

**Thomas R. Jayne**  
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## **PROFILE**

Senior lawyer with broad experience and expertise in railroad law, banking and commercial litigation, education, science and medicine, and general law.

- Successful experience providing counsel directly to business partners, supervising in-house attorneys and managing outside counsel
- Strong record of leadership of not for profit entities as volunteer, board member, and officer
- Experience as national counsel in the railroad and manufacturing industries, bringing effective, cost-efficient defense to cases in more than twenty states
- Headed firm practice areas with responsibilities in hiring decisions, business development, and profitability, pioneering use of alternative billing systems and computer support
- Successful jury trials in eleven states, acting as lead counsel and in specialized roles with expert witnesses
- Frequent author and speaker on current legal issues including ethics

## **PROFESSIONAL EXPERIENCE**

**BNSF Railway Company**, Fort Worth, Texas  
Senior General Attorney      2011-present

Supervise tort litigation for BNSF system, assist with legislative and regulatory issues, and provide training and litigation advice for internal clients

**THOMPSON COBURN, LLP**, St. Louis, Missouri  
Associate and Partner

Extensive national experience with clients in the transportation, manufacturing, banking, finance, insurance and construction industries. Practice has involved commercial and tort litigation, including toxic tort, product liability, insurance coverage, and regulatory issues. Has successfully tried numerous commercial, tort and admiralty cases in state and federal courts in eleven states. Has dealt with complex litigation since completing a federal court clerkship, and has more than 22 years of experience with computerized litigation support and billing systems.

- Served as head of practice area employing more than forty attorneys and staff members, with responsibilities in hiring, budgeting, and client relations.
- Successfully acted as interim general counsel for NYSE manufacturing company, supervising law department and managing outside counsel.

## **Thomas R. Jayne**

- Acted as national counsel for transportation clients defending mass tort litigation, hiring and training outside counsel, developing defense strategies and tactics, supervising company discovery, including costs, and playing a major role in decisions on trials and settlements.
- Have appeared before national and state agencies to represent client positions, including drafting formal comments in rule-making proceedings.
- Represented interested parties in negotiated rule-making proceedings with Federal Railroad Administration.

**U.S. District Judge, Eastern District of Missouri, H. Kenneth Wangelin, Law Clerk**  
Research and writing for federal trial judge, participating in numerous hearings.

### **EDUCATION**

**B.A., Political Science, Westminster College, Fulton, Missouri**  
**J.D., University of Missouri - Columbia School of Law**  
Note and comment editor, Law Review

### **LICENSURE**

**Missouri**  
**Texas**

**Illinois**

### **AFFILIATIONS AND HONORS**

**Fellow, Texas Bar Foundation**

**The Andrew C. Hecker Award**, Federation of Defense and Corporate Counsel, 2010; given for the best article of the year in FDCC Quarterly published by Marquette University Law School.

**Central Institute for the Deaf**. Board of Managers, served as President, member of long-range planning, executive, finance, and capital campaign committees (1990-present); honored for “Extraordinary Service, 2002-2004”, in connection with the restructuring of CID, including the transition and sale of programs and assets to Washington University, a transaction valued in excess of 30 million dollars.

**Truman State University**, Board of Governors, served as board secretary, vice-president, and president, serving on selection committee for new president and committee member for inaugural capital campaign (2000-2007)

**Hugh Knowles Center**, Advisory Board (2004-2012)

**Federation of Defense & Corporate Counsel and International Association of Defense Counsel**, both organizations by invitation (resigned upon joining BNSF).

## **Thomas R. Jayne**

**National Association of Railroad Trial Counsel.** Have served as member of Executive Committee and as National Program Chairman

**Arts & Education Council of Greater St. Louis,** Board of Directors (1998-2004)

**Now Hear This Foundation** (Illinois Eye and Ear Infirmary), Advisory Board (2008-2012)

### **RECENT ARTICLES AND CHAPTERS**

- Dobie, R.A., Medical-Legal Evaluation of Hearing Loss. "Legal Remedies for Hearing Loss," Chapter 11, "The Expert Witness," chapter 15. San Diego: Plural Publishing, 2015.
- Jayne, T.R., The Use and Abuse of Differential Diagnosis to Prove Causation in Toxic Torts, Federation of Defense & Corporate Counsel, Quarterly Vol. 60.3 Spring 2010.
- Jayne, T.R. (ed.), Liability Concerns and Risk Management in the 21<sup>st</sup> Century, Design and Manufacture of Products for Sale in the United States (Globalaw, 2007).
- Dobie, R.A., Medical-Legal Evaluation of Hearing Loss. "Legal Remedies for Hearing Loss," Chapter 11. San Diego: Singular Thomson Learning, 2001.

### **SELECTED PRESENTATIONS**

- The Erosion of the Attorney-Client Privilege and the Work Product Doctrine and its Effect on In-House Counsel, FDCC, Philadelphia, 2010
- Federal Railroad Administration Injury Reporting Requirements and Hearing Conservation, Bar Harbor, ME, 2009
- Use and Abuse of the differential diagnosis in toxic tort litigation, Hot Springs, VA, 2009
- Defense of "corporate" depositions, Dallas, Texas, September 2008.
- How to Defend a Reactive Airways Dysfunction Case, Santa Fe, New Mexico, October 2004.
- Joint Defense Agreements in Mass Tort Claims, Bar Harbor, Maine, June 2003.
- Update on Daubert Principles, Lake Tahoe, Nevada, September 11, 2002.
- Daubert Arguments in Toxic Tort Cases, Denver, Colorado, June 20, 2002.
- Limitations Defense, Admissibility of OSHA Regulations, and Other Closing Comments, Dallas, Texas, April 21, 2001.
- Diesel Exhaust: A Litigation Update Or, Is Life "Known to the State of California" to Cause Cancer?, Coronado, California, October 17, 1998.