



## THOMAS F. MAFFEI

OF COUNSEL

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Thomas F. Maffei is Of Counsel in the firm's Litigation Department and an experienced mediator.

Tom has extensive experience in civil litigation, including legal malpractice cases, bar disciplinary matters, business litigation cases, insurance defense and coverage matters and construction cases. He often acts as a mediator or arbitrator and has been retained as an expert witness on civil litigation and legal ethics issues. Tom is a Fellow of the American College of Trial lawyers, American Arbitration Association, and is listed in Top 100 New England *Super Lawyers* and *The Best Lawyers in America*.

Tom has handled more than 100 mediations over the past 15 years in cases involving business and commercial disputes, partnership disputes, closely-held company disputes, professional liability cases involving architects, accountants, and lawyers, and employment matters.

Tom teaches professional responsibility at Boston College Law School and Suffolk Law School. He has also lectured and written extensively on a variety of legal topics concerning litigation, trial practice, professional ethics and lawyer discipline issues.

Prior to joining the firm, Tom practiced law at his own firm, Griesinger, Tighe & Maffei, LLP. Prior to June 2000, Tom spent almost thirty years at one of Boston's large law firms, where he was a partner in litigation.

Following his graduation from Boston College Law School in 1971, Tom served as law clerk to the Honorable Edward F. Hennessy, Chief Justice of the Supreme Judicial Court of Massachusetts.

### PRACTICE AREAS

Alternative Dispute  
Resolution

Business Litigation

Litigation

Professional Liability

### INDUSTRIES

Legal Services

### EDUCATION

Boston College Law School,  
J.D., cum laude

Boston College, B.A.

### BAR ADMISSIONS

Massachusetts

Supreme Court of the U.S.

### EXPERIENCE

- Defense counsel to law firms and lawyers in professional liability cases, partnership disputes and disciplinary matters before the Board of Bar Overseers.
- Defense counsel to one of the major design professionals in the Big Dig ceiling collapse case.
- Counsel to one of New England's major teaching hospitals in various litigation matters.
- Handled appeals in a variety of cases, including cases involving probate attorneys fees, bar discipline matters, chapter 176D concerning the Massachusetts unfair claims settlement statute, the validity of an option to purchase under the rule against perpetuities, the ownership of a Boston office building and attorneys fees in class actions.
- Mediated and arbitrated more than 100 cases of all types, including business and commercial disputes, intellectual property matters (except for patent cases), partnership disputes, employment matters and disputes involving law firms
- Numerous disputes involving business, construction, close corporation and construction disputes.
- Acted as expert defense witness in action against major Boston law firm on conflicts of interest.

## ACCOLADES

- Listed in *The Best Lawyers in America*®
- American College of Trial Lawyers, Fellow
- Massachusetts Super Lawyer
- Top 100 New England *Super Lawyers*
- Martindale-Hubbell Peer Review Rated: A/V Preeminent®

## SPEAKING ENGAGEMENTS

- “Bad Faith Claims Handling – G.L. c. 93A and G.L. c. 176D ,” *Massachusetts Liability Insurance Manual*, chap. 13, 3<sup>rd</sup> edition 2017 with 2020 supplement, Massachusetts Continuing Legal Education, Inc., May 5, 2020
- “Stormy and the lawyers: Ethics 101,” *Massachusetts Lawyers Weekly*, April 16, 2018
- “Four Factors for lawyers seeking the right mediator ,” *Massachusetts Lawyers Weekly*, January 15, 2018
- “Practicing with Professionalism,” speaker, Massachusetts Bar Association CLE, January 2017
- “Is the ‘hot potato doctrine’ now applicable in Massachusetts ?” *Massachusetts Lawyers Weekly*, July 2016
- “Important Professional Responsibility Developments for Patent Lawyers and Patent Litigators,” *Intellectual Property & Technology Law Journal*, April 2016
- “Litigation: Is There a Better Way Than Mutually Assured Destruction?” speaker, SBANE, March 2016
- “Navigating Common Insurance Issues in Commercial Litigation,” panel member, Boston Bar Association, February 2016
- “Problem Clients: How to Spot Them and What to Do When You Have One,” panel member, Boston Bar Association, February 2016
- “Practicing with Professionalism,” speaker, Massachusetts Bar Association, January 2016
- “Is it time to require arbitration of fee disputes”, *Massachusetts Lawyers Weekly*, February 2014
- Faculty, Mediation Training Course, MCLE, Inc., 2011, 2012
- Chair, What To Do When You’ve Made an Estate Planning Mistake, MCLE, Inc., March 2012
- Panelist, Setting Up a Law Practice, Suffolk law School, March 2012
- Contributor, “Massachusetts Liability Insurance Manual,” MCLE, Inc. 2011
- Panelist, “Applied Legal and Business Ethics,” Business Deals/Business Skills, Center for CLE & Academic Conferences, Suffolk Law School, March 2010
- “Rule 1.13: Legal Ethics in the Company Setting,” Center for Advanced Studies, Suffolk Law School, March 18, 2010
- “Lawyer Comings and Goings,” *Massachusetts Lawyers Weekly*, July 13, 2009
- “Breaking Up Is Hard To Do (Correctly),” *Massachusetts Lawyers Weekly*, February 2005
- Faculty, Counting Down To Trial, MCLE, Inc. 2003, 2004 and 2011.
- “The Uncertain Lessons of the Andersen Conviction,” *Boston Business Journal*, July 19 – 25, 2002

- “Attorney/Client Privilege: Where Should We Draw the Line? Permitting Lawyers To Prevent Physical and Economic Harm,” Boston Bar Journal (January/February 2002)
- “Bad Faith Claims Handling – G.L. c. 93A and G.L. c. 176D,” Massachusetts Liability Insurance Manual (MCLE 2000)
- “Latest Developments In Damage Calculations Under Chapters 93A and 176D,” Unfair Insurance Settlement Practices, Massachusetts Continuing Legal Education, Inc. (1997)

## MEMBERSHIPS

- American Arbitration Association
  - Member
- American Bar Association
  - Member
- American College of Trial Lawyers
  - Fellow
  - Massachusetts State Committee, 2013-2014
  - Legal Ethics and Professionalism Committee, 2013-2014
- MCLE, Inc.
  - Trustee
- Social Law Library
  - Trustee
- Frank J. Murray Inn of Court
  - Board Member
- Massachusetts Bar Foundation
  - Life Fellow
- Flasher Judicial Institute
  - Trustee
- Massachusetts Bar Association
  - Past President, 1988-1989
- Massachusetts Board of Bar Overseers
  - Member, 1984-1988

## COMMUNITY INVOLVEMENT

- Boston Latin School Association
  - Past President
- City of Melrose Park Commission
  - Former Member
- City of Melrose, Committee To Study Municipal Salaries
  - Former Chair
- City of Melrose, Melrose Charter Advisory Committee

- Former Chair
- Melrose Family YMCA
  - Former Board Member
- Mt. Hood Park Association
  - Past President