

Partner

Mark D. Davis

+1 202 730 1336

mdavis@hwglaw.com



PRACTICES

Litigation & Investigations

Telecom

Legal Ethics and Malpractice

Issues & Appeals

Disciplinary Actions

Outside Ethics Counsel

Lawyer Moves + Conflicts Investigations

Law Firm Management

Litigation Finance

Bid Protests and Procurement Litigation

EDUCATION

- University of Chicago Law School, J.D., *cum laude*
- Princeton University, A.B., *summa cum laude*

ADMISSIONS

District of Columbia

Maryland

United States Court of Appeals for the District of Columbia Circuit

United States Court of Appeals for the Fourth Circuit

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Eighth Circuit

United States Court of Appeals for the Ninth Circuit

United States District Court for the District of Columbia

United States District Court for the District of Maryland

Mark Daniel Davis is a partner at HWG , where his practice includes a wide range of litigation and telecommunications matters.

Civil Litigation

Mark represents clients at all stages of civil litigation including complex federal and state trial-level proceedings, and in arbitrations. He regularly authors briefs before the U.S. Supreme Court and the federal courts of appeals, and has worked on appeals involving a wide range of issues- including administrative law, federal pre-emption, bankruptcy, environmental law, sovereign immunity, the First Amendment, and the Religious Freedom Restoration Act, among others.

Some of his noteworthy representations include:

- Successfully represented a telecommunications company in the first major federal abstention case in the U.S. Supreme Court in more than twenty years, which resulted in a 9-0 decision in our client's favor.
- Obtained dismissal of a disappointed-bidder lawsuit that sought to enjoin a state agency from awarding a government contract to our client.
- Represented a provider of Telecommunications Relay Service in D.C. Circuit appeal of ratemaking decision by the FCC.
- Successfully challenged a perpetual exclusive video access arrangement under a 2007 Order of the FCC; defended that outcome on appeal in the first appellate case to affirm that courts could strike down easements under that order.

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- Represented a government contractor in a ten-day arbitration involving alleged breach of a \$37 million teaming agreement.

Telecommunications

As a telecommunications lawyer, Mark represents clients both in the federal courts and before the FCC. His practice has touched on a wide variety of issues, including special access, network neutrality, local number portability, wireless roaming, telecommunications relay service, and the regulatory treatment of Voice over Internet Protocol (VoIP).

Mark's experience includes:

- Advising companies on compliance with a wide variety of federal telecommunications, privacy, and consumer-protection regulations; assisting companies with developing compliance policies.
- Drafting comments in a wide variety of rulemakings and other proceedings before the Federal Communications Commission.
- Representing companies in license-transfer and merger proceedings before the FCC.

Antitrust and Competition Policy

Mark has a particular interest in antitrust issues and has advised clients on the antitrust implications of standard setting, resale price maintenance, vertical integration, tying, and loyalty discounts. Before joining the firm, he was a federal prosecutor with the U.S. Department of Justice, Antitrust Division, where he investigated and prosecuted white-collar criminal antitrust and fraud cases.

Admitted only in the following states: the District of Columbia, Maryland, Illinois, and Indiana.

RECOGNITION

- Capital Pro Bono Honor Roll (2020)