



W Mason

Partner

West Palm Beach, FL
Tel: 561.804.4432
Fax: 561.835.9602

wmason@foxrothschild.com

W is an experienced trial attorney who handles complex business matters, real estate litigation and restrictive covenant disputes. W is also a certified specialist in construction law by the Florida Bar. He regularly handles complex construction litigation and transactional matters

Business Litigation

An accomplished business litigator, W represents both plaintiffs and defendants in state and federal courts in employment disputes involving restrictive covenants, shareholder disputes, contract disputes, banking litigation, fraud claims, Uniform Commercial Code (UCC) claims and other commercial disputes. Additionally, W has experience representing business clients in relation to defamation claims and violations of the Florida Deceptive and Unfair Trade Practices Act.

Representative Matters:

- Successfully represented national banking institution at trial by obtaining a complete defense verdict on numerous UCC claims.
- Obtained a complete defense verdict acting as second chair in a JAMS arbitration involving numerous claims alleged against health care provider.
- Obtained summary judgment in favor of a ship owner on multi-million dollar indemnification and subrogation claims brought by numerous insurance companies relating to payments made for an award in a Jones Act personal injury case.

Construction Law

W has devoted his practice to construction litigation and risk management counseling, including the representation of developers, contractors, and subcontractors in construction defect, contract, inland marine (builder's risk coverage and litigation) and lien enforcement claims, payment and performance bond sureties in public and private bond and subrogation claims and commercial general liability and professional liability insurers in coverage counseling and litigation. W has also represented design professionals in liability claims. He has extensive experience in litigating claims related to A.I.A. contract documents and insurance coverage issues. W has litigated construction disputes in federal, state, and administrative fora as well as arbitration.

In addition to litigating construction related cases, W handles all types of construction transactions and advises clients in connection with construction contract issues. His experience includes the preparation, negotiation, awarding, closing,



and administration of development agreements, construction contracts, design-build contracts, construction management agreements, purchase and sale contracts, option agreements, easements, leases, operating and maintenance agreements, and project financing facilities.

Representative Litigation Matters:

- Served as lead trial attorney for a Florida general contractor in a breach of contract dispute at trial where he obtained a complete defense verdict in litigation pertaining to two municipal construction projects impacted by the American Recovery and Reinvestment Act of 2009.
- Negotiated a nominal settlement amount for a land planning and landscape architecture firm on indemnification claims brought by national homebuilder and developer relating to placement of recreational facilities in a large PUD.
- Successfully negotiated the resolution of a dispute on behalf of a Palm Beach Island condominium association involving claims related to a multi-million dollar building restoration project.

Representative Transactional Matters

- Advised large national homebuilder regarding Florida construction licensure and regulatory issues related to a substantial merger with competitor.
- Negotiated and drafted contract documents on behalf of a contractor with developer for the construction of a condominium building in Vero Beach, Florida.

Real Estate Litigation

W represents both institutional lenders and individuals in real estate disputes including mortgage foreclosures and landlord-tenant matters. W has significant experience in litigating claims and defenses arising under the Truth in Lending Act, Real Estate Settlement Procedures Act, Fair Credit Reporting Act, Equal Credit Opportunity Act, Fair Housing Act and Fair Debt Collection Practices Act. W has successfully argued summary judgment motions and obtained trial verdicts for clients in a variety of real estate matters.

Representative Matters:

- Served as lead trial attorney on behalf of an individual in a dispute relating to the purchase of numerous investment properties.
- Successfully obtained numerous final judgments of foreclosure in contested residential foreclosure actions.

Before Fox Rothschild

Prior to joining Fox, W was an associate at a Florida full-service law firm where he counseled a wide range of clients in commercial, construction and maritime related matters. During law school, he served as managing editor of the *Tulane Journal of International and Comparative Law*. Before practicing law, W served as creative director for a prominent event management company where he developed and implemented marketing campaigns for international trade events for the flooring industry.

Beyond Fox Rothschild

W is dedicated to bar association service and was recently elected to the Board of Directors of the North County Section of the Palm Beach County Bar Association. Additionally, the Palm Beach County Board of Commissioners appointed W to a two year term on the Groundwater and Natural Resources Protection Board. W is an active member



of the Board of Trustees of the Craig S. Barnard American Inn of Court where he is presently serving as the programming chair. Additionally, he is a member of the Federal Bar Association, Associated Builders and Contractors and the Young Professionals of the Palm Beaches, Chamber of Commerce of the Palm Beaches.

Honors & Awards

- Named a "Top Lawyer" in Construction Law by Palm Beach Illustrated (2019)
- Recognized as an Attorney On The Rise, *Daily Business Review*, (2018)

Practice Areas

- Litigation
- Construction
- Financial Services Industry

Bar Admissions

- Florida

Court Admissions

- Florida State Court
- U.S. Supreme Court
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Southern District of Florida
- U.S. District Court, Middle District of Florida

Education

- Tulane University Law School (J.D., 2008)
- Florida Atlantic University (B.A., 2006)

Memberships

- Leadership Palm Beach County Engage program
- Palm Beach County Bar Association (North County Section, Board of Directors; Judicial Relations Committee; Bench Bar Conference - Commercial Litigation Section Co-Chair)
- Craig S. Barnard American Inn of Court LIV (Membership Co-chair; Board of Trustees; Foundation Liaison; Programming Co-Chair)
- Florida Bar Association (Board Certified in Construction Law; Admiralty Committee; Real Property, Probate and Trust Law Section)
- Federal Bar Association, Palm Beach Chapter (Young Lawyers Division Co-Chair)
- Florida Association for Women Lawyers
- Associated Builders and Contractors
- Young Professionals of the Palm Beaches, Chamber of Commerce of the Palm Beaches
- Young Friends of the Kravis Center
- Palm Beach County Hispanic Bar Association



Fox Rothschild LLP
ATTORNEYS AT LAW

- F. Malcolm Cunningham, Sr. Bar Association

Board of Directors

- Friends of MacArthur Beach State Park