



Government Contracts



Leveraging decades of industry experience, Wiley's consummate team of attorneys and consultants provides practical, tactical, and effective representation that is essential to obtaining successful outcomes for our government contracts clients. Because of our successes and client-first service, Wiley is routinely ranked as a top-tier government contracts practice by virtually every legal ranking service, including *Chambers USA* and *Legal 500*.

Wiley's Proven Track Record

Our team has served as "go-to" counsel on scores of high-stakes contracting matters, including:

- Successfully represented a Subsistence Prime Vendor contractor in what is believed to be the highest value matter in the history of the Armed Services Board of Contract Appeals. Following a five-week trial, the Board issued a decision denying the U.S. Department of Defense's \$8.8 billion claim and awarded our client more than \$142 million for additional services performed under the contract pursuant to a change order.
- Successfully represented a contractor in a "bet-the-company" size appeal concerning one of the contractor's largest contracts, valued at nearly \$1 billion, for the supply of emergency and fire equipment to the U.S. military. After the successful size appeal and contract award to our client, Wiley successfully represented the contractor in defending against multiple protests at the U.S. Court of Federal Claims and appeals before the Federal Circuit.
- Successfully represented a multinational defense and aerospace corporation in an appeal to the Federal Circuit

Capabilities

Bid Protests
Buy American and Trade Agreements Acts
Construction
Cost Accounting and Cost Allowability
Cybersecurity
Emerging Technologies and Nontraditional Contracting
Employment and Labor Standards Issues in Government Contracting
Ethics Advice & Compliance Audits and Plans
Federal Grants and Cooperative Agreements
Government Contracts SBIR Series
GSA Schedule and Commercial Item Contracts
Health Care Contracting
Internal Investigations and False Claims Act
Mergers & Acquisitions and Due Diligence for Government Contractors
Patent and Data Rights Counseling and Disputes
Requests for Equitable Adjustment, Claims, and Terminations
Small Businesses
State and Local Procurement Law
Suspension and Debarment
Teaming Agreements, Strategic Alliances, and Subcontracting

establishing a contractor's ability to apply markings to technical data restricting third parties' rights in such data.

- Successfully defended a health information management and technology contractor and several of its employees in a 13-count, multimillion dollar action in Virginia state court alleging breach of a teaming agreement, misappropriation of trade secrets, and breaches of individual employment agreements.
- Successfully convinced the U.S. Department of Justice to dismiss or decline to intervene in *qui tam* actions filed by private relators against our clients under the False Claims Act.
- Successfully moved to dismiss a putative class action against a major government contractor for alleged violations of the Telephone Consumer Protection Act based on the derivative sovereign immunity doctrine.
- Successfully secured dismissal of a civil action against a major government contractor based on an invocation of the State Secrets privilege.

Our Deep Bench

Our greatest asset is our people. As recognized by *Chambers*, our "experience and skill earns the trust and preference of major defense and aerospace contractors," and we "staff effectively, respond quickly to client desires and understand how [clients] operate and expect [us] to operate." Wiley's Government Contracts attorneys have been selected to the Advisory Councils of both the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of Federal Claims, are active in industry associations and the federal procurement bar, serve on boards of industry organizations, and are routinely recognized by the business community for their expertise. The Practice also includes attorneys who have experience litigating and counseling clients on classified matters within the defense and intelligence communities.

Stronger With the Combined Expertise of Wiley

When working on bet-the-company cases and other critical matters, we draw on the firm's extensive cross-disciplinary talent from our National Security Practice (which combines our Government Contracts, International Trade, and Telecom, Media & Technology experience); Privacy, Cyber & Data Governance Practice; White Collar Defense & Government Investigations Practice (with seasoned criminal defense attorneys who routinely handle false claims issues and government investigations); Election Law & Government Ethics Practice; Employment and Labor Law Practice (counseling clients on the special employment law challenges facing government contractors); and Telecom, Media & Technology (TMT) Practice (counseling clients on issues related to evolving innovations such as blockchain, artificial intelligence (AI), and the Internet of Things (IoT)).

Alerts, Newsletter, and 'Boot Camp'

We keep clients abreast of new developments affecting the government contracting community through Client Alerts and our newsletter, *Government Contracts Issue Update*. To subscribe, [click here](#).

Clients and friends of the firm can also participate in our complimentary Government Contracts “Boot Camps,” one-hour CLE webinars devoted to different procurement topics. To find out more about our Boot Camps, including covered topics, [click here](#).

Key Contacts

Paul F. Khoury
Partner
pkhoury@wiley.law
202.719.7346

Scott M. McCaleb
Partner
smccaleb@wiley.law
202.719.3193