



Jenny R. Buchheit

Senior Counsel

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Jenny Buchheit is the leader of the firm's Appellate Practice Group. She currently focuses her practice on appellate advocacy, class action and multidistrict defense, and business litigation.

Jenny represents clients at both the trial and appellate levels in a wide range of business and commercial matters, including cases involving consumer fraud, breach of warranty, negligence, contract disputes, and an insurer's duty to defend and indemnify. She focuses much of her work on defending companies in both state and national putative class actions, including cases relating to Bisphenol-A in baby bottles; lead in children's products; deprivation of Medicaid benefits; and consumer fraud/breach of contract allegations. Jenny also has experience litigating products liability, construction, and asbestos cases.

Jenny joined Ice Miller in 2006 after graduating summa cum laude from the Syracuse University College of Law, where she was a member of the Syracuse Law Review and the Moot Court Honor Society, as well as an oralist on the Willem C. Vis International Commercial Arbitration Moot Court team, which competed in Vienna, Austria. She was also a student law clerk for the Honorable David N. Hurd, United States District Judge for the Northern District of New York. Jenny is a proud graduate of Purdue University, with a Bachelor's degree in secondary English education and a minor in history. Prior to attending law school, she was an English teacher at Jefferson High School in Lafayette, Ind.

Jenny was recognized by *The Best Lawyers in America* for her work in appellate law, and she was previously named a Rising Star by Indiana *Super Lawyers*. She is admitted to practice in Indiana and numerous Circuit Courts of Appeals.

Education

- Purdue University (B.A., 2002)
 - Secondary English Education
- Syracuse University College of Law (J.D., 2006)

Services & Industries

- Appellate
- Asbestos Litigation
- Class Actions
- Commercial Litigation
- Construction
- Litigation
- Products Liability

Admissions

- Indiana
- United States District Court - Northern District of Indiana
- United States District Court - Southern District of Indiana
- United States District Court - Eastern District of Michigan
- Supreme Court of the United States
- United States Court of Appeals - Sixth Circuit
- United States Court of Appeals - Seventh Circuit

Professional Affiliations

- Member, Indianapolis Bar Association
- Member, Indiana State Bar Association
- Member, American Bar Association
- Member, Defense Research Institute
- Member, Defense Trial Counsel of Indiana

Awards & Honors

- Named an Indiana Rising Star by *Super Lawyers* in 2014, 2015, and 2016
- *The Best Lawyers In America*®, Appellate Law, 2024-2026

Key Matters

Reported and Representative Cases

- *In the Matter of the Civil Commitment of K.G.*, 2019 WL 4065543 (Ind.Ct.App. Aug. 29, 2019)
- *In the Matter of the Civil Commitment of K.G.*, 2019 WL 3211316 (Ind.Ct.App. July 17, 2019)
- *Panther Brands, LLC v. Indy Racing League, LLC*, 126 N.E.3d 898 (Ind.Ct.App. 2019)
- *In the Matter of the Civil Commitment of T.W.*, 121 N.E.3d 1039 (Ind. 2019)
- *Westfield Insurance Company v. TCFI Bell SPE III LLC*, 2019 WL 1330456 (S.D.Ind. Mar. 25, 2019)
- *Linares v. El Tacarajo*, 119 N.E.3d 591 (Ind.Ct.App. Feb. 8, 2019)
- *Elway Company LLP v. Champlain Capital Partners, L.P.*, 114 N.E.3d 1 (Ind.Ct.App. 2018)
- *Hays v. Hockett*, 94 N.E.3d 300, 303 (Ind. Ct. App.), *transfer denied*, 102 N.E.3d 288 (Ind. 2018)
- *Matter of Civil Commitment of A.M.*, No. 18A-MH-636, 2018 WL 6547211 (Ind. Ct. App. Dec. 13, 2018)
- *C.H. v. Options Behavioral Health Sys.*, No. 18A-MH-638, 2018 WL 5943704 (Ind. Ct. App. Nov. 14, 2018)
- *Indianapolis Motor Speedway, LLC v. Karma Int'l, LLC*, No. 1:16-CV-2182-WTL-DLP, 2018 WL 2289508 (S.D. Ind. May 18, 2018)
- *D.W. v. Indiana Univ. Health Methodist*, 2018 WL 2170387 (Ind. Ct. App. May 11, 2018)
- *Elway Co., LLP v. Champlain Capital Partners, L.P.*, No. 18A-CC-443, 2018 WL 5305332 (Ind. Ct. App. Oct. 26, 2018)
- *Parkinson v. Parkinson*, 2017 WL 1162207 (Ind.Ct.App. Mar. 29, 2017)

- *Civil Commitment of J.B. v. Cmty. Hosp. N.*, 88 N.E.3d 792 (Ind. Ct. App. 2017)
- *Matter of Guardianship of Lamey*, 87 N.E.3d 512 (Ind. Ct. App. 2017)
- *Community Health Network v. Pamela D. Bails*, 2016 WL 1377976 (Ind. Ct. App. 2016)
- *In the Matter of the Civil Commitment of R.P. v. Optional Behavior MHS*, 26 N.E.3d 1032 (Ind. Ct. App. 2015)
- *Indianapolis Airport Authority v. Travelers Property Casualty Company of America*, 2015 WL 4715202 (S.D. Ind. 2015)
- *Panther Brands, LLC and Panther Racing, LLC v. Indy Racing League, LLC d/b/a INDYCAR, Rahal Letterman Lanigan Racing, LLC, Document and Packaging Brokers, Inc., d/b/a Docupak*, 2015 WL 1396910 (S.D. Ind. 2015)
- *Pauli Coffey v. Xerox Corporation*, 2015 WL 2338550 (S.D. Ind. 2015)
- *Strand Analytical Laboratories, LLC v. Sylvia Mathews Burwell, Secretary, United States Department of Health & Human Services*, 2015 WL 4603258 (S.D. Ind. 2015)
- *In the Matter of the Civil Commitment of C.P. v. Community Hospital North/Gallahue Mental Health*, 10 N.E.3d 1023 (Ind. Ct. App. 2014)
- *Marie Fritzinger v. Angie's List, Inc.*, 2014 WL 4680898 (S.D. Ind. 2014)
- *International Business Machines Corporation v. ACS Human Services, LLC*, 999 N.E.2d 880 (Ind. Ct. App. 2013)
- *James Bowman, as next of friend for J.B., et al. v. International Business Machine Corporation, et al.*, 2013 WL 1857192 (S.D. Ind. 2013)
- *In re Bisphenol-A (BPA) Polycarbonate Plastic Products Liability Litigation*, 2011 WL 1790603 (W.D. Mo. 2011)
- *In the Matter of the Commitment of S.T. v. Community Hospital North, In-Patient Psychiatric Unit*, 930 N.E.2d 684 (Ind. Ct. App. 2010)
- *Kay Kim v. George F. Parker, et al.*, 373 Fed. Appx. 606 (7th Cir. 2010)
- *Thomas P. Donovan v. Grand Victoria Casino & Resort*, 934 N.E.2d 1111 (Ind. 2010)
- *United States of America v. Jesse Charles Adams, Jr.*, 628 F.3d 407 (7th Cir. 2010)
- *Daisy Farm Limited Partnership v. Michael and Jill Morroff*, 915 N.E.2d 480 (Ind. Ct. App. 2009)
- *David J. Fitzpatrick d/b/a David J. Fitzpatrick and Associates v. Kenneth J. Allen and Associates*, 913 N.E.2d 255 (Ind. Ct. App. 2009)

Success Stories

Ice Miller Secures Federal Circuit Win Affirming Patent Invalidity in Food Processing Technology Case

Ice Miller secured a significant appellate victory for its clients, Elea Vertriebs- und Vermarktungsgesellschaft mbH and Food Physics LLC, when the United States Court of Appeals for the Federal Circuit affirmed the invalidity of asserted patent claims in *J.R. Simplot Co. v. McCain Foods USA, Inc.*, Fed. Cir. No. 24 1845, on appeal from the District of Idaho (No. 1:16 cv 449).

The dispute involved allegations of infringement of a patent directed to pre cooking treatment processes for vegetables. The District Court had granted summary judgment of invalidity on multiple grounds. On appeal, the Federal Circuit affirmed the judgment on the specific invalidity theory advanced by Ice Miller—without needing to reach the alternative bases—delivering a clear and decisive win for Elea and Food Physics.

In its *per curiam* decision, the Federal Circuit held that the asserted claims did not meet the statutory requirements for patent validity. By adopting the core argument presented on appeal, the ruling represents a clean and principled confirmation of the District Court's decision.

This ruling provides meaningful guidance for innovators in the food processing sector. Patent rights must comply with statutory standards, and overly broad or insufficiently supported claims should not be used to obstruct technological advancement. This decision reinforces those standards and protects companies like Elea and Food Physics, which continue to invest in safe, efficient food processing technologies.

Ice Miller proudly represented the third-party defendant appellees in the appeal. Partner [Lesley Grossberg](#) argued the case, supported by a cross office team including partners [Earl LeVere](#) and [Ken Sheehan](#) and senior counsel [Jenny Buchheit](#).

Ice Miller Wins Ohio Supreme Court Ruling Upholding Arbitration in Bad Faith Insurance Case

Ice Miller LLP secured a key victory for its client, The Doctors Company Risk Retention Group (TDCRRG), when the Ohio Supreme Court issued a pivotal decision in *U.S. Acute Care Solutions, L.L.C. v. Doctors Co. Risk Retention Group Ins. Co.* The Court reinforced the enforceability of arbitration clauses in insurance contracts – even in tort claims alleging bad-faith insurance handling.

The dispute arose after U.S. Acute Care Solutions (USACS) self-funded a settlement in a Connecticut medical malpractice case and subsequently sued TDCRRG in Ohio, alleging bad faith claim handling. Although the Fifth District Court of Appeals ruled that the bad-faith claim was not subject to arbitration, the Ohio Supreme Court unanimously reversed that decision, holding that the arbitration clause in the insurance policy was broad enough to cover the dispute.

In its opinion, the Court emphasized Ohio's strong public policy favoring arbitration and clarified that broad arbitration clauses – like the one in TDCRRG's policy – are presumed to apply to a wide range of disputes, including tort claims. The Court found that the clause, which required arbitration of "any dispute relating to this policy," clearly covered the bad-faith claim, especially since the dispute could not be pursued without reference to the underlying insurance policy or the insurer-insured relationship.

The Court also addressed and distinguished its prior decision in *Scott Fetzer Co. v. Am. Home Assur. Co.*, which the Fifth Circuit relied upon in its decision below, explaining that while bad-faith claims are torts arising by the operation of law, they are not categorically excluded from arbitration. What matters, the Court explained, is the language of the arbitration clause and the parties' intent – and in this case, both support arbitration.

This ruling provides clarity and reassurance to insurers and policyholders alike: When parties agree to broad arbitration provisions, in Ohio, those agreements will be enforced, even against creatively pleaded tort claims. It also underscores the importance of precise contract drafting and the continuing strength of arbitration as a dispute resolution mechanism in Ohio.

Ice Miller LLP proudly represented the appellee in this appeal, with partner [Aneca Lasley](#) and senior counsel [Jenny Buchheit](#) leading the litigation team, supported by associates [Ally Petrillo](#) and [Abby DeMare](#). Their advocacy helped secure a decision that sets a meaningful precedent for future insurance disputes.

Published In

- ["Data Breach Standing: U.S. Supreme Court Declines to Revisit Data Breach Injury Debate," Pratt's Privacy & Cybersecurity Law Report, Vol. 5, No. 6, July-August 2019](#)
- ["Recent Indiana Court of Appeals' Ruling May Benefit Data Breach, Class Action Defendants," DRI For the Defense, October 2016](#)
- *Food Safety Accountability Act: Additional Consequences for Knowingly Violating Prohibitions*, 2010
- *Food Safety Modernization Act Passed in Senate*, 2010

Thought Leadership

June 2025

Res Gestae | March Civil Cases Address Dismissals With Prejudice, Attorneys' Fees

Indiana State Bar Association Res Gestae

May 2024

Res Gestae | February Cases Address Implied Easements, Possibility of Different Standard for Unilateral Contracts, More

Res Gestae | Indiana State Bar Association

Speaking Engagements

- "Data Security Class Actions in the Seventh Circuit," Indiana Continuing Legal Education Forum Indianapolis, IN, June 16, 2017