



M. Shaun Lundy

Officer

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Shaun Lundy is an Officer in PennStuart's Bristol, Tennessee office. He is a member of the firm's Commercial Litigation, Real Estate, and Energy practice groups with extensive experience in commercial real estate and energy transactions. Shaun is a native of Southwest Virginia.

Following law school, Shaun returned to Southwest Virginia in 2010 after practicing in North Carolina for several years. Shaun's practice regularly involves the determination of natural resource ownership interests, the negotiation and preparation of transactional documents, title opinions, and lender opinions, and the handling of leases, rights of way, easements, title insurance, permitting, and landlord/tenant matters. Shaun has extensive litigation experience in real estate, construction and contractual matters. He also handles general business matters, corporate financing transactions, and bankruptcy matters.

Shaun holds a Virginia title insurance license and is a Manager of PennStuart Land Title, LLC, a Virginia, Kentucky, Tennessee and West Virginia title insurance agency representing Fidelity National Title Insurance Company and its affiliate brands.

Published Opinions

- *First Sentinel Bank v. U.S.A.*, 364 F.Supp.3d 615 (W.D. Va. 2019)
- *First Sentinel Bank v. U.S.A.*, 2018 WL 2423000 (W.D. Va. 2018)
- *Keith's Tree Farms v. Grayson National Bank*, 535 B.R. 647 (W.D. Va. 2015)
- *CNX Gas Company LLC v. James Rasnake, et al.*, 752 S.E.2d 865 (Va. 2014)
- *Apple Tree Ridge Neighborhood Association v. Grandfather Mountain Heights Property Owners Corp., Inc.*, COA09-1410 (NCCA), 697 S.E.2d 468 (2010)
- *Eagles Nest v. Ridinger*, 684 S.E.2d 163 (N.C. App. 2009)
- *Boone Podiatry, P.A. v. Fehring*, 185 N.C. App. 158, 647 S.E.2d 689 (2007)
- *Darbo v. Old Keller Farm Property Owners' Association, Inc.*, 174 N.C. App. 591, 621 S.E.2d 281 (2005)

Practices

Business & Transactional

- Commercial Transactions
- Commercial Lending
- Energy

Real Estate

- Transactions
- Development
- Financing
- Construction
- Energy & Natural Resources

Industry Experience

- Banking/Financial Services
- Construction
- Energy
- Real Estate

Education

- Vermont Law School, J.D. and Master of Studies in Environmental Law, *cum laude*, 2003
- Emory & Henry College, B.A., *cum laude* and with honors, 2000

Representative Experience

- representation of Fortune 500 energy company in federal class action case regarding royalty payments;
- representation of landowner in two-week jury trial regarding trespass and prescriptive easement issues;
- representation of Fortune 500 energy company on successful appeal of case of first impression regarding interpretation of mineral reservations in deed;
- representation of Fortune 500 energy company on numerous matters regarding ownership of CBM;
- representation of Fortune 500 energy company regarding underground water storage issues with surface owners;
- representation of Fortune 500 energy company in federal case seeking to overturn state law as an unconstitutional taking under the Fifth Amendment;
- has conducted more than 1000 title searches and real estate transactions;
- has served as lead title counsel for a mid-stream pipeline company involving a billion-dollar pipeline construction project;
- has been local counsel on many energy finance transactions, including multiple transactions in the \$100 million range;
- representation of one of the nation's largest natural resource owners and serves as lead counsel on a nationwide project involving millions of acres of mineral ownership;
- representation of regional railroad companies on acquisitions, title research, and land disputes;
- representation of overriding royalty holder in coal producer Chapter 11 bankruptcy resulting in dismissal.

Admissions

- North Carolina, 2003
- Tennessee, 2010
- Virginia, 2011
- West Virginia, 2011
- U.S. District Courts for the Eastern, Middle, and Western Districts of North Carolina
- U.S. District Courts for the Eastern and Western Districts of Virginia
- U.S. Bankruptcy Court for the Western District of Virginia
- U.S. District Court for the Eastern District of Tennessee
- U.S. Bankruptcy Court for the Eastern District of Tennessee
- U.S. District Court for the Southern District of West Virginia
- U.S. Bankruptcy Court for the Southern District of West Virginia
- U.S. Court of Appeals for the 4th Circuit
- U.S. Court of Appeals for the 6th Circuit
- U.S. Supreme Court

Professional Activities

- Virginia Bar Association
 - Environment, Natural Resources and Energy Law Section, Council Chair
 - Business Law Section, Legal Opinions Committee
- Tennessee Bar Association
- West Virginia Bar Association.
- North Carolina Bar Association, 2003-2012
- Watauga County, NC Bar Association 2003-2010
 - Past President
- Virginia State Bar
- Energy and Mineral Law Foundation
 - Trustee at Large