

Thomas A. Barnard

Partner

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THOMAS A. BARNARD is a partner in the firm's Litigation Department and has substantial personal experience in complex litigation, particularly involving environmental, insurance coverage, takings and securities issues. For over 30 years, he has represented clients in federal and state courts from Indiana to Washington, D.C. He was hired by Indiana's Governor to prosecute the State's environmental civil claims arising from the largest fishkill in Indiana's history.

Tom has prevailed in other notable environmental cases, including a recent federal case in which he obtained a default judgment under the Resource Conservation and Recovery Act as a sanction for discovery abuses. Tom also prevailed in one of the first Indiana Supreme Court decisions interpreting the Indiana Underground Storage Tank Statute, decided in 1998.

Tom has represented publicly traded companies in million dollar environmental litigation, and recently prevailed in a \$40 million business lawsuit, involving Sherman Act, RLUIPA and Indiana Home Rule claims, to enable the firm's catholic hospital client to construct a major hospital expansion. He represented one of the country's largest egg producers in a precedent-setting regulatory takings case in the Court of Federal Claims in Washington, D.C., and regularly pursues insurance coverage in connection with environmental contamination claims.

Tom was the primary drafter of Indiana's Environmental Audit Privilege law, and when the bill passed in 1996, Indiana became only the second state in the country to provide litigation protection for companies conducting compliance audits. He was asked to testify in Washington, D.C. to the USEPA subcommittee on the eventual federal policy for self-audits and self-disclosure.



Practice Groups:

Crisis Management,
Environmental, Securities -
Litigation, Insurance Law,
Environmental Transactional
Services, Class Action & Multi-
Party Litigation, Litigation

Bar/Court Admissions:

Federal

7th Circuit Court of Appeals,
Northern District of Indiana,
Southern District of Indiana

State

Indiana

Year First Admitted to Practice Law:

1982

Education:

Indiana University Maurer School
of Law - Bloomington (1982),
Purdue University (1979)

Professional Affiliations / Recognitions:

AV Peer Review Rating
(LexisNexis/Martindale-Hubbell),
American Bar Association,
Benchmark Litigation Star, Best
Lawyers in America®, Indiana
Chamber of Commerce, Indiana
State Bar Association, Indiana
Super Lawyers, Indianapolis Bar
Association

Tom is a 1982 graduate of the Indiana University Maurer School of Law, Bloomington (*cum laude*), and a 1979 graduate of Purdue University (Bachelor of Science with honors). He has been listed in *Best Lawyers in America*® for bet-the-company, commercial and environmental litigation and mediation, and also has been named an Indiana *Super Lawyer*. Tom currently serves as the first vice-president of the Indianapolis Bar Association's Board of Directors and will be president-elect in 2018 and president in 2019. He is a past chairman of the Indiana State Bar Association's Environmental Law Section and was named Environmental Litigator of the Year in 1995. Tom is also a past Chair of the Environmental Legal and Technical Subcommittee of the Indiana Manufacturer's Association and frequent speaker and author on litigation, insurance and environmental topics. He has been rated for four years as a "Top Local Plaintiff Litigation Star" in Indiana for Environmental by *Benchmark Litigation*. He was listed in *Chambers USA 2015* for Environmental Law.