



## David S. Mackey

he/him/his

### PARTNER

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#### Overview

Dave is the former General Counsel (2001-2013) and Interim CEO (2011-2012) at the Massachusetts Port Authority, Chief of the Civil Division and then First Assistant U.S. Attorney at the U.S. Attorney's Office in Boston (1994-2001), and Chair of the Board of Bar Overseers from 2010 to 2013. Private and governmental clients turn to Dave for representation in litigation, regulatory and administrative matters.

Dave focuses his work in these four areas:

- **Litigation:** Dave represents clients in high-profile matters. Recent examples include success in the Supreme Judicial Court defending on behalf of the Massachusetts Port Authority a preliminary injunction barring car-sharing company Turo, Inc. from operating at Logan Airport, the successful defense of the Massachusetts Gaming Commission in multiple lawsuits brought to challenge the Commission's casino licensing decisions, the successful defense of the MBTA in a consumer class action seeking damages for storm-related disruptions in commuter rail service, and successful representation of the Martha's Vineyard Airport Commission in a sovereignty dispute with Dukes County over the Airport.
- **Airports:** Dave represents airports of all sizes in litigation and regulatory matters, including in federal grant compliance, revenue use, leasing practices, noise regulation, and other issues.
- **Internal Investigations:** as General Counsel and Interim CEO of Massport, Dave addressed myriad issues relating to employment issues and regulatory compliance, including criminal and workplace misconduct. Dave's eight years in the U.S. Attorney's Office, including his tenure as the First Assistant U.S. Attorney, gave him invaluable experience in investigations and law enforcement, which has served him well in advising clients in sensitive workplace matters.
- **Public Law:** Dave frequently advises his governmental clients on issues related to ethics, conflicts of interest, the Public Records Act, the Open Meeting Law, as well as complex internal governance issues.
- **Professional Responsibility:** Based on his experience as a former member and Chair of the Board of Bar Overseers, Dave frequently represents attorney clients, and has served as an expert witness, in legal ethics and professional discipline matters.

#### PRACTICE AREAS

Litigation  
White Collar Defense &  
Government Enforcement  
Airports  
Internal Investigations  
Public Law  
Insurance

#### CREDENTIALS

##### Education

Harvard Law School, J.D. 1983 *cum laude*  
Amherst College, B.A. 1979 *summa cum laude*

##### Admissions

Massachusetts  
U.S. Court of Appeals, First Circuit  
U.S. District Court, District of  
Massachusetts

##### Clerkship

Honorable Chief Justice Edward F.  
Hennessey, Massachusetts  
Supreme Judicial Court

##### Recognitions

*The Best Lawyers in America*®,  
Commercial Litigation, 2018 -  
2023

*The Best Lawyers in America*®,  
Appellate Practice, 2021 - 2023

*The Best Lawyers in America*®,  
Litigation - Municipal, 2021 -2023

*The Best Lawyers in America*®,  
Administrative/Regulatory Law,  
2022-2023

*Massachusetts Super Lawyers*,  
2018-2021