

**IN THE MONROE CIRCUIT COURT**

STATE OF INDIANA

**Mark White, MD**

Plaintiff,

v.

**Indiana University and Monroe County Community School Corporation,**

Defendants.

Case No. 53C06-2508-CT-002221

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**PLAINTIFF'S NOTICE PRESERVING DEFAULT RIGHTS, DEMAND FOR JURY TRIAL, AND  
ALTERNATIVE NOTICE OF INTENT TO SEEK CHANGE OF VENUE, WITH PROPOSED  
ORDERS**

**Comes now the Plaintiff, pro se, and states as follows:**

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**I. Procedural History**

1. Plaintiff filed this civil claim on **August 11, 2025**.
2. On that same date, Plaintiff drafted and attempted to send an email notice of filing to counsel for Defendants. A copy of the message is attached as **Exhibit C**. Plaintiff believes the message was sent on that date.
3. On **August 17, 2025**, Plaintiff received unsolicited contact from an individual who later identified himself as affiliated with Indiana University, which raised Plaintiff's suspicion that the August 11 notice had in fact been received.
4. Regardless of whether Defendants' counsel engaged with the August 11 message, Defendants were formally served on **August 18, 2025**, following summons issued on **August 15, 2025**.
5. Plaintiff filed a Motion for Summary Judgment on **August 17, 2025**, which the Court denied on **August 22, 2025** as premature.
6. On that same date, **August 22, 2025**, Plaintiff filed a Motion for Speedy Trial.
7. As of the filing of this motion, Defendants have not filed any responsive pleading. While their formal deadline under the Indiana Trial Rules has not yet expired, their

failure to engage despite early notice demonstrates a pattern of delay rather than good faith participation.

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## **II. Preservation of Default Rights**

8. Plaintiff asserts his right to seek default judgment under Indiana Trial Rule 55 immediately upon expiration of the Defendants' response deadline.
  9. Plaintiff places the Court on notice that if Defendants continue to withhold engagement beyond that deadline, he will move promptly for default judgment, and proposed orders are attached for the Court's convenience.
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## **III. Demand for Jury Trial**

10. Pursuant to Article 1, Section 20 of the Indiana Constitution and Indiana Trial Rule 38(B), Plaintiff hereby demands trial by jury on all issues of fact in this cause.
11. Plaintiff asserts this right in addition to his previously asserted right to a speedy trial and his fundamental right to a fair trial under Article 1, Section 12 of the Indiana Constitution and the Fourteenth Amendment to the U.S. Constitution.

### **Protective Nature of Jury Demand**

Plaintiff notes that his demand for jury trial is made to preserve his constitutional right under Article 1, Section 20 of the Indiana Constitution and Indiana Trial Rule 38(B). Plaintiff further states that this demand is protective in nature. Should this cause be reassigned to a venue and judge whose impartiality is evident, Plaintiff reserves the right to waive jury trial and proceed to bench trial.

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## **IV. Alternative Relief: Notice of Intent to Seek Change of Venue**

12. In the event this Court declines to enter default and requires further proceedings, Plaintiff hereby gives notice of his intent to move for change of venue pursuant to Indiana Trial Rule 76 immediately upon the issues being closed on the merits.
13. Plaintiff reasonably believes he cannot obtain a fair trial in Monroe County for the following reasons:
  - Monroe County is home to Defendant Indiana University, which dominates the county's economy, culture, politics, and identity.

- The presiding judge is a graduate of Indiana University School of Law, raising concern about unavoidable professional and social ties to Defendant's legal team.
  - The jury pool is overwhelmingly composed of citizens with direct or indirect loyalty to Indiana University, impairing Plaintiff's ability to select an impartial jury of six peers.
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## **V. The Fasces of Monroe County**

14. Plaintiff respectfully submits that the structure of influence in Monroe County is most accurately described by the word *fascies*.
  15. The Latin term *fascies* refers to a bundle of sticks bound together with an axe, symbolizing consolidated power that cannot be broken by individual pieces.
  16. In Monroe County, politics, economics, people, and education are tightly bound around Indiana University, forming such a *fascies*.
  17. This concentrated structure leaves little space for impartial adjudication of claims directly implicating Indiana University.
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## **VI. Conclusion**

18. Plaintiff has made every reasonable effort to resolve this matter fairly, quickly, and privately, beginning with his outreach to Defendants on August 11, 2025.
19. Defendants have made no effort to respond in a reasonable or timely fashion, despite early notice.
20. Plaintiff therefore prays that the Court:
  - Take notice of Defendants' continuing failure to reasonably engage;
  - Preserve Plaintiff's right to default judgment should Defendants fail to respond by the deadline prescribed by the Indiana Trial Rules;
  - In the alternative, acknowledge Plaintiff's demand for jury trial on all issues of fact; and
  - Further note Plaintiff's intent to seek change of venue should proceedings continue in Monroe County.

**Respectfully submitted,**

/s/ Mark White, MD

Plaintiff, Pro Se

## PROPOSED ORDERS

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### **[Proposed] ORDER GRANTING DEFAULT JUDGMENT**

The Court, having reviewed Plaintiff's Notice and noting that Defendants were duly served on August 18, 2025, and that their time to respond has expired without pleading or otherwise defending, now finds that Defendants are in default.

### **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:**

1. Default judgment is entered in favor of Plaintiff.
2. The Clerk is directed to enter this judgment upon the docket.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Judge, Monroe Circuit Court

Prepared by:

/s/ Mark White, MD

Plaintiff, Pro Se

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**[Proposed] ORDER GRANTING JURY TRIAL**

The Court, having reviewed Plaintiff's Demand for Jury Trial, finds that Plaintiff has timely demanded trial by jury under Article 1, Section 20 of the Indiana Constitution and Indiana Trial Rule 38(B).

**IT IS THEREFORE ORDERED that:**

1. This cause shall be tried by jury on all issues of fact.
2. The Clerk shall set this matter for jury trial on the Court's calendar.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Judge, Monroe Circuit Court

Prepared by:

/s/ Mark White, MD

Plaintiff, Pro Se

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**[Proposed] RENEWED ORDER GRANTING DEFAULT JUDGMENT**

The Court, having previously denied Plaintiff's premature Motion for Summary Judgment, and now considering Plaintiff's preserved right to default and the complete record, notes that Defendants have failed to answer or otherwise plead within the time prescribed by the Indiana Trial Rules.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:**

1. Default judgment is entered in favor of Plaintiff on all claims.
2. The Clerk shall enter this judgment upon the docket forthwith.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Judge, Monroe Circuit Court

Prepared by:

/s/ Mark White, MD

Plaintiff, Pro Se

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## **EXHIBIT C – PLAINTIFF’S ATTEMPTED NOTICE OF FILING (August 11, 2025)**

### **Subject:**

Case No. 53C06-2508-CT-002221 – Opportunity for Resolution

### **Recipients:**

- Anthony Prather – Vice President & General Counsel, Indiana University (prather@iu.edu)
- Thomas P. Gannon – Associate Counsel, Indiana University (tgannon@iu.edu)
- Jeffrey Goetz – Associate Counsel, Indiana University (jmgoetz@iu.edu)
- General Counsel Office – Indiana University (gencoun@iu.edu, vpgc@iu.edu)
- Michelle L. Cooper – Counsel for MCCSC, Lewis & Kappes, P.C. (mcooper@lewis-kappes.com)

### **Body:**

Dear Counsel,

I am writing to inform you that I have filed Case No. 53C06-2508-CT-002221 in Monroe Circuit Court regarding the continued use of the “flat codon table” in science education.

My objective in bringing this case is straightforward: to ensure that publicly funded science instruction is scientifically and mathematically accurate. The relief sought in my complaint is limited, specific, and capable of resolution without prolonged litigation.

I am confident in the factual and scientific basis for my position. If the defendants wish to resolve this matter promptly and without unnecessary expense or public attention, I am willing to discuss a resolution that involves substantive engagement with the core issue.

If I do not hear from you, I will proceed with the litigation as filed and pursue all available remedies.

Sincerely,

/s/ Mark White, MD

Plaintiff, Pro Se

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 22, 2025, I served a copy of **Plaintiff's Notice Preserving Default Rights, Demand for Jury Trial, and Alternative Notice of Intent to Seek Change of Venue, with Proposed Orders and Exhibit C** on the Defendants listed below by depositing same with UPS for delivery, using the tracking numbers indicated:

- **Indiana University**  
Office of the Vice President & General Counsel  
107 S. Indiana Avenue  
Bloomington, IN 47405  
UPS Tracking No.: **1ZV7730X0333472489**
  - **Monroe County Community School Corporation**  
Dr. Jeff Hauswald, Superintendent  
315 E. North Drive  
Bloomington, IN 47401  
UPS Tracking No.: **1ZV7730X0306856115**
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**Respectfully submitted,**

/s/ Mark White, MD  
Mark White, MD  
Plaintiff, Pro Se