

CLERK OF THE COURTS			
<b>ONLINE</b>		ELECTRONIC CASE SEARCH	
<b>DOCKET</b>			
<u>INDIANA SUPREME COURT</u>	<u>INDIANA COURT OF APPEALS</u>	<u>INDIANA TAX COURT</u>	
	<b>Litigant Inquiry</b>	<b>Docket Inquiry</b>	<b>Back to Menu</b>

**Case Number: 53 S 00 - 1104 - DI - 00244**  
**SCHALK, DAVID E. IN THE MATTER:**

## Litigant Inquiry

**SCHALK, DAVID E. 1 of 2**

Attorney Number	Name and Address	Phone Number	Fax Number
15551 53	SCHALK, DAVID EUGENE 1706 S. OLIVE ST., BLOOMINGTON, IN 47401-0000	812-336-9093	

### DISCIPLINARY COMMISSION 2 of 2

Attorney Number	Name and Address	Phone Number	Fax Number
1949 15	WITTE, G. MICHAEL 30 SOUTH MERIDIAN STREET, SUITE 850 INDIANAPOLIS, IN 46204-0000	317-232-1807	
6507 49	PRUDEN, SETH THOMAS 30 SOUTH MERIDIAN STREET, SUITE 850 INDIANAPOLIS, IN 46204-0000	317-232-1807	

## Docket Inquiry

DATE	TEXT
4/28/11	FILED SUMMONS BY THE DISCIPLINARY COMMISSION (1) CERTIFICATE OF SERVICE (1) MAIL 04/28/11. ENTERED ON 04/28/11 DL
4/28/11	VERIFIED COMPLAINT FOR DISCIPLINARY ACTION (6) CERIFICATE OF SERVICE (2) MAIL 04/28/11. 5 PAGES ENTERED ON 04/28/11 DL
5/17/11	ISSUED THE ENCLOSED ORDER:
5/17/11	IT IS THEREFORE ORDERED THAT THE HONORABLE WAYNE S. TROCKMAN IS APPOINTED TO HEAR THIS MATTER PURSUANT TO ADMISSION AND DISCIPLINE RULE 23 AND IS DIRECTED TO QUALIFY AND ASSUME

JURISDICTION.

THE HEARING OFFICER HAS THE AUTHORITY AND AFFIRMATIVE DUTY TO MANAGE THIS CASE AND TO BRING IT TO CONCLUSION AS EXPEDITIOUSLY AS PRACTICABLE. A PUBLICATION ENTITLED "ATTORNEY DISCIPLINARY CASES: A GUIDE FOR HEARING OFFICERS" MAY BE FOUND ON THE COURT'S WEBSITE AT WWW.IN.GOV/JUDICIARY/ADMIN/PUBS.HTML.

RANDALL T. SHEPARD, CHIEF JUSTICE

(ORDER REC'D 05/17/11 AT 2:30 P.M.) ENTERED ON 05/17/11 KJ

5/17/11 \*\*\*\*\* ABOVE ENTRY MAILED \*\*\*\*\*

5/19/11 OATH OF HEARING OFFICER (1) SERVED ALL COUNSEL OF RECORD (1) MAIL 05/19/11. ENTERED ON 05/26/11 DL

6/02/11 \*\*\*\*NOTE: RECEIVED UNSIGNED ANSWER. ATTORNEY NOTIFIED BY PHONE. ENTERED ON 06/03/11 DL

6/11/11 ANSWER TO VERIFIED COMPLAINT FOR DISCIPLINARY ACTION PREFACE. (6) CERTIFICATE OF SERVICE (6) MAIL 06/10/11. ENTERED ON 06/14/11 DL

6/17/11 FILED THE ENCLOSED ORDER:

6/17/11 ORDER:

COMES NOW THE COURT AND SETS THIS MATTER FOR PRE-HEARING CONFERENCE ON JULY 13, 2011, AT 10:00 A.M. (EVANSVILLE TIME), RESERVING 30 MINUTES. SAID CONFERENCE MAY BE TELEPHONIC, IF AGREEABLE. RESPONDENT'S COUNSEL TO INITIATE CALL.

HON. WAYNE S. TROCKMAN, HEARING OFFICER.

(ORDER REC'D 06/26/11 BY MAIL) ENTERED ON 06/23/11 DL

7/13/11 FILED THE ENCLOSED ORDER:

7/13/11 ORDER:

RESPONDENT BY TELEPHONE; DISCIPLINARY COMMISSION BY COUNSEL, SETH T. PRUDEN, BY TELEPHONE. PRE-HEARING CONFERENCE HELD JULY 13, 2011. HEARING IS SET FOR NOVEMBER 7, 2011, AT 8:30 A.M. (EVANSVILLE TIME), RESERVING ALL DAY. PARTIES AGREE THAT SAID HEARING SHALL BE BY NON-STENOGRAPHIC MEANS.

PARTIES TO EXCHANGE FINAL WITNESS AND EXHIBIT LISTS ON OR BEFORE SEPTEMBER 23, 2011.

DISCOVERY TO BE COMPLETED ON OR BEFORE OCTOBER 21, 2011.

ALL PRE-TRIAL MOTIONS, IF ANY, TO BE FILED BY OCTOBER 24, 2011.

FINAL PRE-TRIAL CONFERENCE SCHEDULED FOR OCTOBER 28, 2011, AT 8:30 A.M. (EVANSVILLE TIME); COUNSEL MAY APPEAR BY TELEPHONE WITH RESPONDENT INITIATING CALL TO THE HEARING OFFICER.

COUNSEL GIVEN AUTHORITY PURSUANT TO RULE 23 TO SIGN ANY SUBPOENA NEEDED FOR DEPOSITIONS, PRODUCTION OF DOCUMENTS OR APPEARANCE OF WITNESSES.

HON. WAYNE S. TROCKMAN, HEARING OFFICER.

(ORDER REC'D 07/20/11 BY MAIL) ENTERED ON 07/21/11 AV

9/22/11 DISCIPLINARY COMMISSION'S WITNESS AND EXHIBIT LIST (2). CERTIFICATE OF SERVICE (2) MAIL 09/22/11.

ENTERED ON 09/22/11 AV

9/27/11 DAVID SCHALK'S WITNESS AND EXHIBIT LIST (2). CERTIFICATE OF SERVICE (2) MAIL 09/27/11. ENTERED ON 09/29/11 AV

10/03/11 FILED THE ENCLOSED MINUTE ENTRY:

10/03/11 MINUTE ENTRY:

COMES NOW THE HEARING OFFICER AND ON HIS OWN MOTION, DUE TO HEARING OFFICER'S CONGESTED CALENDAR, HEARING DATE OF 11/7/11 IS VACATED. PARTIES TO APPEAR BY TELEPHONE ON FINAL PRE-TRIAL CONFERENCE DATE OF 10/28/11 AT 8:30 A.M. (EVANSVILLE TIME) TO RESET NEW HEARING DATE AND NEW DEADLINES. RESPONDENT TO INITIATE CALL TO THE HEARING OFFICER.

HON. WAYNE S. TROCKMAN, HEARING OFFICER  
(ENTRY REC'D. 10/6/11 BY MAIL) ENTERED 10/7/11 KM

10/28/11 FILED THE ENCLOSED ORDER:

10/28/11 ORDER:

RESPONDENT, DAVID E. SCHALK, BY TELEPHONE; DISCIPLINARY COMMISSION BY COUNSEL, SETH T. PRUDEN, BY TELEPHONE. PRE-HEARING CONFERENCE HELD OCTOBER 28, 2011. HEARING IS SET FOR MARCH 12, 2012, AT 9:00 A.M. (INDIANAPOLIS TIME), RESERVING 2 DAYS, IN THE CONFERENCE ROOM OF THE INDIANA DISCIPLINARY COMMISSION'S OFFICE. ATTORNEY PRUDEN SHALL MAKE ARRANGEMENTS FOR A COURT REPORTER.

PARTIES TO EXCHANGE FINAL WITNESS AND EXHIBIT LISTS 45 DAYS PRIOR TO HEARING DATE (JANUARY 27, 2012).

DISCOVERY TO BE COMPLETED 15 DAYS PRIOR TO HEARING DATE (FEBRUARY 27, 2012).

ALL PRE-TRIAL MOTIONS, IF ANY, TO BE FILED 15 DAYS PRIOR TO HEARING (FEBRUARY 27, 2012).

FINAL PRE-TRIAL CONFERENCE SCHEDULED FOR FEBRUARY 24, 2012, AT 8:30 A.M. (EVANSVILLE TIME); COUNSEL MAY APPEAR BY TELEPHONE AND THE HEARING OFFICER SHALL INITIATE THE CALL TO THE PARTIES. COUNSEL GIVEN AUTHORITY PURSUANT TO RULE 23 TO SIGN ANY SUBPOENA NEEDED FOR DEPOSITIONS, PRODUCTION OF DOCUMENTS OR APPEARANCE OF WITNESSES.

HON. WAYNE S. TROCKMAN, HEARING OFFICER.  
(ORDER REC'D 11/02/11 BY MAIL) ENTERED ON 11/02/11 AV

9/27/11 DAVID SCHALK'S WITNESS AND EXHIBIT LIST. (2) CERTIFICATE OF SERVICE (2) MAIL 09/27/11. ENTERED ON 02/01/12 DL

2/01/12 DISCIPLINARY COMMISSION'S AMENDED WITNESS AND EXHIBIT LIST (2). CERTIFICATE OF SERVICE (2) MAIL 02/01/12.  
ENTERED ON 02/01/12 AV

2/02/12 FIELD THE ENCLOSED ENTRY:

2/02/12 ENTRY:

ON MOTION OF HEARING OFFICER, DUE TO CONGESTION/CONFLICT ON HIS COURT CALENDAR, HEARING SET IN THIS MATTER FOR 3/12/12 AND PRE-TRIAL CONFERENCE SET FOR 2/24/12 ARE VACATED. HEARING

OFFICER SHALL CONTACT COUNSEL S. PRUDEN AND RESPONDENT. D. SCHALK, TO RESET HEARING DATE. HEARING OFFICER NOTIFIES COUNSEL PRUDEN AND D. SCHALK BY TELEPHONE TODAY OF THIS MINUTE. HON. WAYNE S. TRAOCKMAN, HEARING OFFICER  
(ENTRY REC'D 02/06/12 BY MAIL) ENTERED ON 02/06/12 DL

2/06/12 FILED THE ENCLOSED ORDER:

2/06/12 ORDER:  
RESPONDENT, DAVID E. SCHALK, BY TELEPHONE; DISCIPLINARY COMMISSION BY COUNSEL, SETH T. PRUDEN, BY TELEPHONE. TELEPHONIC PRE-HEARING CONFERENCE HELD. HEARING IS SET FOR MAY 21, 2012, AT 9:00 A.M. (INDIANAPOLIS TIME), RESERVING 2 DAYS, IN THE CONFERENCE ROOM OF THE INDIANA DISCIPLINARY COMMISSION'S OFFICE. ATTORNEY PRUDEN SHALL MAKE ARRANGEMENTS FOR A COURT REPORTER. PARTIES TO EXCHANGE FINAL WITNESS AND EXHIBIT LISTS 45 DAYS PRIOR TO HEARING DATE (APRIL 6, 2012).  
DISCOVERY TO BE COMPLETED 15 DAYS PRIOR TO HEARING DATE (MAY 4, 2012).  
ALL PRE-TRIAL MOTIONS, IF ANY, TO BE FILED 15 DAYS PRIOR TO HEARING (MAY 4, 2012).  
FINAL PRE-TRIAL CONFERENCE SCHEDULED FOR MAY 11, 2012, AT 9:30 A.M. (EVANSVILLE TIME); COUNSEL MAY APPEAR BY TELEPHONE AND THE COMMISSION'S COUNSEL SHALL INITIATE THE CALL TO THE PARTIES.  
COUNSEL GIVEN AUTHORITY PURSUANT TO RULE 23 TO SIGN ANY SUBPOENA NEEDED FOR DEPOSITIONS, PRODUCTION OF DOCUMENTS OR APPEARANCE OF WITNESSES.  
HON. WAYNE S. TRAOCKMAN, HEARING OFFICER  
(ORDER REC'D 02/08/12 BY MAIL) ENTERED ON 02/08/12 AV

5/11/12 REPORT TO THE HEARING OFFICER. (2) CERTIFICATE OF SERVICE (2) MAIL 05/11/12. ENTERED ON 05/14/12 DL

5/11/12 FILED THE ENCLOSED MINUTE:

5/11/12 MINUTE:  
COMMISSION BY COUNSEL, S. PRUDEN, BY TELEPHONE; AND RESPONDENT, D. SHALK, BY TELEPHONE. FINAL PRE-TRIAL CONFERENCE HELD. HEARING DATE OF MAY 21, 2012, AT 9:00 A.M. (E.S.T.) IS AFFIRMED (1 DAY ONLY).  
HON. WAYNE S. TROCKMAN, HEARING OFFICER.  
(ORDER REC'D 05/16/12 BY MAIL) ENTERED ON 05/16/12 DL

5/21/12 FILED THE ENCLOSED MINUTE:

5/21/12 MINUTE:  
COMMISSION BY STAFF ATTORNEY, SETH PRUDEN AND RESPONDENT IN PERSON, PRO SE. PARTIES MAKE OPENING STATEMENTS. COMMISSION PRESENTS ITS CASE IN CHIEF AND RESTS. RESPONDENT COMMENCES ITS CASE IN CHIEF AND RESTS. PARTIES MAKE CLOSING STATEMENT. EACH COUNSEL GIVEN UP TO AND INCLUDING 30 DAYS FROM THE DATE THE TRANSCRIPT IS FILED WITH THE COURT TO PRESENT PROPOSED

FINDINGS OF FACT AND CONCLUSIONS OF LAW, ALONG WITH ANY POST-TRIAL BRIEFS OR CITATIONS TO AUTHORITY. COUNSEL ARE TO COPY EACH OTHER WITH ALL FILINGS AS ORDER HERE.  
HON. WAYNE S. TRAOCKMAN, HEARING OFFICER.  
(ORDER REC'D 06/05/12 BY MAIL) ENTERED ON 06/05/12 DL

6/14/12 FILED THE ENCLOSED MINUTE:  
6/14/12 MINUTE:  
HEARING OFFICER MODIFIES ITS MINUTE OF 5/21/12 TO REFLECT THAT EACH COUNSEL IS GIVEN UP TO AND INCLUDING 30 DAYS FROM JUNE 7, 2012, TO PRESENT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW, ALONG WITH ANY POST-TRIAL BRIEFS OR CITATIONS TO AUTHORITY.  
HON. WAYNE S. TRAOCKMAN, HEARING OFFICER.  
(ORDER REC'D 06/18/12 BY MAIL) ENTERED ON 06/18/12 AV

6/22/12 REQUEST FOR EXTENSION OF TIME. (2) CERTIFICATE OF SERVICE (2) MAIL 06/10/12. ENTERED ON 06/25/12 DL

6/28/12 NOTICE TO THE HEARING OFFICER. (2) CERTIFICATE OF SERVICE (2) MAIL 06/28/12. ENTERED ON 06/29/12 DL

6/25/12 FILED THE ENCLOSED MINUTE:  
6/25/12 MINUTE:  
COURT RECEIVES RESPONDENT'S REQUEST FOR EXTENSION OF TIME OF THE DEADLINE FOR FILING BRIEFS AND PROPOSED FINDINGS AND CONCLUSIONS UP TO AND INCLUDING AUGUST 10, 2012.  
HON. WAYNE S. TROCKMAN, HEARING OFFICER.  
(ORDER REC'D 07/02/12 BY MAIL) ENTERED ON 07/02/12 AV

6/26/12 FILED THE ENCLOSED MINUTE:  
6/26/12 MINUTE:  
COURT CONTACTS S. PRUDEN OF THE COMMISSION BY TELEPHONE AND IS INFORMED COUNSEL PRUDEN IS OUT OF THE OFFICE ENTIRE WEEK. OVER COUNSEL PRUDEN'S OBJECTION, COURT GRANTS RESPONDENT'S REQUEST FOR EXTENSION OF TIME TO AND INCLUDING AUGUST 10, 2012.  
HON. WAYNE S. TROCKMAN, HEARING OFFICER.  
(ORDER REC'D 07/02/12 BY MAIL) ENTERED ON 07/02/12 AV

8/10/12 DISCIPLINARY COMMISSION'S TENDER OF PROPOSED HEARING OFFICER'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION. (2) CERTIFICATE OF SERVICE (2) MAIL 08/10/12.  
ENTERED ON 08/10/12 DL

8/10/12 PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. (2) CERTIFICATE OF SERVICE (2) MAIL 08/10/12.  
ENTERED ON 08/14/12 DL

8/10/12 RESPONDENT'S POST-HEARING BRIEF. (2) CERTIFICATE OF SERVICE (2) MAIL 08/10/12. ENTERED ON 08/14/12 DL

8/10/12 RESPONSE TO BRIEF ON COLLATERAL ESTOPPEL FOR CRIMINAL CONVICTIONS. (WITH COMMENTARY ON COLLATERAL ESTOPPEL PERTAINING TO LAW ENFORCEMENT OFFICER CREDENTIALS)  
(2) CERTIFICATE OF SERVICE (2) MAIL 08/14/12.

ENTERED ON 08/14/12 DL

8/10/12 POST-HEARING BRIEF ATTACHMENT: A, B, C, AND D. (2) CERTIFICATE OF SERVICE (2). ENTERED ON 08/14/12 DL

8/22/12 COMMISSION'S RESPONSE TO RESPONDENT'S POST-HEARING BRIEF. (2) CERTIFICATE OF SERVICE (2) MAIL 08/22/12.  
ENTERED ON 08/22/12 DL

9/05/12 REPLY TO COMMISSION'S RESPONSE TO RESPONDENT'S BRIEF. (2) CERTIFICATE OF SERVICE (2) MAIL 09/05/12.  
ENTERED ON 09/06/12 DL

9/27/12 HEARING OFFICER'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION (6) SERVED ALL COUNSEL OF RECORD (6) MAIL 09/27/12. ENTERED ON 10/03/12 DL

9/27/12 RECEIVED:  
1 VOLUME TRANSCRIPT  
COMMISSION'S EXHIBITS 1-5, 8-1 TO 8-3, 9-1 TO 9-2, EXHIBIT 12 AND 14-2.

10/03/12 TRANSMITTED SUPREME \*\*\*\*\*10/03/12\*\*\*\*\*  
ENTERED ON 10/03/12 DL

10/19/12 VERIFIED MOTION FOR EXTENSION OF TIME IN WHICH TO FILE PETITION FOR REVIEW. (6) CERTIFICATE OF SERVICE (6) MAIL 10/19/12. \*\*RESPONDENT ENTERED ON 10/23/12 DL

10/29/12 ISSUED THE ENCLOSED ORDER:  
10/29/12 BEING DULY ADVISED, THE COURT GRANTS AN EXTENSION OF TIME TO AND INCLUDING DECEMBER 21, 2012, FOR EITHER PARTY TO FILE A PETITION FOR REVIEW. THE PARTIES SHOULD EXPECT THAT ADDITIONAL EXTENSIONS OF TIME TO FILE A PETITION FOR REVIEW WILL LIKELY NOT BE GRANTED.  
BRENT E. DICKSON, CHIEF JUSTICE  
(ORDE REC'D 10/30/12 AT 11:20 A.M.) ENTERED ON 10/30/12 KJ

10/30/12 \*\*\*\*\* ABOVE ENTRY MAILED \*\*\*\*\*

12/26/12 AMENDED CERTIFICATE OF SERVICE (2) CERTIFICATE OF SERVICE (2) MAIL 12/26/12. ENTERED ON 12/28/12 DL

12/24/12 RESPONSE TO HEARING OFFICER'S FINDINGS, CONCLUSIONS AND RECOMMENDATION. (6) CERTIFICATE OF SERVICE (6) BY MAIL 06/10/11. ENTERED ON 01/02/13 DL

12/24/12 BRIEF OF RESPONDENT. (6) CERTIFICATE OF SERVICE (6) BY MAIL 06/10/11. ENTERED ON 01/02/13 DL

12/24/12 REQUEST FOR ORAL ARGUMENT. (6) CERTIFICATE OF SERVICE (6) MAIL 06/10/11. ENTERED ON 01/02/13 DL

1/03/13 VERIFIED MOTION TO FILE AMENDED BRIEF AND COMMENTS. (6) CERTIFICATE OF SERVICE (6) MAIL 01/03/2012.  
ENTERED ON 01/04/13 DL

1/03/13 REC'D 01/04/13 AMENDED RESPONSE TO HEARING OFFICER'S FINDINGS, CONCLUSIONS AND RECOMMENDATION AND AMENDED BRIEF OF RESPONDENT. HOLDING ON MY DESK PENDING ABOVE MOTION TO FILE.  
ENTERED ON 01/04/13 DL

1/11/13 ISSUED THE ENCLOSED ORDER:  
1/11/13 BEING DULY ADVISED, THE COURT GRANTS RESPONDENT'S MOTION AND DIRECTS THAT THE AMENDED DOCUMENTS BE FILED AND SERVED NO LATER THAN TEN DAYS FROM THE DATE OF THIS ORDER. BECAUSE THE ERRORS TO BE CORRECTED ARE NON-SUBSTANTIVE AND DESCRIBED IN RESPONDENT'S MOTION, THE BRIEFING SCHEDULE OF ADMISSION AND DISCIPLINE RULE 23(15) SHALL REMAIN UNCHANGED.  
BRENT E. DICKSON, CHIEF JUSTICE  
(ORDER REC'D. 1/11/13 AT 3:00 PM) ENTERED 1/14/13 KM

1/14/13 \*\*\*\*\* ABOVE ENTRY MAILED \*\*\*\*\*

1/11/13 AMENDED RESPONSE TO THE HEARING OFFICER'S FINDINGS, CONCLUSIONS AND RECOMMENDATION. (6) CERTIFICATE OF SERVICE (2) MAIL 01/03/13.

1/11/13 AMENDED BRIEF OF RESPONDENT. (6) CERTIFICATE OF SERVICE (6) MAIL 01/03/13. ENTERED ON 01/16/13 DL

1/24/13 DISCIPLINARY COMMISSION'S RESPONSE AND BRIEF REGARDING SANCTIONS. (6) CERTIFICATE OF SERVICE (6) MAIL 01/24/13. ENTERED ON 01/24/13 DL

2/12/13 REPLY TO COMMISSIONS RESPONSE. (6) CERTIFICATE OF SERVICE (2) MAIL 02/12/13. ENTERED ON 02/13/13 DL

2/12/13 AMENDED CERTIFICATE OF SERVICE (6) CERTIFICATE OF SERVICE (6) MAIL 02/12/13. \*\*\*RESPONDENT. ENTERED ON 02/14/13 DL

4/15/13 THE COURT HAS ISSUED THE ATTACHED ORDER:  
4/15/13 FOR RESPONDENT'S PROFESSIONAL MISCONDUCT, THE COURT SUSPENDS RESPONDENT FROM THE PRACTICE OF LAW IN THIS STATE FOR A PERIOD OF NOT LESS THAN NINE MONTHS, WITHOUT AUTOMATIC REINSTATEMENT, BEGINNING MAY 24, 2013. RESPONDENT SHALL NOT UNDERTAKE ANY NEW LEGAL MATTERS BETWEEN SERVICE OF THIS ORDER AND THE EFFECTIVE DATE OF THE SUSPENSION, AND RESPONDENT SHALL FULFILL ALL THE DUTIES OF A SUSPENDED ATTORNEY UNDER ADMISSION AND DISCIPLINE RULE 23(26). AT THE CONCLUSION OF THE MINIMUM PERIOD OF SUSPENSION, RESPONDENT MAY PETITION THIS COURT FOR REINSTATEMENT TO THE PRACTICE OF LAW IN THIS STATE, PROVIDED RESPONDENT PAYS THE COSTS OF THIS PROCEEDING, FULFILLS THE DUTIES OF A SUSPENDED ATTORNEY, AND SATISFIES THE REQUIREMENTS FOR REINSTATEMENT OF ADMISSION AND DISCIPLINE RULE 23(4). REINSTATEMENT IS DISCRETIONARY AND REQUIRES CLEAR AND CONVINCING EVIDENCE OF THE ATTORNEY'S REMORSE, REHABILITATION, AND FITNESS TO PRACTICE LAW. SEE ADMIS. DISC. R. 4. 23(4)(B).  
THE COSTS OF THIS PROCEEDING ARE ASSESSED AGAINST RESPONDENT. RESPONDENT'S REQUEST FOR ORAL ARGUMENT IS DENIED. THE HEARING OFFICER APPOINTED IN THIS CASE IS DISCHARGED.  
BRENT E. DICKSON, CHIEF JUSTICE  
ALL JUSTICES CONCUR.  
(ORDER REC'D. 4/15/13 AT 2:00 PM) ENTERED 4/15/13 KM

4/15/13 \*\*\*\*\* ABOVE ENTRY MAILED \*\*\*\*\*

4/17/13 \*\*\*\*\*CASE SENT TO RECORDS DEPT.\*\*\*\*\*

4/17/13 ITEMIZED STATEMENT OF EXPENSES ALLOCABLE TO THE MATTER OF  
RESPONDENT. (1) CERTIFICATE OF SERVICE (1) MAIL 04/17/13.  
ENTERED ON 04/17/13 DL

4/19/13 THE COURT HAS ISSUED THE ATTACHED ORDER:

4/19/13 THE COURT FINDS THAT THESE EXPENSES ARE DUE AND OWING AS SET  
OUT IN THE ITEMIZED STATEMENT AND ACCORDINGLY SHOULD BE TAXED  
TO THE RESPONDENT, DAVID E. SCHALK, PURSUANT TO  
ADMISSION AND DISCIPLINE RULE 23 AND THE ORDER OR OPINION OF  
THIS COURT DIRECTING THE ASSESSMENT OF COSTS AGAINST THE  
RESPONDENT.  
THE RESPONDENT IS THEREFORE ORDERED TO PAY THE FOLLOWING  
EXPENSES IN SEPARATE CHECKS:  
ONE (1) CHECK PAYABLE TO THE SUPREME COURT DISCIPLINARY  
COMMISSION FOR INVESTIGATIVE EXPENSES .....\$1,096.64  
ONE (1) CHECK PAYABLE TO THE CLERK OF THE SUPREME  
COURT FOR COURT COSTS .....\$ 250.00  
ONE (1) CHECK PAYABLE TO THE SUPREME COURT OF  
INDIANA FOR HEARING OFFICER AND COURT REPORTER  
EXPENSES .....\$2,953.84  
THE SEPARATE CHECK(S) ARE TO BE TRANSMITTED TO THE  
DISCIPLINARY COMMISSION OF THE SUPREME COURT OF INDIANA.  
INDIANA ADMISSION AND DISCIPLINE RULES 23(16) PROVIDE  
THAT THE RESPONDENT'S FAILURE TO PAY THESE COSTS BY THE  
DUE DATE OF THE NEXT ANNUAL REGISTRATION FEE (OCTOBER 1) SHALL  
SUBJECT RESPONDENT TO AN ORDER OF SUSPENSION FROM THE PRACTICE  
OF LAW.  
BRENT E. DICKSON, CHIEF JUSTICE  
(ORDER REC'D. 4/22/13 AT 2:20 PM) ENTERED 4/23/13 KM

4/23/13 \*\*\*\*\* ABOVE ENTRY MAILED \*\*\*\*\*

5/09/13 MEMORANDUM REGARDING MOTION TO CLARIFY OF PUBLISHED ORDER.  
(2) CERTIFICATE OF SERVICE (2) MAIL 05/09/13.  
ENTERED ON 05/14/13 DL

5/09/13 MOTION TO CLARIFY PUBLISHED ORDER. (2) CERTIFICATE OF SERVICE  
(2) MAIL 05/09/13. ENTERED ON 05/14/13 DL

5/15/13 EMERGENCY MOTION TO STAY EFFECTIVENESS OF SUSPENSION ORDER.  
(6) CERTIFICATE OF SERVICE (6) MAIL 05/15/13.  
ENTERED ON 05/17/13 DL

5/15/13 AMENDED CERTIFICATE OF SERVICE (6) CERTIFICATE OF SERVICE (6)  
MAIL 05/15/13. ENTERED ON 05/17/13 DL

5/21/13 THE COURT HAS ISSUED THE ATTACHED ORDER:

5/21/13 BEING DULY ADVISED, AND NOTING PARTICULARLY THAT RESPONDENT  
DELAYED SEEKING A STAY FOR A FULL MONTH AFTER THE SUSPENSION  
ORDER WAS ISSUED, THE COURT DENIES RESPONDENT'S "EMERGENCY  
MOTION TO STAY EFFECTIVENESS OF SUSPENSION ORDER." RESPONDENT'S  
MOTION TO CLARIFY WILL BE CONSIDERED BY THE FULL COURT IN



DUE COURSE.

BRENT E. DICKSON, CHIEF JUSTICE OF INDIANA

(ORDER REC'D 05/21/13 AT 2:30 P.M.) ENTERED ON 05/21/13 KJ

5/21/13 \*\*\*\*\* ABOVE ENTRY MAILED \*\*\*\*\*