

Mason N. Floyd

Member

Mason N. Floyd is a Member in the Litigation Practice Group in Clark Hill's Chicago office. Mason has extensive experience in both state and federal courts in complex civil and criminal litigation matters. He has earned significant victories for his clients in U.S. District Courts across the country, the U.S. Court of Appeals for the Seventh Circuit and Illinois trial courts. He regularly handles matters seeking temporary restraining orders and injunctive relief. Mason has substantial experience litigating non-compete agreements and restrictive covenants.

False Claims Act Matters

Mason's recent work includes defending healthcare providers, medical billing companies and pharmacy owners in False Claims Act litigation. He recently obtained complete dismissal for a group of clients in District Court and successfully argued and won affirmation by a three judge panel at the Seventh Circuit.

White Collar Criminal Defense and Counseling

Mason also represents individuals and entities in federal criminal investigations and prosecutions involving various federal and state agencies including the Department of Justice (DOJ), Internal Revenue Service (IRS), Securities and Exchange Commission (SEC), Federal Bureau of Investigation (FBI), Federal Deposit Insurance Corporation (FDIC) and Health and Human Services (HHS), among others. Mason has represented individual and corporate defendants facing federal criminal prosecution arising from allegations of wire and mail fraud, tax fraud, insider trading, healthcare fraud, environmental crimes, mortgage fraud, and conspiracy.

He has extensive experience with SEC investigations and enforcement actions. Mason routinely counsels individuals and companies subject to SEC subpoenas and investigations concerning alleged violations of securities laws with respect to a wide variety of financial transactions. His recent representations include successful advocacy for his client in a securities fraud action before an SEC panel including the Deputy Director of Enforcement; successful negotiation and resolution of an insider trading investigation; avoidance of enforcement actions on behalf of multiple entities in relation to EB-5 investments; and ongoing representation of an individual in an SEC action alleging an investment fraud scheme involving millions of dollars.

On behalf of individuals, Mason has vast experience counseling sales executives of pharmaceutical companies charged with violations of the Medicare Anti-Kickback laws, as well as physicians and office managers in health care fraud investigations. He has represented multiple foreign nationals in major U.S. and foreign antitrust investigations. Mason helped lead the defense of an individual in an investigation of international racketeering conspiracy and commercial bribery involving over \$18.5 million in alleged bribes to foreign government officials. He has also represented individuals in matters alleging criminal violations of the Clean Water Act and related environmental statutes.

Cybersecurity Litigation

Mason has defended a variety of clients in disputes related to data breaches, privacy violations, technology contracts, violations of the Computer Fraud and Abuse Act and Stored Communications Act, amongst other statutory violations. He has litigated matters, including class actions, in multiple jurisdictions in both state and federal courts on data breaches. Recently, Mason successfully defended a records management company in a data breach matter seeking over \$5,000,000 in damages.

Financial Institutions Representation

Mason regularly represents and counsels an Illinois bank on numerous matters involving issues related to the Uniform Commercial Code, Bank Secrecy Act, Anti-Money Laundering and Compliance-related issues. He also defended two traders of a national banking institution in a securities fraud action involving more than \$500 million in damages.

Complex Commercial Litigation Counseling and Advocacy

In other complex commercial litigation matters, Mason has obtained complete dismissal for a corporate client in a suit alleging violations of non-compete and non-solicit restrictive covenants. He has represented many client companies in employment discrimination and retaliation lawsuits. Mason obtained a temporary restraining order and



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Education

J.D., Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, 2004
B.A., DePauw University, Greencastle, Indiana, 2001

State Bar Licenses

Illinois

Court Admissions

U.S. District Ct., N.D. of Illinois
U.S. District Ct., N.D. of Illinois Trial Bar
U.S. Tax Court
U.S. Court of Appeals, 7th Circuit

permanent injunctive relief against three former executives who misappropriated patented technology from a major corporation and started a competing business in China.

Distinctions and Honors

Mason has been recognized by Illinois Super Lawyers as a Rising Star in White Collar Criminal Defense Litigation since 2014, and has been named an Emerging Lawyer by Leading Lawyers in Commercial Litigation since 2015.

Leadership Roles

As the Member in Charge of recruiting for the Chicago office, Mason works closely with Clark Hill's firm leadership to identify, evaluate, and hire attorneys across all practice groups. He is intently focused on finding the best talent, and ensuring that those individuals have the appropriate mentoring, skills, and professional development opportunities to grow and make their careers at the firm.

Since 2014 Mason, has served on the Development Board of the Kohl Children's Museum of Greater Chicago. The Development Board is committed to raising money to broaden the Museum's base of support through fundraising and events and raising awareness of the Museum's exhibits and outreach programs through corporate and business networking in Chicagoland.

Practices, Industries & Services

Cybersecurity, Data Protection & Privacy
Litigation
White Collar Criminal Defense

Areas of Emphasis

Avoidance of Indictments
Business Litigation
Commercial Litigation
Federal and State Tax Controversy
Grand Jury Investigations

Memberships

- American Bar Association, Section on Litigation
- Federal Bar Association, Chicago Chapter
- Kohl Children's Museum of Greater Chicago, Board of Governors, 2014 - present
- Big Brothers Big Sisters of Metro Chicago, 2005-2007

Presentations

- Presenter, "Trial Advocacy for Civil Litigators – Cross Examination: Rules of the Game," Illinois Institute for Continuing Legal Education, October 2019
- Presenter, "Practical Applications: Part II – Foundations in the Digital Age," Illinois Institute for Continuing Legal Education