



Timothy W. Gresham

Officer

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Tim is an Officer in PennStuart's Abingdon, Virginia office and is a member of the firm's Workers' Compensation practice group. Tim lives in Abingdon, Virginia, which he has called home for over 35 years. He is married and has four grown children and nine grandchildren.

Tim's practice focuses on the defense of workers' compensation claims, Federal Black Lung claims, and other occupational disease matters. He has extensive experience representing employers and insurers before the Workers' Compensation Commission, the U.S. Department of Labor, and the Virginia and Federal Courts of Appeals. Tim also advises clients in the mineral and oil and gas industries on environmental, safety, and other regulatory matters. He has been a frequent presenter on occupational disease issues and mineral and environmental laws and regulations. He has published several articles related to mineral and environmental law matters.

Tim previously served as an Assistant Attorney General of Virginia where he handled cases involving enforcement of statutes and regulations related to the mining and oil and gas industries. He also served as corporate counsel for the Pittston Company Coal Group.

Publications

- *Water Replacement Under Federal and State Statutes: You Break It, You Buy It*, 27 Energy Min. L. Inst. Ch. 11 (2006).
- *Picking Up the Litigation Tab: Statutory Attorneys' Fees*, 22 Energy Min. L. Inst. Ch. 2 (2002).

An Overview of Citizen Suits Affecting the Mineral and Energy Industries, 20 Energy Min. L. Inst. Ch. 7 (2000).

Practice Areas

Litigation

- Workers' Compensation
- Federal Black Lung

Industry Experience

- Insurance

Education

- University of Tennessee
College of Law, 1979
- Morehead State University,
1976

Admissions

- Tennessee, 1979
- Virginia, 1982
- U.S. District Court for the
Western District of Virginia
- U.S. Court of Appeals for the
Fourth Circuit
- U.S. Court of Appeals for the
Sixth Circuit

Representative Decisions

- *Sea "B" Mining Co. v. Addison*, 831 F.3d 244 (4th Cir. 2016)
- *North Fork Coal Corp. v. FMSHRC*, 691 F.3d 735 (6th Cir. 2012)
- *Clinchfield Coal Co. v. Lambert*, No. 06-1154, 206 Fed. App. 252 (4th Cir. 2006) (unpub.)
- *Clinchfield Coal Co. v. Fuller*, 180 F.3d 622 (4th Cir. 1999)

Honors & Distinctions

- Best Lawyers in America,
 - Mining Law and Environmental Law
- Energy and Mineral Law Foundation
 - John L. McClaugherty Award



Professional Activities

- Virginia State Bar
 - former member, Environmental Law Section Board of Governors
- American Bar Association
- Virginia Bar Association
 - Environmental, Natural Resources, and Energy Section Council
 - former Section Chair
- Energy and Mineral Law Foundation
 - Board of Trustees
 - Past President
 - former member of the Executive Committee
 - former Special Advisor to the Executive Committee
 - member, Governance Committee
 - Washington County Bar Association
 - former President
- Virginia Workers' Compensation American Inn of Court