



## Scott M. McCaleb

Partner



202.719.3193  
smccaleb@wiley.law



Scott represents clients on all aspects of federal, state, and local procurement matters, including bid protests, contract disputes and termination litigation, appellate litigation, audits and cost allowability issues, government investigations, suspension and debarment matters, False Claims Act actions, mergers and acquisitions, teaming agreements and subcontracts, and small business matters. His experience extends across virtually all government contracting industries, including aerospace and weapon systems integration, information technology and network solutions, and architect-engineering and construction matters. He has repeatedly been named among “America’s Leading Business Lawyers” in Government Contracts by *Chambers USA*.

### Representative Matters

- Represented clients successfully in numerous bid protests before the Government Accountability Office (GAO), the U.S. Court of Federal Claims, and federal agencies. Argued before the U.S. Court of Federal Claims and represented clients in hearings before the GAO in protests involving billions of dollars.
- Engaged in extensive litigation between associate contractors, competitors, and prime contractors and subcontractors in both federal and state courts, involving damage claims of multiple billions of dollars centered on allegations of trade secret misappropriation, theft, racketeering, and antitrust violations.
- Represented clients successfully in connection with numerous contract termination (both default and convenience) claims and litigation involving billions of dollars. These matters have been

### Practice Areas

Government Contracts  
Antitrust  
Litigation  
National Security  
Privacy, Cyber & Data Governance

### Credentials

#### Education

J.D., Georgetown University Law Center  
A.B., Brown University

#### Clerkships

Law Clerk for the Honorable Haldane Robert Mayer, U.S. Court of Appeals for the Federal Circuit

#### Bar and Court Memberships

District of Columbia Bar  
Maryland Bar  
U.S. Courts of Appeals for the Eighth, Ninth, Federal, and District of Columbia Circuits  
U.S. District Court for the District of Columbia  
U.S. District Court for the Southern District of Texas  
U.S. Court of Federal Claims

successfully resolved both through negotiation, as well as through litigation in the U.S. Court of Federal Claims and boards of contract appeals.

- Extensive appellate litigation experience, with an emphasis on litigation in the U.S. Court of Appeals for the Federal Circuit, where he clerked for two years. Drafted and filed briefs in the Supreme Court of the United States and in the Federal, D.C., and Ninth Circuits, both on behalf of parties and on behalf of *amici curiae*.
- Represented clients in mergers and acquisitions involving billions of dollars, including the recent divestiture by a Fortune 500 company of its government contracts business and the recent acquisitions by one of the government's largest contractors of business units from another of its largest contractors.

## Professional Experience

---

- Adjunct Professor for Government Contracts, George Mason University School of Law (1996-2002) and The George Washington University School of Law (2003-2005)
- Instructor, U.S. Army Judge Advocate General's School (1995-2000)
- Captain, U.S. Army Judge Advocate General's Corps, Assistant Counsel for Procurement and Information Technology (1992-1995)
- Contributing Editor for Government Contracts, *Federal Circuit Bar Journal*
- Editorial Board, *Procurement Law Advisor*

## Affiliations

---

- American Bar Association (ABA), Section of Public Contract Law
  - Co-Chair, Federal Procurement Division (2002-2006)
  - Chair (2006-Present) and Vice-Chair (1997-2006), Regulatory Coordinating Committee
  - Vice-Chair, Long Range Planning Committee (2007-2008)
  - Vice-Chair, Membership, Diversity & Outreach (2007-2008)
  - Associate Editor, Regulatory Coordinating Committee Public Contract Law Proceedings
- Board of Governors, Court of Federal Claims Bar Association (2005-2008)
- Federal Circuit Bar Association
  - President (2009)
  - President Elect (2008-2009)
  - Vice President (2007-2008), Treasurer (2006-2007), Secretary (2005-2006)
  - Board of Governors (2002-2010)

- Co-Chair, Government Contracts Committee (1998-2002)
- Amicus Curiae Committee (1998-Present)
- Co-Chair (2004-2010) and Member (2000-2020), Advisory Council, U.S. Court of Appeals for the Federal Circuit
- Advisory Council, U.S. Court of Federal Claims (2002-Present)

## Recognitions

---

- Named by *Law360* as a Government Contracts MVP (2014-2015, 2019, 2023)
- Named an Thomson Reuters Stand-out Lawyer (formerly Acritas Star Lawyer) (2018)
- Named to *Law360's* Government Contracts Editorial Advisory Board (2016, 2020)
- *Who's Who Legal: Thought Leaders 2018* for Government Contracts
- Named by *Lawdragon* as one of "3000 Leading Lawyers in America" (2010-2011)
- Named one of Washington's "Best Lawyers" (2011, 2013) and one of "Washington's Top Lawyers" (2009, 2015, 2017, 2018) by *Washingtonian* magazine; named to *Washingtonian's* "Top Lawyers Hall of Fame" (2022)
- Listed by *Chambers USA* as one of "America's Leading Lawyers for Business" in Government Contracts (2006-2023), in Government Contracts: Bid Protests (2023), and included in Spotlight Table for Government Contracts: Bid Protests (2020-2022)
- Named one of DC's "Super Lawyers" for Government Contracts by *Super Lawyers* magazine (2013-2020, 2022-2023)
- Named by *The Legal 500 US* as a "leading lawyer" in Government Contracts (2017-2023)
- Included in the *International Who's Who of Public Procurement Lawyers* (2013-2014)
- AV Peer Review Rating, Martindale-Hubbell's highest ranking by peers for general ethical standards and legal ability