

Thomas J. Carey, Jr.

Attorney
Boston

Biography

Tom Carey is active across many of the firm's practice areas, having handled numerous civil and criminal appeals in state and federal courts in more than four decades of service as an appellate advocate.

He is acquainted with issues arising out of virtually every possible sector of commerce and industry, successfully briefing and arguing cases on appeal to the Massachusetts Supreme Judicial Court, the Massachusetts Appeals Court, and the U.S. Court of Appeals for the First Circuit.

Since success on appeal depends on identifying and preserving legal issues at the trial level, his extensive legal knowledge and analytical skills are available to the firm and its clients from the earliest stages of a case until the last appeal is exhausted.

He has briefed and argued appellate matters involving substantive legal issues related to many different legal disciplines, including but not limited to administrative law, banking and finance, civil rights and constitutional law, and corporate/securities matters. Additional issues include employment, governmental enforcement, health care, and intellectual property matters.

Tom is passionate about serving others, not only as an advocate for his clients, but as a teacher and a civic volunteer. Previously, he spent many years as an independent appellate advocate, a faculty member at Boston College Law School, and a teacher at Suffolk University Law School. As a professor, he mastered



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Practices

Litigation Services

Administrative and Public Law

Employment

Commercial

Commercial Litigation

Investigations, White Collar, and
Fraud

Areas of focus

Appellate and Supreme Court
Litigation

Alternative Dispute Resolution

Bribery and Corruption

Regular Contracts and Business
Issues

many different subjects, teaching courses in administrative law, agency law, civil rights litigation, commercial law, constitutional law, equity, federal courts, and torts.

Tom also served as the appellate attorney for the Major Violators Division of the Suffolk County District Attorney's Office, prosecuting many violent criminals and recidivist offenders.

Representative experience

Briefed in Supreme Judicial Court of Massachusetts (SJC) a case of first impression on scope of psychotherapist-patient privilege in pain management practice.*

Briefed and argued successfully in SJC case establishing that arbitration of 93A claim arising in interstate commerce cannot be stayed pending jury trial proceedings.*

Briefed and argued successfully issue of first impression in SJC that high-level executive's firing did not justify forfeiture of his vested stock.*

Established at SJC the right of criminal defendant to submit in camera and ex parte affidavit to disclose confidential government informant's identity.*

Won an appeal to the SJC in a 4-3 vote on a controversial case involving zoning and non-conforming use issues pertinent to dog kennel operations.*

Won an appeal to the First Circuit in case involving applicability of Dram Shop liability to military base private club.*

Oversaw work of student advocates who briefed and argued real-life cases in my Appellate Advocacy Seminar at Boston College Law School.*

Successfully briefed a case before the SJC that set the legal standard for "brain death" in homicide case in Massachusetts.*

Competition Compliance
False Claims Act and Qui Tam

Education and admissions

Education

LL.M., Harvard Law School, 1967

J.D., Boston College Law School,
Order of the Coif, 1965

A.B., Boston College, 1962

Memberships

American Bar Association: Council of Appellate Lawyers, Litigation Section, Appellate Practice Committee

Boston Bar Association: Litigation Section

Plymouth County Bar Association

Sustaining Member, Massachusetts Bar Association: Civil Litigation Section, Criminal Justice Section, Judicial Administration Section

Chair, MBA Appellate Courts Bench-Bar Committee

Chair, MBA Amicus Curiae Committee

Associate Editor, Massachusetts Law Review

Bar admissions and qualifications

Massachusetts

Court admissions

Briefed an appeal in a high-profile murder case that set the standard for use of peremptory challenges arguably or demonstrably related to race.*

Briefed and argued the constitutionality of the Massachusetts grandparents' visitation statute.*

In Supreme Judicial Court of Massachusetts (SJC), won case establishing first amendment protection covers synagogue's decisions in hiring and firing teachers.*

Amicus brief advocacy on behalf of Mass. Academy of Trial Attorneys, abolishing "accumulation of snow" rule in favor of negligence standard.*

*Matter handled prior to joining Hogan Lovells.

Awards and rankings

- Louis D. Brandeis Life Fellow, *Massachusetts Bar Foundation*
- Citizen of the Year, *Hingham Journal*, 1998
- Special Service Award, Law Day 2016, *Boston College Law School Alumni Association*, 2016

U.S. Supreme Court

Supreme Judicial Court of
Massachusetts

Massachusetts Appeals Court

Massachusetts Trial Court

U.S. District Court, District of
Massachusetts

U.S. Court of Appeals, First Circuit
