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Gary S. Ward

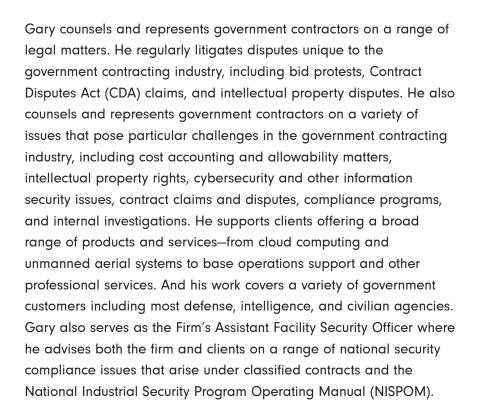
Partner



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In addition to his core work, Gary also maintains an active pro bono practice. A certified Legal Lean Sigma Institute (LLSI) White Belt, Gary also uses the LLSI process and project management tools to continually improve the value proposition the firm delivers to its clients.

Representative Matters

 Regularly litigates bid protests before the U.S. Government Accountability Office (GAO), the U.S. Court of Federal Claims (COFC), and on appeal to the U.S. Court of Appeals for the



Practice Areas



Government Contracts Cybersecurity Intellectual Property National Security

Credentials



Education

J.D., with highest honors, The George Washington University Law School; Raymond F. Hossfeld Dean's Scholarship B.A., magna cum laude, University of California, San Diego

Law Journals

Associate, The George Washington University Law Review

Bar and Court Memberships

District of Columbia Bar

Virginia Bar

U.S. Courts of Appeals for the Fourth and Federal Circuits

U.S. District Court for the District of Maryland

U.S. Court of Federal Claims

Certifications

Legal Lean Sigma Institute (LLSI) White Belt

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Federal Circuit (CAFC). Gary has significant experience from litigating over 100 protests.

- Litigates contract disputes before the Boards of Contract Appeals and the COFC. Gary has particular experience litigating cost accounting disputes, including the following notable decisions:
 - Ology Bioservices, Inc., ASBCA No. 62633 (May 20, 2021) (granting summary judgment to the contractor in an appeal of a government claim assessing penalties for expressly unallowable compensation costs).
 - Sparton DeLeon Springs, LLC, ASBCA No. 60416 (Dec. 28, 2016) (granting summary judgment to the
 contractor based on the Contract Disputes Act's statute of limitations in an appeal of a government
 claim demanding repayment of direct costs and rejecting the Government's argument that its right
 to audit under the Allowable Cost and Payment clause effectively tolls the CDA's six-year statute of
 limitations).
 - Engility, LLC, ASBCA No. 61281 (Aug 19, 2019) (rejecting government attempt to assert affirmative defenses in dispute over the reimbursement of legal costs incurred by the contractor).
- Advises clients regarding cost allowability issues and compliance with Cost Accounting Standards
 (CAS), including for example, executive compensation, allocation and adjustment of pension costs,
 home office expenses, and other indirect costs, in the course of audits by the Defense Contract Audit
 Agency (DCAA) and other agency Offices of Inspector General, and in litigation before the Boards of
 Contract Appeals.
- Conducts internal investigations relating to alleged violations of the False Claims Act, Procurement
 Integrity Act, and other federal and state laws, with a particular focus on issues unique to government
 contractors.
- Counsels contractors in complying with cybersecurity requirements and responding to incidents under the various frameworks used by federal agencies, including DFARS 252.204-7012, NIST SP 800-171, and the U.S. Department of Defense's (DoD's) forthcoming Cybersecurity Maturity Model Certification program.
- Litigates patent infringement actions involving the United States Government and government contractors at the Court of Federal Claims under 28 U.S.C. § 1498(a). Examples include a range of technologies, including unmanned aerial vehicles and surveillance systems.
- Assists clients in negotiating intellectual property rights in federal, state, and local procurements.
- Assists clients in preparing, negotiating, and litigating requests for equitable adjustments and certified claims as well as defending against affirmative government claims.
- Advises clients on a range of national security compliance issues that arise under classified contracts and the NISPOM.
- Advises government contractors in negotiation of teaming and subcontracting agreements and represents clients in prime-subcontractor disputes.
- Counsels clients in the development of government contracts ethics and corporate compliance programs, including programs to prevent or mitigate organizational conflicts of interests (OCIs) and

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other contractor training.

- Conducts due diligence for government contractors to assess risks unique to companies with federal, state, and local contracts and subcontracts. Previous examples include DXC's spinoff of its U.S. Public Sector business to form an independent, publicly traded company (Perspecta).
- Counsels clients in obtaining information and protecting their own proprietary and confidential information under the Freedom of Information Act (FOIA) and other similar state public records laws.
- Advises government contractors involved in government investigations and suspension and debarment proceedings.

Professional Experience

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- Intern, U.S. General Services Administration (GSA), Office of Governmentwide Acquisition Policy (2013)
- Judicial Intern, The Honorable Eric T. Washington, District of Columbia Court of Appeals (2012)
- Intern, The District of Columbia Office of Contracting & Procurement, Procurement Leadership Program (2011)

Affiliations

- · American Bar Association (ABA), Section of Public Contract Law
 - Vice-Chair, Accounting, Cost, and Pricing Committee
 - Bid Protest Committee
 - Intellectual Property Committee
- Federal Circuit Bar Association
 - · Co-Chair, Government Contracts Committee

Recognitions

- Recognized by Law360 as a "Rising Star" in Government Contracts Law (2022)
- Included in The Best Lawyers in America directory of "Ones to Watch" for Government Relations (2021-2024)
- Named by The Legal 500 US a "recommended lawyer" in Government Contracts (2020)

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