness Book of World Records for these daring old men.

2 The open Grief Support Group continues to meet on the first and third Thursday of each month. The next meeting is Thursday, May 4 at 7 p.m. at Gobin Memorial United Methodist Church in the Peace Chapel on the north side of the Sanctuary. Please register at www.dusk-to-dawn.org or call (765) 267-1760. The group meets again on May 18 at 7 p.m. Celebrating its 10th anniversary as a non-profit association, the organization helps alleviate the suffering associated with loss and grief by providing free access to support, counseling, education and resources for anyone in need. These services are made possible through community donations and grants such as the one awarded by the Putnam County Community Foundation.

3 Shortly after the turn of the last century, Frederick Miller first brewed his famed High Life beer and called it the Champagne of Beers. More than a hundred years later it is still promotionally compared to Champagne, much to the chagrin of the French brewers of their famous bubbly wine. Although Miller Beer is not exported to France, a shipment of more than 2,000 cans of it was making its way via Belgium recently, much to the chagrin of the French Champagne brewers who asked the Belgian Customs Administration to seize the shipment and destroy it, which they did. For sure, the Comité Champagne said Merci.



Photo courtesy of Town of Waveland

Syncrns Spins Performer

4th Annual Waveland Progressive Dinner

Have you always dreamed of a trip to a tropical paradise to attend a luau? Maybe you have experienced it before and want to relive some of the memories. It's time to put on your Hawaiian shirts and join Waveland Strong as they host their 4th annual Progressive Dinner featuring The Syncrns Spins - Fire Performer on Saturday, May 6th from 5:30-9:00pm.

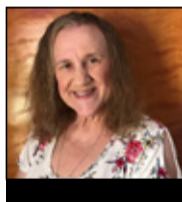
Participants will make 5 local stops through Waveland enjoying food, drinks and entertainment. It's a great opportunity

for a date night, an evening out with friends, or a chance to meet new folks as you mingle with one another while traveling together to the next location and food course. It's also a great opportunity to visit unique architectural and historic gems in our community. Stops including:

- T.C. Steele Boyhood Home: Appetizers & Open Bar
- Waveland Christians in Action Church: Soup & Salad

➔ See DINNER Page A5

Vancleave Saga #8 Crossed-Eyed-Ben



KAREN ZACH
Around The County

My revised plan for Saga #8 was to do Jonathan son of Ralph but I covered him fairly well last week in Ralph's Saga, so we'll do my original plan and finish this VanCleave saga with Benjamin "Crosseyed Ben," as he was called and not sure whether that indicates a physical condition or just a tag to distinguish him from his father, Benjamin Samuel, mother of course, Ruth Munson.

So, meet Ben born 9 Sep-

tember 1787 Jefferson County, Kentucky and died 26 October 1855 buried in Old Union Cemetery north of Waveland. He married 18 Dec 1809 Henry County, Kentucky to Mary Stevenson Mount (daughter of Matthias Mount and Mary Elizabeth Stevenson). They were farmers and were in Brown Township about three decades or more. His property was worth \$2500 in 1850, five years before he passed. Their children numbered lucky 7: Mathias Mount; James S.; Thomas Jolly; Mary Jane; John Ralph; Ruth Ann and Sarah Ellen. Note: after writing this

➔ See KAREN Page A5

Celebrate Arbor Day



The Montgomery County Board of Commissioners have decided to proclaim that April 28 will from now on be known as Arbor Day, in honor of trees and our symbiotic relationship. While the use of trees in our everyday lives for wood and paper are always apparent, we should acknowledge that trees help with erosion, give us something wonderful to look at and provide life giving oxygen. There is nothing quite like hearing a slow breeze through the trees on a warm afternoon or evening. It is nice to see The Board setting aside a special day to acknowledge such an important part of life.

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Whereas, Arbor Day is now observed throughout the nation and the world, and whereas, trees can reduce the erosion of topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless wood products, and whereas, trees in our County increase property values, enhance the economic vitality of business areas, and beautify our County, now, therefore, the Montgomery County Board of Commissioners do hereby proclaim April 28, 2023 as Arbor Day in Montgomery County.

Proclaimed this 24th day of April in the year 2023.

Montgomery County Board of Commissioners

John E. Frey, President
James D. Fulwider, Vice President
Dan Guard, Member
Attested by Mindy Byers, County Auditor

The Daily Almanac



Sunrise/Sunset:
RISE: 6:47 a.m.
SET: 8:35 p.m.



High/Low Temperatures:
High: 65 °F
Low: 36 °F



Today is...:

- Babe Ruth Day
- Morse Code Day



What Happened On This Day:

- 1994 South African citizens of all races are allowed to vote in a general election for the first time.
- 1992 For the first time in its 700-year history, the British House of Commons is presided over by a female Speaker.
- 1810 Ludwig van Beethoven composes "Für Elise".



Births On This Day:

- 1822 Ulysses S. Grant American general, politician, 18th President of the United States
- 1791 Samuel Morse Inventor, co-invented the Morse code

Deaths On This Day:

- 1992 Olivier Messiaen French composer, ornithologist
- 1521 Ferdinand Magellan Portuguese explorer

HONEST HOOSIER

The NFL draft is here. Fingers crossed for the Colts!



INSIDE TODAY'S EDITION

Service Directory.....A3
Classifieds.....A4
Earth Talk.....A4

THE MONTGOMERY MINUTE
Plant Sale & Show Saturday

The Montgomery County Master Gardeners' Plant Sale & Show is set this year for Saturday on the 4-H grounds in Crawfordsville next Saturday, April 29, from 8 a.m. to 1 p.m. In addition to a wide range of plants, Master Gardeners will be on hand to answer gardening questions. This year nine booths will be on premise to accentuate your plant buying.

TODAY'S HEALTH TIP

Seniors should always have bright lighting in their homes - it takes three times as much light to see as well as a teenager.

Today's health tip was brought to you by Dr. John Roberts. Be sure to catch his column each week in The Paper and online at www.thepaper24-7.com.



TODAY'S QUOTE

"When someone tells me 'no,' it doesn't mean I can't do it. It simply means I can't do it with them."
Karen E. Quinones Miller

TODAY'S JOKE

What sound does a chicken's phone make?
Wing, wing.

OBITUARIES

None

The Paper appreciates all our customers. Today, we'd like to personally thank **MARCIA DESMET** for subscribing!



8 51246 00100 5



7 DAY FORECAST

35/60 MOSTLY SUNNY	36/65 P.M. RAIN 1-70 & SOUTH	47/63 SLIGHT RAIN CHANCE	47/65 FEW SHOWERS!	55/50 SHOWERS, FALLING TEMPS	38/48 CLOUDY, BREEZY, CHILLY	39/52 STILL COOL
WED	THU	FRI	SAT	SUN	MON	TUE



Photo provided by Tri-County Bank & Trust

From L-R Chuck Dixon, Marilyn Wehrman, Mike "Mitch" Mitchell, Rod Lasley (COO Indiana Bankers Association)

Tri-County Bank & Trust Honored By Indiana Bankers Association

Indiana-Tri-County Bank & Trust Company has been honored as a Five Star Member of the Indiana Bankers Association. The award was presented on April 6, 2023, in recognition of Tri-County Bank's Association involvement throughout 2022.

The Five Star Member designation recognizes those IBA-member banks which demonstrate out-

standing commitment to the Association in five areas: political awareness, issues advocacy, life-long learning, IBA volunteerism, and Preferred Service Provider utilization.

"We very much appreciate the dedication of Tri-County Bank as a Five Star Member bank" said Amber Van Til, IBA president and CEO. "Our Association is strong, thanks to

our supportive members."

The Indiana Bankers Association supports Indiana banking through issues analysis, professional education, and products and services that enhance member banks' ability to serve their communities.

Tri-County Bank & Trust Company is a Community Bank with offices in Montgomery and Putnam Counties.

Entries Open for Strawberry Festival Tennis Tournament

As the calendar nears May that means early preparations for the Strawberry Festival are gearing up. Such is the case for the 41st annual tennis tournament.

The non-sanctioned event will take place on June 10-11 at two locations - Crawfordsville and Southmont high schools. There are 14 different categories, but participants are limited to two. The categories are split into juniors and adults. Age cut-off is June 1. The categories are:

- Girls 16 & under singles
- Girls 16 & under doubles

- Girls 18 & under singles
- Girls 18 & under doubles
- Boys 16 & under singles
- Boys 16 & under doubles
- Boys 18 & under singles
- Boys 18 & under doubles
- Womens singles
- Womens doubles
- Family open doubles
- Mens singles
- Mens doubles
- Mixed doubles

The entry deadline is June 5 and fees are \$20 for singles and \$30 per team in doubles. The draw will

be limited by category to the first 16 entrants. Tennis balls will be provided and T-shirts will be given to all participants instead of medals. Matches are two out of three sets with a super tie-breaker in lieu of a third set. All players should report on Saturday to their respective locations. All categories will be played at CHS, with the exception of boys and girls 16 singles and doubles. Those matches will take place at South.

Tournament directors are Jason and Susie Hutchison. Contact Jason at hutch3575@gmail.com and Susie at pinel-og_2000@yahoo.com.

Beware Of Scammers Coming For You

The state is warning Hoosiers of post-tax season scams, which occur far too often in communities across Indiana.

"Scammers will steal innocent taxpayers' identities and use it to file fraudulent tax returns," Indiana Attorney General Todd Rokita said. "Many families are looking forward to tax refunds to help pay their currently inflated bills or to simply get away for a few days this summer. Don't let these con artists steal your identity and eventually,

your money."

Tax-identity thieves use other people's Social Security Numbers to file taxes and/or even obtain jobs. Most victims will likely not even be aware this has happened. Some will be notified upon e-filing that a tax return has already been filed using their SSN.

Hoosiers should review the warning signs from the IRS on possible tax-related identity theft related to tax scams:

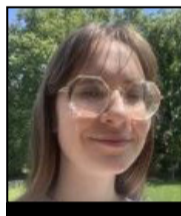
- More than one tax return was filed for you.

•You owe additional taxes, have a refund offset, or have had collection actions taken against you for a year you did not file a tax return.

•IRS records indicate you received wages or other income from an employer for whom you did not work.

If you believe you have been the victim of tax-related or any other type of identity theft, you can file a complaint online by visiting indianaconsumer.com or by calling 1-800-382-5516.

This One Is For Car Lovers!



Some books are meant for more than just the

Susanna Howard

Fresh off the Shelf

joy of reading them. They impart valuable information and instructions that you can apply to all sorts of hobbies and projects. Cookbooks and craft pattern books are very popular, but what you may not know is that we also have a large section on cars!

The Chilton Service Manuals (629.287 Chi) is a prime resource with specific advice for a range of manufacturers. We have both physical books and onsite access to the Chilton Automotive Database here at CDPL, so you can find reliable, up-to-date information on the computer. Search it on our website at <https://www.cdpl.lib.in.us/databases/> or click on Databas-

es under the Econtent tab. If you want to access the database from home, contact the Reference Desk at 765-362-2242, extension 117.

Car fans can admire the technical design in Turbo: An A-Z of Turbocharged Cars by Graham Robson (629.2222 Rob) and Go like hell: Ford, Ferrari, and Their Battle for Speed and Glory at Le Mans by A. J. Baime (796.72 Bai). Walter J. Boyne's Power Behind the Wheel: Creativity and the Evolution of the Automobile (629.231 Boy) offers a historical overview of the innovations that lead to today's cars. At the Crossroads: Middle America and the Battle to Save the Car Industry by Abraham Aamidor (338.4762 Aam) and Car Sick: Solutions for Our Car-Addicted Culture by Lynn Sloman (388.042 Slo) take a look at the social side of those developments.

Where you have cars, you want good roads, so check out The Road Taken: The History and

Future of America's Infrastructure by Henry Petroski (388.1 Pet). Or, for one famous road, watch the documentary Route 66: Kitsch and Mythical (DVD 388.1 Rou). Plan your next adventure with Drives of a Lifetime: 500 of the World's Greatest Road Trips (910.202 Dri), or take a ride with Earl Swift's Auto Biography: A Classic Car, an Outlaw Motorhead, and 57 Years of the American Dream (LP 629.28722 SWI).

Want more? Join us for Let's Talk Cars & Trucks on Tuesday, April 25 and get individual advice on anything to do with cars from a speaker with 50 years of experience. You can check out what's happening at the library on our website at www.cdpl.lib.in.us or call us at 765-362-2242. CDPL is open Monday-Thursday 9a-9p, Friday-Saturday 9a-5p, and Sunday 1-5p.

-Susanna Howard is a Library Assistant in the Reference and Local History department at CDPL.

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June 16-30	\$22.75
July 1-15	\$21.00
July 1-31	\$19.25
Aug. 1-15	\$17.50
Aug. 16-31	\$15.75
Sept. 1-15	\$14.00
Sept. 16-30	\$12.25
Oct. 1-15	\$10.50
Oct. 16-31	\$8.75
Nov. 1-15	\$7.00
Nov. 16-30	\$5.25
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Dec. 16-31	\$1.75

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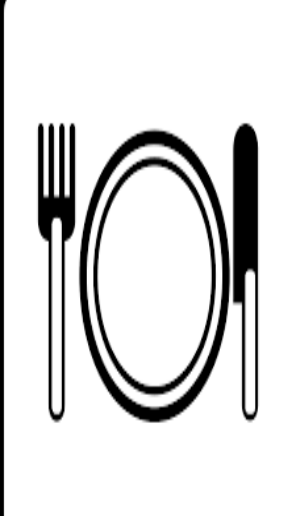
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Social Media Used As A Tool To Affect Awareness And Gain Support



Dear EarthTalk: How are environmental advocates using TikTok to raise awareness and gather support for their causes?

Social media has become a powerful tool for environmental activists to raise awareness and advocate for change, and no social media network is hotter these days than TikTok. This fast-growing platform where users create and share short videos has quickly become one of the most popular apps in the world—as of 2023, the app has more than 1.5 billion active users. As such, it has also become a powerful tool for activists to reach a large audience and raise awareness for environmental issues. Indeed, environmentalists have taken to TikTok to share their messages in creative and engaging ways, using humor, music, and personal anecdotes to connect with viewers.

One of the advantages of using TikTok for activism is the platform's reach to younger audiences that may not be as engaged in traditional forms of environmental and climate activism. More than two-thirds of TikTok's user base in the U.S. is under age 40, while 10-19-year-olds make up the single

largest group by age on the platform. By using TikTok, these younger demographics can be reached and inspired to take action on environmental issues, organize petitions and fundraisers, and get involved in other ways.

One of the most popular environmental advocates on TikTok is Carissa Cabrera, a marine biologist and activist from Hawaii who has been creating TikToks for more than five years and has a large following on the platform—her @Carissaandclimate account has more 250,000 followers of her educational content.

“Generation Z wants to get information and tools at their fingertips, and it's all packaged in an entertaining way,” says Cabrera. The fact that most TikToks last less than 30 seconds makes it a challenge to grab the user's attention, so Cabrera usually gets to the point in the first three seconds and then employs comedic stories and/or dances to round out the post. Her goal is to create catchy content that's quick and easy to memorize and that makes users want to watch it over and over and share with others so as to get more and more people to act on behalf of the planet.

Cabrera also contributes TikToks via EcoTok,

which features innovative videos from a core group of activists and educators with the common goal of showing followers ways to live more sustainably.

“EcoTok started with a group of people looking for an outlet to share their frustrations,” Cabrera reports. “Climate change is a daunting subject that can be hard to face alone.” She adds that their early arrival into TikTok helped build a committed, strong community, with more than 100,000 followers and millions of “likes.”

Of course, only time will tell if recent discussions in Congress about banning TikTok in the U.S. over fears of data mining by the Chinese government—the company behind the app is based in China—could mean the end for a valuable channel where environmentalists have been able to reach younger potential sympathizers here and inspire them to join the climate movement.

-CONTACTS: Carissa and Climate, tiktok.com/@carissaandclimate; EcoTok, tiktok.com/@ecotok.

EarthTalk® is produced by Roddy Scheer & Doug Moss for the 501(c)3 nonprofit EarthTalk. See more at <https://emagazine.com>. To donate, visit <https://earthtalk.org>. Send questions to: question@earthtalk.org.

Citizen Science, What It Does To Help



Dear EarthTalk: What are some examples of citizen science in efforts to monitor and combat global warming?

The world is getting warmer each year, and people worldwide want to do their bit to help. Many of us already are. We turn thermostats, bike to get around, recycle, and urge elected officials to make our cities greener. But there is one more thing any of us can do to fight global warming: it's called citizen science.

Citizen science is the involvement of the general public—you, your communities, anyone who is not a professional scientist—in collecting data to support scientific research. Citizen science has actually existed for decades. For example, the National Audubon Society's Christmas Bird Count began in 1900 to promote conservation. With the gigantic leap in 21st century technology, citizen science is now truly invaluable in dealing with the climate crisis. Ordinary people can record and share vast amounts of data on smartphones, and identify thousands of animal and plant species through apps. They can even connect from remote places to share information about the effects of global warming on their local ecosystems.

In citizen science there's something for everyone.

Those concerned about climate can record the timing of flowering for Project Budburst. Those interested in oceans can monitor beach debris for the Coastal Observation and Seabird Survey Team (COASST), which studies how global warming has hurt coastal ecosystems and their wildlife inhabitants. By listening to frog calls for the North American Amphibian Monitoring Program (NAAMP), recording glacial melts in rural Alaska for the Indigenous Sentinels Network, or photographing mountain smog for the Appalachian Mountain Club, citizen scientists provide valuable data from all over the world that scientists couldn't otherwise obtain.

With climate change a worldwide concern, citizen science, too, is a global phenomenon, especially useful in poor or remote areas where accurate meteorological data are hard to come by. In such places, citizen scientists are the best way to collect data useful for local needs. In Bangladesh, farmers record temperature and humidity for the Transforming Climate Knowledge with and for Society (TRACKS) project to monitor how global warming harms the crops upon which they depend. In South Africa, villagers collect data on needed groundwater supplies via the Diamonds on the Soles of their Feet project.

Another promising aspect

of citizen science is that it is being integrated into school curricula, introducing students worldwide to standardized measurements of climate change. Through Global Learning and Observations to Benefit the Environment (GLOBE), citizen scientist students have collected data to study how climate change has affected the earth's energy balance and the spread of mosquito-borne diseases.

Regardless of location, age or nationality, citizen scientists are heroes in the worldwide effort to combat global warming. There is a wealth of information online that can help anyone find citizen science projects by location and project type so that they can get involved. SciStarter.org or CitizenScience.gov are good places to start the search.

CONTACTS: SciStarter.org, scistarter.org/; CitizenScience.gov, citizenscience.gov/; Project Budburst, budburst.org/; COASST, coasst.org/; Appalachian Mountain Club, outdoors.org/; NAAMP, data.usgs.gov/catalog/data/USGS:583d-c314e4b0d1899f9dea8d/; Indigenous Sentinels Network, sentinelsnetwork.org/app-programs/; TRACKS, uib.no/en/rg/tracks.

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for coverage of County Council meetings, school board meetings, more information on these stories as well as articles from your favorite columnists, such as Karen Zach, John Roberts, Slim Randles, Butch Dale, Carrie Classon, Dick Wolfsie, Tim Timmons and Casey Williams!

Check back daily for updates!

Obituary deadline

The Times publishes obituaries daily at www.thetimes24-7.com, and in its print product every day with the exception of Sundays and Tuesdays.

All obituaries must come from a funeral home.

A photo may be included and should be sent as a high-resolution JPEG.

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KAREN From Page A1

and reading over it, found another child of these two – Benjamin A born in June and passed away in September 1828 – buried with his parents.

Matthias Mount was thrice married #1 Nancy Nicholson mother of eight of his dozen children; #2 Charity Hunter (mother of four) and Mary Harris his third, all three marriages in MoCo. Matthias was born 26 March 1810 in Bull Creek, Kentucky. Although MM was a cabinet maker, he too was a minister. He also did some farming. A rather fun article on Rev. V. was in the C'ville Journal 9 Nov 1889 suggesting that Rev. CH Little (Danville IL) would far surpass (in weddings performed) the deceased Rev. Vanleave who was in his 90s when he died. Sure had to laugh – some news reporters are just after the story, right or wrong and this tale sure had the booboos. Definitely, a puffed-up mess! Rev. MM was only 87 when he died nine years after the article was written and he performed several more marriages as I assume Rev. Little did so not sure which won that race. Perhaps they weren't even aware of the competition. Several of MM's children passed young (Benjamin; Lovina; Joel). Others were John, Serena (who married one of Indiana's best-ever judges James McCabe who lived in Warren County – three children at least, Nancy; Edwin; Charles; Sarah), Samuel Matthias (married Mary Johnson here, went to Missouri, Kansas and passed away in Santa Monica California in June 1916 – at least three children, Minnie; William Mathias and Charles), Dorcas (married John Hunt and had five children, two passing young, the others Charles; Lula May and Daisy). MM's other children were: Nancy Jane; Sarah Adeline; Martha and Mary. Other than their names, don't know much about that group.

Next child of Ben's was James S. born Shelby Co KY 21 Feb 1813 and died fairly young at 27 Aug 1855. His wife was even younger (Mary Mitchell died 4 April 1844 b 26 Sept 1816), passing in childbirth with their youngest of five children Ben died age 20, Samantha married James Mullikan; Alfred Thomas married Catharine Sayler and parented 7 sons (Bert; Charles Benjamin; John E; James Thomas; George W; Samuel M and William H. William Newton

son of James and Mary (Mitchell) died at age 20 and their other son was James Brown ("Big Jim") who died in bed in 1899.

Son, Thomas Jolly Vanleave born 14 August 1818 in Shelby KY passed away 9 April 1894 in Marion County, Oregon and is buried there with his wife, Harriet Williams. Parents of 7 sons: Francis Marion; John S; William Benjamin; Merideth; Washington Taylor; Wilson T and James M. Almost all of these sons were born in Scott Township, MoCo but James who died at 15 days as they moved out to Guthrie County, Iowa before the Oregon move.

Mary Jane Vanleave was born here (Jan 1826) and passed away some time between the 1900 and 1910 census, her husband, Robert Wasson living with their oldest son who remained so very close with them (William A; not sure what happened to his brother, Robert Morgan)

The Johnson Todd's (mother Ruth Ann Vanleave) had a bunch of kiddos, Ruth the mother of an even dozen (America Malissa; John William; Mary Elizabeth; Sarah Jane; George Washington; Isaac Shelby; Henry Thomas and John William. Johnson's first wife, Mary Hanna birthed two: James Clayton and Sallie died young). Perlina never married passing at her sister's home in MoCo 25 Feb 1937; another of their sisters, Mary Ann died shortly after birth as did brothers, Samuel R and Andrew Jackson). Most of these folks stayed here, marrying into well-thought-of local families (Davis; Griffith; Maddox; Servies) but their son Johnson Benjamin was back and forth even passing here and returned for burial with his wife, Julia Ann Smith.

Sarah Ellen, the youngest of Ben and Mary's children married local fellow, Samuel Demoret (Oct 1848) and Elizabeth, Mary and Johnson were I believe her children. He remarried and had a son Joseph. She died before she was 30.

So, there ya' have my rendition of one of the many Ben Vanleaves, but this one (and his family) ranks among my favorites.

- Karen Zach is the editor of Montgomery Memories, our monthly magazine all about Montgomery County. Her column, Around the County, appears each Thursday in The Paper of Montgomery County. You can reach her at karen.zach@sbglobal.net.

Sen. Tyler Johnson Moves To Seal Malpractice Case From Public

By Whitney Downard
Indiana Capital Chronicle

A state senator embroiled in a medical malpractice case wants an Allen County judge to block public access to court records and pause proceedings while he finishes the legislative session.

Sen. Tyler Johnson, R-Leo — an ER physician — said he is concerned filings in the lawsuit will be “manipulated or misused” by interested parties.

The case predates his election in November 2022, and has a hearing scheduled in May.

On Friday, just eight days before the General Assembly must adjourn on April 29, Johnson's lawyers filed a motion to stay, a motion opposing summary judgment and a petition to prohibit public access, citing Johnson's position as the elected senator of District 14 in northeastern Indiana.

The filings, which also include an affidavit from Johnson, appeared on a public docket Monday but had to be requested personally from the Allen County Courthouse.

Johnson, a Republican, declined a request for comment from the Indiana Capital Chronicle. He is the author of the state's ban on gender-affirming medical care for transgender teens and is also a plaintiff in the national case to block access to abortion medication.

Friday's motions following a canceled pretrial conference on April 18, Johnson moved to temporarily halt the case and related deadlines, based on the “privileges and immunities afforded to Dr. Johnson as an Indiana state senator.”

The Indiana constitution bars civil proceedings against sitting members of the General Assembly during session, with a few exceptions. Additionally, Indiana law allows a court to shield records if doing so is in the public interest, if access would create sig-

nificant risk or substantial harm to a party, or if having them publicized would influence judgment.

“In the instant case, all three of these concerns are triggered,” the filing argues. “... It is clear that various interested parties have publicized this lawsuit, needlessly and unfairly litigating this case in public media. Dr. Johnson's professional and personal reputations have been damaged through these tactics.”

Further, Johnson's attorneys said that he should be able to present his arguments without worrying that the filings will be used against him, or impact his personal, professional or legislative lives.

Case background The lawsuit centers around the death of Esperanza Umana, a 20-year-old from Fort Wayne. She died shortly after receiving care from Johnson in an emergency room at Parkview Regional Medical Center in January 2018.

Johnson was sued alongside Professional Emergency Physicians Inc. and Parkview Hospital Inc.

Umana had a history of asthma and signs of sepsis, according to court filings from the plaintiff. Those filings contend that Johnson “overload(ed) her lungs with 4 liters of fluid” before discharging her in an “unstable condition.”

The complaint alleges that Johnson's “negligence” resulted in Umana's cardiac arrest and death in January 2018. She left behind a newborn son.

Johnson, in an affidavit obtained by the Indiana Capital Chronicle, pushed back against that claim, saying Umana was alert and responsive when he examined her on Jan. 22 and “demonstrated no apparent distress, but demonstrated some slight increased work while breathing.”

Johnson said he ordered albuterol, a lung airway di-

lator; prescription-strength ibuprofen; prednisone, a corticosteroid used for asthma; and promethazine, which is used to treat allergic reactions.

Umana told Johnson she had improved drastically following tests and treatments, according to Johnson's affidavit. Johnson said he felt it was appropriate to discharge Umana. He prescribed more albuterol, ibuprofen and prednisone, plus Zithromax — which treats bacterial respiratory infections.

“Based on Umana's condition at the time I saw her, her death was not foreseeable. Had she appeared too ill for discharge or had her presentation suggested any risk of a fatal event, I would not have discharged her,” Johnson said in the affidavit.

Umana's mother, Jennifer Becerra — who filed suit on behalf of Umana's estate — disputed Johnson's account. She said it contained “new facts, not previously disclosed to the medical review panel.”

Becerra's filing earlier this month said that Umana had been to the emergency department the night before with the same symptoms. On the night she died, Becerra said Johnson briefly saw her daughter at 4 p.m. and “stuck his head in the room” at 6 p.m.

The two accounts list different medications — including a sedative to relieve Umana's anxiety — and treatments: Becerra's filing included 3.6 liters of intravenous fluids for sepsis, delivered rapidly as a “bolus.” That's nearly a gallon of fluid.

Becerra asserted that when Johnson discharged her daughter, she pushed for additional treatment. Johnson then ordered another breathing treatment, according to the filing.

“During this treatment, (Umana's) lungs did not improve,” court records said. “Dr. Johnson docu-

mented that (Umana) was ‘stable’ for discharge and had no further wheezing, which is not consistent with the medical record.”

The lawsuit alleges that 20 minutes after Umana was discharged, she went into respiratory distress in a Walgreen's parking lot while filling the prescriptions from Johnson, and died.

The legal case A medical review panel unanimously ruled in March 2022 that Johnson deviated from the “appropriate standard of care,” a rarity in malpractice cases.

Two others have previously filed complaints with the Indiana Department of Insurance against Johnson, but in those cases, Johnson's peers agreed with his care and dismissed the complaints.

This case has been delayed numerous times, as reported by the Fort Wayne Journal-Gazette.

According to the Indiana State Medical Association, physicians are responsible for the first \$250,000 in damages in individual malpractice cases under the state cap. The state Patient's Compensation Fund pays the rest, which cannot exceed \$1 million, putting the total cap at \$1.25 million.

According to a 2021 report, the latest available, the fund paid \$115.5 million in 2020 across more than 150 claims — for an average payout of about \$740,000.

The next case action is scheduled for May 19: a hearing on the plaintiff's motion for summary judgment.

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“Union busting” Bill Opposed By Indiana Teachers Heads To Governor's Desk

By Casey Smith
Indiana Capital Chronicle

Despite weeks of rallying by Hoosier teachers, the Indiana Senate narrowly advanced a hotly-debated “union-busting bill” to the governor's desk Tuesday.

Educators and union leaders maintain that Senate Bill 486 will “silence teachers” by stripping their rights to discuss concerns over student learning with school administrators.

Specifically, the bill no longer requires school administrators to discuss topics like class sizes, curriculum and student discipline with teachers and their union. State law in place now has required such discussions for the last 50 years.

The bill was approved in a 27-23 vote after more than an hour of debate on the chamber floor. It's not clear where Gov. Eric Holcomb stands on the issue.

Republican lawmakers in favor of the proposal have said it's a “deregulation bill” that will empower administrators and educators. They argued the changes will ensure discussions about working conditions are more open to non-union teachers and are not limited to the 16 topics in state law.

“The goal is to eliminate mandates that are either outdated or unnecessary, so that our state's teachers can focus on educating Hoosier kids,” said bill author Sen. Linda Rogers, R-Genoa. “This bill treats educators as the professionals they are by

trusting them to communicate with each other as partners, not as adversaries, in whatever way is best for the local district.”

Rogers emphasized the legislation is supported by “many groups,” including statewide associations representing school principals, superintendents and school boards.

“Some of (the current requirements) — it just takes away teachers' time and prepping educational curriculum materials for their children,” said Sen. Liz Brown, R-Fort Wayne. “If we don't think, at the very core, that our teachers have our students' best interests at heart, then I guess we need to continue to micromanage them.”

The Indiana State Teachers Association (ISTA) pushed back, however, saying the bill would further erode teachers' collective bargaining rights.

The state's largest teachers union rallied at the Statehouse earlier this month. Dozens of teachers returned outside the House and Senate chambers in recent weeks, chanting and yelling in opposition as lawmakers debated and voted on the bill.

The House and Senate sent two other bills to the governor Tuesday.

House Bill 1466 raises juror pay.

Senate Bill 35 requires a standalone financial literacy course in high school starting with the class of 2028.

But some GOP members opposed the measure, too.

They held that Roger's bill does little to benefit students and classrooms.

“Whenever I vote on an education bill, I try to ask myself a couple of questions. Is this going to provide a better, safer educational experience for children? And will it do it more efficiently? This bill does neither,” said Sen. Mike Bohacek, R-Michiana Shores. “I see nothing in this bill that's going to improve the educational outcomes for our children.”

Republican Sen. Jean Leising, of Oldenburg, additionally said lawmakers didn't look closely at each of the current teacher-administrator discussion requirements in statute, but instead “took language to the chopping block — and we did it without maybe enough people involved.”

On the other side of the aisle, Sen. Shelli Yoder, D-Bloomington, asserted the bill would insert more “chaos” into schools.

“At a time when we are trying to attract more teachers — but more importantly, actually keep the teachers that we have — why are we introducing yet more chaos into our local school districts and ignoring the cries that we have heard in the hallways of this statehouse throughout the last several months?” she said Tuesday.

Sen. Andrea Hunley, an Indianapolis Democrat who formerly worked as a school teacher and principal, added that it's critical for educators to discuss

issues like health and safety, student discipline, and how many hours a teacher works.

“What this bill is doing is it is taking away a formal process of discussion, a formal process that ensures that there are voices that are heard from all parties in a school building — from teachers who are part of the exclusive collective bargaining unit, from teachers who may not be, from building administrators, and keeping in mind the needs of the students,” she said. “What the formal process of discussion does is it makes sure that there's consensus in decision making. It makes sure that we are hearing multiple perspectives.”

Still, not all teachers also oppose the measure.

That includes members of Indiana Professional Educators, an association of teachers that oppose unions.

They argued that the bill would open teacher-administrator discussions up to non-union employees. Opponents noted that nothing in the current law prohibits administrators from having such discussions with those teachers, though.

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DINNER From Page A1

- Waveland Fire Station: Main Course by Trish Schwabe of Sunoco Midwest Catering
- Waveland Library: Entertainment
- T. C. Steele Boyhood home: Dessert & Nightcaps

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