

Mason P. Hester



Shareholder [Houston](#)
700 Milam Street, Suite 800
Houston, Texas 77002-2806
O: 713.222.1470 D: 713.222.4036
mhester@munsch.com

Education

J.D. from The University of Texas School of Law with honors

- *The Review of Litigation* (Articles Editor)

B.A. from The University of Texas at Austin with honors

Bar Admissions

Texas

United States District Court for the Southern and Western Districts of Texas

Related Practices

Litigation

Arbitration

Construction Litigation

Related Industries

Construction

Real Estate

Restaurants

Achievements

Houstonia Magazine – Top Lawyer, Construction (2021-

Overview

Mason's practice focuses on construction-related legal matters such as construction litigation, arbitration and transactions. He represents design professionals, owners, general contractors, subcontractors and suppliers in a variety of construction transactions and disputes.

He has drafted and negotiated multiple labor and material subcontracts worth \$900 MM in EPC construction projects. Mason previously served as Director at Coats Rose law firm in Houston, Texas. He graduated with honors from The University of Texas School of Law, and received his undergraduate degree from The University of Texas at Austin, where he graduated with Special Honors in History and Liberal Arts Honors and was awarded an Undergraduate Research Fellowship Grant.

In 2016, Mason was among the first class of Texas attorneys to achieve Board Certification in Construction Law by the Texas Board of Legal Specialization. In 2013, he was one of only three Texas attorneys elected by their peers to a three year term on the statewide Governing Council for the State Bar of Texas Construction Law Section, and served on the Council through 2016. Mason has also been consistently named among the roughly 2.5 percent of all Texas attorneys to the Texas Super Lawyers Rising Stars list by *Thomson Reuters* since 2014. He also previously served as statewide Chair of the Young Lawyers Committee for the State Bar of Texas Construction Law Section. The State Bar of Texas and local bar chapters have frequently asked Mason to speak and publish articles concerning a wide range of construction law issues.

In addition to being very active in the legal community, Mason is also involved in various civic activities, including

2023)

Thomson Reuters – Texas Super Lawyers (2019-2023);
Texas Rising Stars (2014-2017)

Woodward/White, Inc. – Best Lawyers in America,
Construction Law (2019-2024)

Race for the Cure and providing pro bono legal services to
Texas veterans.

Memberships

Associated General Contractors

State Bar of Texas, Construction Law (Governing Council)
and Insurance Law Sections

Houston Bar Association, Construction Law Section
(Chair-Elect, 2023-2024)

Experience

Construction Contracts

Drafted and negotiated multiple labor and material subcontracts for a \$900 MM EPC construction project.

University Construction Project

Won fraud judgment and more than \$500,000 in net payments to the client as first chair in trial for a case relating to a university construction project.

Construction Contracts

Drafted and negotiated a \$6 MM prime contract for a federal building construction project.

Construction Litigation

Won a \$100,000 contested summary judgment on behalf of a subcontractor in a payment dispute.

Construction Contracts

Drafted and negotiated a \$2 MM prime contract for the exterior renovation of a downtown high rise.

Newsroom

Speech: The Contractual Right to Offset Money Owed on Other Projects: I Can Do That ... Right?

Article: Contractual Right to Offset Money Owed on Other Projects: I Can Do That ... Right?

Press Release: 14 Munsch Hardt Attorneys Recognized in 2023 Texas Super Lawyers® Directory

Press Release: 'Best Lawyers in America®' Names 54 Munsch Hardt Attorneys to its 2024 List and Two as 'Lawyers of the Year'

Press Release: Mason Hester to Serve as Chair-Elect of Houston Bar Association Construction Law Section

Article: Texas Construction Statute Of Repose Leaves Open Questions

Article: Construction Attorneys Featured in State Bar Publication

Press Release: 2022 Texas Super Lawyers® Recognizes 13 Munsch Hardt Attorneys

Press Release: Munsch Hardt Attorneys Honored as 2023 'Best Lawyers in America®,' 'Ones to Watch', and 'Lawyer of the Year'

Article: Misconceptions, Potential Traps, and Practice Tips for the 2021 Changes to the Texas Lien Laws

Article: Construction Associates Featured in State Bar Publication

Speech: Residential Construction – A Holistic Approach

Press Release: Twelve Munsch Hardt Attorneys Named to 2021 Texas Super Lawyers List

Press Release: Munsch Hardt Attorneys Honored as 2022 'Best Lawyers in America', 'Ones to Watch' and 'Lawyer of the Year'

Speech: Legal Issues in Arbitration

Press Release: Fifteen Munsch Hardt Attorneys Named to 2020 Texas Super Lawyers List

Press Release: Munsch Hardt Attorneys Honored as '2021 Best Lawyers in America' and 'Ones to Watch'

Speech: Construction Supervision Fundamentals

Speech: Getting Paid: Lien and Bond Claims in Texas, the COVID-19 Edition

Newsletter: COVID-19: Construction Owner Lien Notices Due to Economic Downturn

Speech: Hotel Owners + The Novel Coronavirus Webinars

Speech: Contracts From the Owner's Perspective

Press Release: Seventeen Munsch Hardt Attorneys Recognized on 2019 Texas Super Lawyers List

Press Release: Twenty-Five Munsch Hardt Attorneys Honored as '2020 Best Lawyers in America'

Speech: Contracts, Tariffs and Rising Material Costs: Strategies for Risk Allocation

Article: The Tariffs Are Here, Now What?

Article: How to Navigate Tariffs in Your Construction Contracts

Press Release: Twenty-One Munsch Hardt Attorneys Recognized as 2019 “Best Lawyers in America”

In The News: Ben Wheatley and Mason Hester Discuss Construction Industry with Law360

Article: Differing Site Conditions: A Quick Primer on What Every Contractor Needs to Know by Mason Hester

In The News: Munsch Hardt Adds Four Construction Law Laterals in Houston

Press Release: Munsch Hardt’s Construction Practice Experiences Significant Growth

Speech: Differing Site Conditions: What Difference Do They Make?

Article: Cardinal Sin? Should you make a cardinal change argument in Texas?

Speech: Causes of Action 2015

Speech: Residential Construction Disputes: Practical Advice & Updates

Article: Surety Obligation in the Face of a Struggling Contractor: A Primer for Bond Claims in Texas

Article: Attorney’s Fees in Modern Construction

Article: The New Normal in Residential Construction

Speech: Out of Bounds: Dallas Cowboys practice facility collapse & builder’s implied covenant to build to code

Speech: Pay-If-Not-Paid? Understanding the crucial, and confusing, Texas pay-if-paid law

Article: Construction Industry – 2011 Legislative Update

Article: Proceed with Caution: Liability for Invalid Liens

Speech: Texas Mechanics Liens and Bond Claims

Article: Recent Developments in Texas Construction Law

Speech: The Fraudulent Lien Law: Where are we now?

Speech: How Can Architectural and Construction Law Affect My Practice?

Speech: The Subcontract: Key Clauses from General Contractor and Subcontractor Perspectives

Speech: Introduction to Consensus Docs and Comparison to AIA Forms on Key Issues

Speech: Causes of Action for a Construction Defect Claim

Speech: Comparison of Consensus Docs & AIA Forms on Key Issues: Delays, Changes, Change Management

Speech: Comparison of Consensus Docs and AIA Forms on Key Issues: Liability Risk Transfer

Article: Bankruptcy Law’s Effect on Your Lien Rights: Who can you trust?

Article: The Statute of Repose: 10 Years May Not Be What it Used to Be

Article: Causes of Action for a Construction Defect Claim in 2008

Article: SB 9: Fingerprints, Photographs, Background Checks, Oh My

Article: Pay-if-not-Paid: Understanding the New Contingent Payment Law

Article: Not So Fast: That Indemnity Agreement Might Not Be Enforceable

Article: The New Frontier: Electronic Discovery in Construction Cases

Article: Non-traditional Uses of the Constitutional Lien