

**STATE OF INDIANA
IN THE MONROE CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT**

Mark White, M.D.,
Plaintiff, pro se,

v.

The Trustees of Indiana University,
Defendant.

Cause No. 53C06-2508-CT-002221

**PLAINTIFF’S MOTION TO DENY FURTHER ENLARGEMENT OF TIME AND TO ENFORCE
THE LAW AS WRITTEN**

Comes now the Plaintiff, pro se, and respectfully moves this Court to deny any further enlargement of time to Defendant Indiana University (“IU”) to file a responsive pleading, and to require IU to comply with the law as written. In support of this Motion, Plaintiff states as follows:

I. INTRODUCTION

This case is simple. The flat codon table is false. IU is teaching that it is true. By doing so, IU is causing harm to children, to the Plaintiff, to science itself, and to the public at large. IU has been put on notice of this harm but continues to teach false science without correction. IU will not stop until it is held accountable, and this Court is now the only institution capable of ensuring that accountability.

Plaintiff has proceeded in good faith, filed promptly, and sought to move this case forward. IU has instead employed a pattern of delay, silence, and avoidance. This Court has allowed such delays to stand, to the prejudice of Plaintiff. Unless this Court enforces deadlines and applies the law as written, the harm will continue without remedy.

II. PROCEDURAL HISTORY

1. Plaintiff filed this action in August 2025.
2. Plaintiff has filed motions for prompt discovery and depositions (August 19, 2025). The Court denied that motion on August 22, 2025 on procedural grounds, citing prematurity because IU had not yet answered the Complaint.
3. Plaintiff has filed a motion for speedy trial (August 22, 2025). The Court has not ruled on that motion.
4. Plaintiff filed a motion to dismiss MCCSC. The Court did not rule promptly, but finally dismissed MCCSC at the last possible moment.
5. Defendant IU entered its appearance by counsel and simultaneously requested a thirty-day enlargement of time under Indiana Trial Rule 6(D)(1) and Monroe County Local Rule 53-TR00-0204(A).
6. The Court granted that enlargement immediately, setting October 7, 2025 as IU's deadline to file a responsive pleading.
7. To date, IU has filed no pleading.

Thus, IU has gained delay at every stage, while Plaintiff's efforts to move the case forward have been denied or ignored.

III. THE PATTERN OF DELAY

It is predictable what comes next. IU will likely either (1) request another enlargement of time, or (2) wait until the first conference scheduled for October 30, 2025, assuming the Court will allow them to coast in silence until then. Both outcomes serve only to reward IU's delay and deny Plaintiff timely relief.

This is not fairness. This is not efficiency. It is a pattern of procedural indulgence that systematically benefits IU at Plaintiff's expense.

IV. INTERESTS OF THE PARTIES AND THE COURT

1. Plaintiff

Plaintiff's interest is in a timely and truthful resolution of the claim, ending ongoing harm to Plaintiff, children, science, and the public. Every delay extends that harm.

2. Defendant IU

IU's interest is in defending against the allegations. IU has already received its automatic enlargement. IU is entitled to defend itself, but not to stall indefinitely.

3. The Court

The Court has three primary duties:

- Truth and justice: to seek truth and deliver justice. This requires that claims be heard on the merits, not buried in delay.
 - Fairness: to balance the interests of both parties. Endless delay is not fairness; it is prejudice.
 - Efficiency: to administer justice efficiently for the benefit of both litigants and taxpayers. Efficiency requires enforcing deadlines and discouraging serial enlargements.
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V. LAW

- Indiana Trial Rule 6(D)(1) provides that the first enlargement of time may be granted as of course.
 - Any further enlargement requires a motion and a showing of good cause.
 - Monroe County Local Rule 53-TR00-0204(A) mirrors this rule, allowing the first extension automatically, but not subsequent extensions.
 - IU has already received its one automatic enlargement. The law does not entitle IU to any more without extraordinary good cause.
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VI. POSSIBLE OUTCOMES

1. IU files a pleading by October 7 – the case proceeds on schedule, Plaintiff's rights preserved, Court fulfills its duties.
2. IU requests another enlargement – IU must show extraordinary good cause, Plaintiff will object.
3. IU files a motion to dismiss – case proceeds on the merits, still consistent with fairness and efficiency.

4. IU does nothing until October 30 – this outcome prejudices Plaintiff, undermines fairness, and wastes taxpayer resources. It rewards IU's delay and erodes public confidence in the judiciary.
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VII. THE APPEARANCE OF INSTITUTIONAL BIAS

Repeated non-rulings, last-minute rulings, and indulgence of delay create the appearance that this Court is more concerned with protecting IU than with enforcing the law. Whether intentional or not, the effect is the same: Plaintiff is denied justice, IU benefits, and the public sees a rigged system.

If this pattern continues, Plaintiff may be forced to seek a change of venue for cause. This Court has the opportunity now to correct course and avoid that outcome by enforcing the law as written.

VIII. RELIEF REQUESTED: MENU OF OPTIONS FOR THE COURT

Plaintiff respectfully offers the following options, any one of which would serve the interests of truth, fairness, and efficiency:

1. Deny enlargement – Deny any further enlargement of time beyond October 7, 2025, absent extraordinary cause.
2. Grant default – Enter default against IU if it fails to plead or otherwise respond by the deadline.
3. Grant summary judgment – In the alternative, enter summary judgment for Plaintiff on the grounds that the flat codon table is false as a matter of fact, and IU has no valid defense.
4. Compel discovery – At a minimum, compel IU to answer discovery and allow depositions promptly, so that this case may proceed on the merits.
5. Impose sanctions – Consider sanctions against IU for repeated delay and non-responsiveness, as permitted under Indiana law, to discourage further procedural abuse.
6. Set a Trial Date. In the alternative, Plaintiff respectfully requests that the Court simply set a prompt trial date. Plaintiff's Motion for Speedy Trial, filed August 22, 2025, remains pending and unrulcd. Under Indiana Trial Rules 6(C) and 40(A), the Court may set a trial with reasonable notice to the parties, and nothing prevents it

from doing so now. Establishing a trial date within forty-five (45) to sixty (60) days would resolve the pending motion, promote fairness and efficiency, and ensure that this matter proceeds toward resolution on its merits.

IX. EASY OPTIONS FOR IU

Plaintiff also notes that IU has simple, reasonable paths to resolve this matter without prolonged litigation:

1. Admit guilt, pay \$1, and reform – Admit that the flat codon table is false, pay nominal damages of one dollar, and begin correcting teaching materials regarding the genetic code.
 2. Talk to the Plaintiff – In the simplest alternative, IU need only engage directly with Plaintiff to learn what he wants and explore settlement.
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X. CONCLUSION

This case is not complicated. The flat codon table is false. IU is teaching that it is true. Children are harmed, Plaintiff is harmed, science is harmed, and the public is harmed. IU will not stop unless held accountable.

Plaintiff has carried his burden of bringing the case. IU has been indulged with one automatic enlargement of time, and nothing more is required or justified. This Court now has a duty to enforce the law as written, choose one or more remedies from the menu above, and move this case forward.

Respectfully submitted,

/s/ Mark White, M.D.
Plaintiff, Pro Se

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ORDER DENYING ENLARGEMENT OF TIME

Comes now the Court, and having considered Plaintiff's Motion, hereby DENIES Defendant Indiana University's request for any further enlargement of time to respond to the Complaint.

Defendant shall file its responsive pleading on or before October 7, 2025, as previously ordered.

SO ORDERED this ____ day of _____, 2025.

Hon. Kara E. Krothe

Judge, Monroe Circuit Court 6

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Mark White, M.D.,
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ORDER GRANTING DEFAULT

Comes now the Court, and having considered Plaintiff's Motion, hereby finds that Defendant Indiana University has failed to plead or otherwise respond by the deadline.

It is therefore ORDERED that default is entered against Defendant Indiana University.

SO ORDERED this ____ day of _____, 2025.

Hon. Kara E. Krothe

Judge, Monroe Circuit Court 6

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ORDER GRANTING SUMMARY JUDGMENT

Comes now the Court, and having considered Plaintiff's Motion, hereby finds that there is no genuine issue of material fact, and that as a matter of fact and law the flat codon table is false, as alleged in Plaintiff's Complaint.

It is therefore ORDERED that summary judgment is granted in favor of Plaintiff, and judgment shall be entered accordingly.

SO ORDERED this ____ day of _____, 2025.

Hon. Kara E. Krothe

Judge, Monroe Circuit Court 6

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ORDER COMPELLING DISCOVERY

Comes now the Court, and having considered Plaintiff's Motion, hereby ORDERS Defendant Indiana University to promptly respond to Plaintiff's discovery requests and to make witnesses available for deposition.

Such discovery shall proceed without delay in accordance with the Indiana Trial Rules.

SO ORDERED this ____ day of _____, 2025.

Hon. Kara E. Krothe

Judge, Monroe Circuit Court 6

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion and Proposed Orders was served on counsel of record for Defendant Indiana University by electronic service through the Court's ECF system on this 4th day of October, 2025.

/s/ Mark White, M.D.

Plaintiff, Pro Se