



# KYLE W. FOGWELL

**PARTNER**



**Crown Point, IN**

P: 219-794-1888

F: 219-794-1892

[kwfogwell@kopkalaw.com](mailto:kwfogwell@kopkalaw.com)

## Practice Areas

- Automobile Accident Defense
- Commercial Lines (Premises Liability)
- Insurance Agent (E&O)
- Personal Lines (Premises Liability)
- Retail and Restaurant (Premises Liability)
- School and Public Entity Defense
- UM/UIM
- Workers' Compensation Defense

Kyle Fogwell is a partner with more than a decade of experience representing businesses and individuals across Indiana in workers' compensation, commercial general liability, and automobile liability matters. His practice is rooted in strategic litigation defense, with a focus on minimizing exposure and achieving efficient, favorable outcomes for his clients.

Kyle's workers' compensation experience spans the full lifecycle of claims—from pre-suit evaluation through resolution—including appearances before the Full Board in Indianapolis. He regularly defends employers in complex claims involving injury disputes, medical causation, and statutory compliance. In the realm of liability defense, Kyle has served as first-chair in multiple jury trials, including cases with admitted liability where he successfully challenged damages, resulting in zero-dollar awards.

He brings a comprehensive approach to case management, overseeing litigation from initial claim assessment through trial or settlement. This includes coordinating discovery, drafting and arguing dispositive motions, managing expert witnesses, and developing tailored defense strategies aligned with each client's goals and risk profile.

During law school, Kyle was selected for both the Trial Advocacy Team and the International Moot Court Team. He was a finalist in the Intra-School Trial Advocacy Competition and earned Top Ten Oralists honors at the Susan J. Ferrell Human Rights Competition in Miami, Florida. He also competed internationally at the D.M. Harish Moot

Court Competition in Mumbai, India, where he was recognized as a Top 25 Oralist. Additionally, Kyle participated in the post-conviction clinic, co-authoring a published Indiana Court of Appeals decision that secured appeal rights for an incarcerated individual.

Kyle was admitted to the Indiana Bar on October 15, 2012, and is also admitted to practice before the U.S. Federal Courts in Indiana.

## **Trial and Case Highlights**

- In 2015, Kyle successfully defended a claim for permanent and total disability before the Indiana Workers' Compensation Board. The decision was appealed to the Full Board, which upheld the favorable outcome for the employer.
- In 2016, in Lake Superior Court, Kyle tried a rear-end automobile accident case involving admitted liability and inflated medical billing. Through expert testimony from a medical billing specialist and a biomechanical engineer, the jury returned a verdict below the plaintiff's final demand—and even below the last offer made by the defense.
- In 2019, in St. Joseph Circuit Court, Kyle tried a low speed rear-end accident case with admitted liability. The plaintiff submitted no medical bills but argued that a recommended surgery was causally related to the accident. The jury returned a verdict awarding zero dollars in damages.

## **Admissions**

- Indiana
- U.S. District Courts for the Northern District of Indiana
- U.S. District Courts for the Southern District of Indiana

## **Education**

- Valparaiso University School of Law, J.D.
- Southern Illinois University Carbondale, B.A.