

# John M. Lundin

John M. Lundin joined the firm in 2002 and became a partner in 2006. Mr. Lundin's practice focuses on the litigation of large, complex commercial disputes, often with a transnational component. He has represented clients in all aspects of complex commercial litigation, including business disputes involving contract, fraud and intellectual property claims; disputes over the control, ownership and breakup of businesses; disputes involving federal antitrust, racketeering and securities law claims; and representing creditors in bankruptcy proceedings.

Much of Mr. Lundin's work has been for buy-side clients in securities and finance-related disputes and for technology and biotech/pharmaceutical businesses. Although Mr. Lundin most often litigates in the Commercial Divisions of the New York State courts, he has represented clients in state and federal courts throughout the United States, as well as in AAA and FINRA arbitrations.

## **HIS SECURITIES AND FINANCE-RELATED REPRESENTATIONS HAVE INCLUDED:**

- Representing a German bank defrauded by US investment banks in connection with investments in residential mortgage-backed securities;
- Representing a German bank in breach of contract actions against the trustees of various residential mortgage-backed security trusts;
- Representing US investment funds in a breach of contract action against the trustee of various residential mortgage-backed security trusts;
- Representing US investment funds in disputes over the distribution of settlement funds relating to residential mortgage-backed security trusts;
- Representing a US investment fund in a trust instruction proceeding in Minnesota state court challenging a settlement of a residential mortgage-backed security put-back action;
- Representing a US investment fund seeking to intervene in a residential mortgage-backed security put-back action;
- Representing a US investor in an action against financial institutions regarding LIBOR-rigging;
- Representing a US investment fund in an action brought by the creditor of one of its borrowers;
- Representing an entrepreneur in a dispute arising from his sale of a foreign exchange trading business;
- Representing a European financial services company in a dispute regarding its purchase of a Mexican insurance company;
- Representing US and Canadian private investment funds in a dispute over the ownership and control of a biofuel producer;
- Representing Middle Eastern and European investors who were victimized by a global Ponzi scheme masquerading as an investment fund;
- Representing foreign investors in a bankruptcy adversary proceeding against the owner of an investment fund manager;
- Representing a member of a US LLC controlled by a British investor suing over the control of more than \$500 million in mortgages loans;
- Representing a US investment fund to protect its rights under a loan agreement in an action against one of its borrowers;
- Representing institutional investors accused of antitrust violations in connection with tax lien auctions;
- Representing a US investment fund in a breach of contract action brought by an entity seeking funding from it; and
- Representing a US investment fund bringing fraud and other claims against the founders of a financial services firm in which the hedge fund had invested.

## **HIS TECHNOLOGY, PHARMA AND BIOTECHNOLOGY-RELATED REPRESENTATIONS HAVE INCLUDED:**

- Representing a U.S. biotech company accused of stealing trade secrets from a competitor;
- Representing a sports statistics provider in a dispute with a major sports league;
- Representing a major US healthcare provider in a dispute with a SaaS vendor over a computer program;
- Representing a medical school in a dispute with an IT vendor;
- Representing a leading provider of IT solutions to retailers in a customer dispute regarding a SaaS license;
- Representing a beneficial owner of trademarks and other intellectual property in a dispute with an Australian industrial valve manufacturer over a license to that intellectual property;
- Representing a US internet portal operator in a contract dispute with a Canadian content provider;
- Representing a Bermudan telecommunications satellite company defrauded by its US corporate cash manager;
- Representing an Indian pharmaceutical company accused of stealing trade secrets from a US pharmaceutical company;
- Representing a US technology licensing company in a patent licensing dispute with a British chemical company;
- Representing a major US telecommunications company in contract and related disputes with various competitive local exchange carriers;
- Representing a computer diagnostic software seller in a class action lawsuit alleging fraudulent marketing of its software; and
- Representing a major internet advertising company in contract disputes with content providers.

## **OTHER KEY COMMERCIAL LITIGATION REPRESENTATIONS HAVE INCLUDED:**

- Representing a Brazilian commercial property and hotel developer in a contract dispute relating to a finder's fee;
- Representing a car dealer against efforts by a dominant market player to drive it out of the market;
- Representing a law firm accused of improprieties in connection with consumer debt collections;
- Representing a major New York art dealer in disputes over the ownership of artwork;
- Representing a New York construction company in a contract dispute with a developer; and
- Representing a major New York real estate developer in connection with a failed real estate deal.

## **TRANSACTIONAL REPRESENTATIONS HAVE INCLUDED:**

- Advising foreign investors on US real estate investments;

Mr. Lundin blogs on recent developments in the [Commercial Division](#) of the New York state courts and regarding [antitrust actions relating to the financial markets](#) and is a contributor to the firm's [Client Q & A](#) page. He has been a panelist at CLE and professional development presentations sponsored by the New York State Bar Association and the New York City Bar on topics relating to practice in the New York State Courts and, in particular, the Commercial Division.

Mr. Lundin has been appointed by the Chief Administrative Judge of the State Unified Court System to serve on the Supreme Court (Civil) Advisory Committee on E-Filing.

Mr. Lundin is an active member of the Association of the Bar of the City of New York, where he is a current member of the Committee on Litigation and a past member of the Committees on State Courts of Superior

Jurisdiction, Federal Courts, Alternative Dispute Resolution and Military Affairs and Justice. He also is a member of the Commercial Division sub-committee of the Commercial and Federal Litigation Section of the New York State Bar Association and the Federal Bar Council Inn of Court.

Mr. Lundin received his B.S. from Cameron University in 1984, with highest honors, and his J.D. from Columbia University Law School in 1997, where he was a Kent Scholar, winner of the Thomas E. Dewey Prize for best written brief in the 1996 Harlan Fiske Stone Moot Court Competition and Executive Editor of the Columbia Journal of Law and Social Problems. From 1974 to 1994, Mr. Lundin served in the United States Army as an enlisted person, noncommissioned officer and commissioned officer, retiring with the rank of Major. From 1997 to 1998, Mr. Lundin clerked for the Honorable John T. Noonan, Jr., of the United States Court of Appeals for the Ninth Circuit. Before becoming associated with the Firm in July 2002, Mr. Lundin was associated with Cravath, Swaine & Moore.



## CONTACT

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## EDUCATION

Columbia University Law School  
J.D., 1997, Kent Scholar, Thomas E. Dewey Prize, Columbia Journal of Law and Social Problems, Executive Editor  
Cameron University  
B.S., 1984, Highest Honors

## BAR ADMISSIONS

New York  
U.S. District Court for the Southern District of New York  
U.S. District Court for the Eastern District of New York  
U.S. Court of Appeals for the Federal Circuit  
U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit