



Michael A. Shaunessy

Partner

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PRACTICE AREAS

*Complex Business
Litigation*

*Professional Liability
Litigation*

Education & Public Law

Labor & Employment

General Litigation



Michael Shaunessy represents plaintiffs and defendants in commercial litigation, employment litigation, as well as suing and defending governmental entities. He is Board Certified by the Texas Board of Legal Specialization in Personal Injury Trial Law and tries a wide range of cases involving breach of contract, tortious interference with business relations, fraud and business disparagement. His trial work has also resulted in successful outcomes in cases involving securities fraud and professional liability.

For more than 20 years, he has successfully defended employers from claims of sexual harassment, sex discrimination, race discrimination, as well as violation of the Americans with Disabilities Act, Age Discrimination in Employment Act, and Fair Labor Standards Act. He has successfully defended claims brought against governmental group risk pools, counties, a state university, cities and school districts. He has successfully brought claims against state agencies, including invalidation of contracts and has recovered large judgments for entities doing business with the state of Texas.

Representative Experience

- Obtained a summary judgment in federal court in Dallas on behalf of a news organization in a case where the plaintiff, a former employee, made claims for discrimination based on race and national origin under Title VII, violation of the Family Medical Leave Act, breach of contract and defamation.
- Obtained jury verdict in favor of employer on claims of race discrimination and retaliation.
- Represented court appointed receiver of foreign currency trading company in which over 600 investors lost more than \$30 million dollars. Served as lead counsel in various suits that resulted in total recoveries of over \$33 million dollars.
- Represented receiver and obtained \$8.5 million settlement from a national law firm for benefit of defrauded investors.
- Successfully defended county orders regarding development and sexually oriented businesses.

- Defended AISD in challenge to its assignment of top 10% designation in magnet school senior class.
- Successful representation of the National Newspaper Association in defending the constitutionality of electronic publishing provisions of the 1996 Federal Telecommunications Act.
- Successfully challenged legality of city of Dallas franchise ordinance applicability to telecommunications carrier.
- Successful representation of the National Newspaper Association in defending the constitutionality of electronic publishing provisions of the 1996 Federal Telecommunications Act.
- Obtained and defended on appeal multi-million dollar judgment based on common law fraud and usury.
- Successful representation of participating bank securing judgment that loan participation agreement transferred ownership interest in loan and collateral to participating banks and participant held an undivided ownership interest in foreclosed collateral.
- Obtained temporary injunction and successfully defended on appeal portions of injunction limiting protests at homebuilders' subdivisions.
- Obtained injunctive relief in cases involving non-compete clauses employment contracts.

Publications & Presentations

- Author, *Statutory Deadlines for Bringing Claims are Jurisdictional and can be Challenged by a Plea to the Jurisdiction*, State Bar of Texas Government Law Section Library (October 2020)
- Dealing With COVID-19 Induced Breaches of Contract (April 14, 2020)
- Legislative Update: Texas Public Information Act Recent Amendments (July, 10, 2019)
- Co-Presenter, Sovereign Immunity and Intellectual Property, State Bar of Texas Annual Meeting, State Bar of Texas, Austin, Texas (June 14, 2019)
- Presenter, *Why and How to Give Effective Evaluations*, Employment Law Initiatives ?— Now and Looking Ahead, McGinnis Lochridge, Austin, Texas (May 7, 2019)
- Author, *Sovereign Immunity and Waiver of Immunity Under Texas Tort Claims Act*, Baylor Law Review (August 11, 2017)
- Presenter, *Texas Tort Claims Act – Basics*, McAllen Roadshow, Texas Young Lawyers Association Government Law Section, McAllen, Texas (February 17, 2017)
- Author, *Sovereign Immunity and Waiver of Immunity Under Texas Tort Claims Act*, State Bar Advanced Government Law CLE (2017)
- Speaker, *Texas Tort Claim Act*, Texas Bar Association's Government Law Section Group El Paso Roadshow, El Paso, Texas (December 9, 2016)
- Partner Michael Shaunessy explains to KXAN how sovereign immunity protects governmental entities in the State of Texas. (August 8, 2016)
- FLSA Salary Test May Double Amid Boom in Lawsuits (June 30, 2015)
- Presenter, *Harry Potter and the Chamber of Secrets: A Litigator's Guide to the Latest Developments in Sovereign Immunity*, Page Keeton Civil Litigation Conference, UT Law CLE (October 25, 2007)
- Author, *Invoking Sovereign Immunity to Protect Public University Athletic Departments and Administrators*, Tex. Rev. of Entertainment and Sports Law, Vol. (2003)

- Author, *Sovereign Immunity*, Baylor Law Review, Vol. 53 (2001)
- Presenter, *Summary Judgment Practice, Suing and Defending Governmental Entities* Seminar, State Bar of Texas
- Presenter, *Liability Under the Tort Claims Act, Suing and Defending Governmental Entities* Seminar, State Bar of Texas

Professional Associations & Community Involvement

- Austin Bar Association
- American Board of Trial Advocates
- Center for Child Protection (Board of Directors 2003 to present), Executive Committee and Board Secretary 2005-2006, Fund Development Chair 2006)
- Women's Advocacy Project (Board of Directors 1994-1998)
- St. John Neumann Capital Campaign Committee

Professional Recognition

- Board Certified, Personal Injury Trial Law, Texas Board of Legal Specialization
- Texas Super Lawyers List, a Thomson Reuters service, Business Litigation, Civil Litigation Defense, Class Actions Torts (2003-2005)
- One of three finalists for the Texas Bar Foundation's 2007 Dan Price Award

Court Admissions

- Supreme Court of the United States of America
- United States Circuit Court of Appeals for the Fifth District
- United States District Court for the Eastern, Northern, Southern and Western Districts of Texas

Bar Admissions

- Texas

Education/Professional Background

- Southern Methodist University Dedman School of Law, J.D., 1987
- The University of Texas, B.A., 1984