



## THOMAS B. MASON

### OVERVIEW

Thomas B. Mason works almost exclusively in the areas of professional responsibility and legal ethics and he is the chair of Zuckerman Spaeder LLP's Legal Profession and Ethics Practice. Mr. Mason advises and represents attorneys and law firms on a variety of malpractice and ethics matters: conflicts of interest, confidentiality, disciplinary investigations and prosecutions, partner departures, and law firm breakups. He served on the District of Columbia Bar Rules of Professional Conduct Review Committee from 2002 to 2008; during that time, the committee re-wrote the DC Rules of Professional Conduct in light of the changes made by the American Bar Association's (ABA's) Ethics 2000 Commission. He also served on the DC Bar Legal Ethics Committee from 2006 to 2012, including three terms as chair from 2009 to 2012. He has spoken on ethics issues before sections of the American Bar Association, the DC Bar, the Association of Professional Responsibility Lawyers (APRL), and the Virginia State Bar, as well as at numerous other professional seminars. He has served as an expert in ethics and related matters.

Prior to private practice, Mr. Mason worked for the Federal Public Defender for the District of Maryland, where he represented clients in a wide variety of cases, including espionage, civil rights, mail and wire fraud, and controlled substance prosecutions. In 1987, Mr. Mason joined the District of Columbia Public Defender Service where he had an intensive criminal trial and appellate practice.

Mr. Mason has taught trial practice in a number of settings, including the National Institute of Trial Advocacy. He served as adjunct professor of law at the Columbus School of Law at Catholic University, American University's Washington College of Law, and Georgetown University Law School, where he currently teaches ethics and professional responsibility. He began his legal career as a judicial law clerk for the Hon. Frank Kaufman in U.S. District Court for the District of Maryland.

### Professional Highlights

- Mr. Mason is a three-term former chair of the DC Bar Legal Ethics Committee.
- Mr. Mason obtained a dismissal of malpractice claims against an AmLaw 100 law firm in 2011 in a multi-defendant action where the claims against the other defendants remain pending and are unlikely to be tried



### Partner

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### Practice Focus

American Indian Law  
Criminal Defense  
Legal Profession & Ethics

### Clerkships

Hon. Frank Kaufman, U.S. District Court, District of Maryland

### Education

Columbia Law School, J.D., 1983  
Yale University, B.A., cum laude, 1979

### Languages

French



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before 2013.

- Mr. Mason has handled dozens of disciplinary complaints and disqualification controversies, obtaining many outright dismissals of the former and frequently dissuading opposing counsel from even in filing motions to disqualify with respect to the latter.

### Honors

- *The Best Lawyers in America*
- AV® Peer Review Rated, Martindale-Hubbell

### EXPERIENCE

- Handled numerous disqualification matters where our rebuttal of the conflict of interest allegations persuaded opposing counsel not to file a motion to disqualify. Successfully defeated a motion to disqualify brought by one AmLaw 100 firm against another AmLaw firm in 2012.
- Litigated numerous malpractice cases, including malpractice at the appellate and the trial level. Obtained a dismissal of all counts at the motion to dismiss state on behalf of a client based on ripeness and damages issues in 2011.
- Represented various respondents in four separate bar disciplinary matters in which the presiding judge or court was the complaining party and obtained outright dismissals in each matter. Also obtained a dismissal in a bar matter in which a court had previously disqualified the client for a conflict of interest.

### NEWS

#### Publications

- Legal Polygamy: Ethical Considerations Attendant to Multiple Law Firm Affiliations  
*ABA/BNA Lawyers' Manual on Professional Conduct*  
January 30, 2013
- Hiring Government Lawyers: Tips for Law Firms in the "Leap Year" Market  
December 2012
- The Ethics of Lobbying under the District of Columbia Rules of Professional Conduct  
*American Bar Association Business Law Section*  
November 16, 2012
- Ethical Issues for Lawyers in D&O Representations  
*Criminal Justice*  
Winter 2011
- Directors and Officers Insurance: First Steps to Obtaining Client Coverage  
*Criminal Justice*  
Winter 2011
- When Should a University's In-House Counsel Retain His or Her Own Lawyer?  
June 28, 2010
- Ethics: Conflicts of Interests for Transactional Attorneys  
*ABA Commercial Law Newsletter*



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Fall 2007

### Appearances

- Multiple Affiliations: Can a Lawyer Be a Partner or Of Counsel to more than one Firm under the Applicable Ethics Rules?  
*Celesq AttorneysEd Center*  
December 17, 2013
- Contacts with Represented Persons: Ethical Considerations for Lawyers under ABA Model Rule 4.2  
*Celesq AttorneysEd Center*  
September 17, 2013
- Withdrawal from Client Representations: Ethical Considerations for All Attorneys  
*Celesq AttorneysEd Center*  
June 13, 2013
- The Ethics of Lobbying under the District of Columbia Rules of Professional Conduct  
*American Bar Association Business Law Section*  
November 16, 2012
- Procrastinators Rejoice! Ethics Seminar Series for Virginia CLE  
*Zuckerman Spaeder LLP*  
October 31, 2012
- The Ethics of Outsourcing E-Discovery  
*District of Columbia Bar*  
September 25, 2012
- Demystifying Conflicts of Interest: Dangers Attorneys Need to Know  
*National Constitution Center*  
August 7, 2012
- Tri-State Ethics Confusion: Differences Among the D.C., Maryland, and Virginia Rules  
*District of Columbia Bar*  
May 23, 2012
- Immigration Community Forum on Ethics  
*Maggio + Kattar*  
April 25, 2012
- Conflicts of Interest: Advanced Topics and Considerations  
*District of Columbia Bar*  
February 13, 2012
- Leaving Government Employment: Ethics Issues for Attorneys  
*District of Columbia Bar*  
January 11, 2012
- Ethics in Affordable Housing Transactions  
*American Bar Association*  
May 26, 2011



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- Immigration and Ethics of Immigration Law  
*Lawline.com*  
May 17, 2011
- Attorney Conflicts of Interest: Identifying and Resolving Ethical Pitfalls  
*Strafford*  
April 6, 2011
- Handling Client Confidences: What D.C. Lawyers Need to Know  
*District of Columbia Bar*  
March 22, 2011
- ZS Ethics Seminar: Confidentiality Obligations Under the Rules of Professional Conduct  
*Zuckerman Spaeder LLP*  
February 23, 2011
- ZS Ethics Seminar: Flat Fees after *In re Mance*  
*Zuckerman Spaeder LLP*  
October 14, 2010
- Flat Fees After *In re Mance*  
*District of Columbia Bar*  
September 2, 2010
- Ethical Issues in Immigration Law: Spotting the Issues and Practice Tips  
*District of Columbia Bar*  
August 24, 2010
- Attorney Conflicts of Interest: Identifying and Resolving Ethical Pitfalls—Strategies to Minimize the Risk of Ethics Violations and Malpractice Claims  
*Strafford*  
June 29, 2010
- Case Studies in Ethical Dilemmas: It Could Happen To You  
*National Association of College and University Attorneys*  
June 28, 2010
- Hot Topics in Ethics for Immigration Practitioners  
*Maggio + Kattar*  
May 25, 2010
- Conflicts of Interest: Uncovering the Issues and Practical Solutions  
*District of Columbia Bar*  
May 24, 2010
- Ethics and Transactional Matters: Avoiding Conflicts of Interest  
*Lawline.com*  
March 23, 2010
- Trademark Ethics: Conflicts of Interest and Other Ethical Issues  
*Intellectual Property Owners Association*  
September 15, 2009



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- Ethical Dilemmas for Immigration Practitioners  
*Maggio + Kattar*  
May 28, 2009
- ZS Ethics Seminar: Departing Partners: Fiduciary Duties and Ethics Issues  
*Zuckerman Spaeder LLP*  
May 20, 2009
- ZS Ethics Seminar: Ethics and Pro Bono Representations  
*Zuckerman Spaeder LLP*  
April 30, 2009
- ZS Ethics Seminar: The Revolving Door and Former Government Attorneys: An Ethics Primer for Law Firms Hiring Government Laterals  
*Zuckerman Spaeder LLP*  
February 26, 2009
- Ethical Considerations for Counsel and Fiduciary Obligations Between Partners  
*Law Seminars International*  
November 18, 2008
- ZS Ethics Seminar: Ethics and Transactional Matters  
*Zuckerman Spaeder LLP*  
October 30, 2008
- Qualcomm v. Broadcom Corp: Burdens and Risks for Outside Counsel  
*Virginia State Bar Intellectual Property Section*  
September 27, 2008
- ZS Ethics Seminar: Engagement Letters--Why, When, and What  
*Zuckerman Spaeder LLP*  
May 23, 2008
- ZS Ethics Seminar: Demystifying Conflicts--Trust Accounts  
*Zuckerman Spaeder LLP*  
May 21, 2008
- Do the Right Thing, Inside and Out: Ethics for Transactional Attorneys  
*American Bar Association*  
March 15, 2007

### AFFILIATIONS

#### Bar Admissions

- District of Columbia
- Maryland

#### Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, District of Columbia Circuit



## THOMAS B. MASON

- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland

### **Academic Appointments**

Adjunct Faculty, Georgetown University School of Law

### **Professional Affiliations**

- Former Chair (2009–2012) and Member (2006–2012), DC Bar Legal Ethics Committee
- Former Member (2002–2008), DC Bar Rules of Professional Conduct Review Committee