

2015 Annual Government Contracts Briefing:

What Contractors Need to Know Now

September 17, 2015

COVINGTON

BEIJING BRUSSELS LONDON LOS ANGELES NEW YORK SAN FRANCISCO
SEOUL SHANGHAI SILICON VALLEY WASHINGTON

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Agenda

- 8:00-8:30 a.m. **Registration**
- 8:30-8:45 a.m. **Opening Remarks and Scene-Setting**
- [Fred Levy](#), [Alan Pemberton](#), and [Jennifer Plitsch](#), Partners and co-chairs of the Government Contracts practice group at Covington
- 8:45-9:15 a.m. **Legislative Conversation: *Defense Appropriations and Acquisition Reform***
- [Senator Jon Kyl](#), Senior Of Counsel at Covington
 - Senator John McCain (R-AZ), Chairman of the Senate Committee on Armed Services
- 9:20-10:00 a.m. **Break-out Session**
- Option One: Contractor M&A: Effective and Efficient Diligence*
(Room: 10N-I)
- [Scott Freling](#), Partner at Covington
 - [Michael Reed](#), Partner at Covington
 - [Paul Rogers](#), Partner at Covington
- Option Two: Managing Your Supply Chain*
(Room: 10N-G)
- [Susan Cassidy](#), Partner at Covington
 - [Peter Flanagan](#), Partner at Covington
 - [Jennifer Plitsch](#), Partner and co-chair of the Government Contracts practice group at Covington
- 10:00-10:15 a.m. **Coffee Break**
- 10:15-11:00 a.m. **Break-out Session**
- Option One: Labor & Employment: New Obligations and Considerations*
(Room: 10N-I)
- [Lindsay Burke](#), Of Counsel at Covington
 - [Dan Johnson](#), Partner at Covington
 - [Jennifer Plitsch](#), Partner and co-chair of the Government Contracts practice group at Covington

Option Two: Mitigating Risk in International Contracting
(Room: 10N-G)

- [Allan Moore](#), Partner and co-chair of the Arbitration practice group at Covington
- [Robert Nichols](#), Partner at Covington
- [Mona Patel](#), Partner at Covington

11:05-12:00 p.m. **Panel Discussion:** *Protests: Developments and Trends*

- [Jay Carey](#), Partner at Covington
- [Alan Pemberton](#), Partner and co-chair of the Government Contracts practice group at Covington

12:00-12:55 p.m. **Lunch**

12:55-1:25 p.m. **Keynote Address:** *The Current Enforcement Environment*

- [Eric Holder](#), former Attorney General and Partner at Covington

1:25-2:25 p.m. **Panel Discussion:** *False Claims Act Developments*

- Bill Craco, Assistant General Counsel at Johnson & Johnson
- [Ethan Posner](#), Partner and co-chair of the White Collar Defense & Investigations practice group at Covington
- [Mike Scheininger](#), Partner at Covington
- Stuart Young, Senior VP and General Counsel at AECOM Management Services and URS Federal Services

2:25-3:10 p.m. **Panel Discussion:** *The New Age of Contractor Responsibility*

- Rod Grandon, Deputy General Counsel for Contractor Responsibility, Department of the Air Force
- Doug Perry, Vice President, Global Compliance at Honeywell International Inc.
- [Fred Levy](#), Partner and co-chair of the Government Contracts practice group at Covington
- [Steven Shaw](#), Senior Counsel at Covington

3:10-3:25 p.m. **Coffee Break**

- 3:25-4:25 p.m. **Panel Discussion: *Cybersecurity: Mitigating Risk, Ensuring Compliance, and Responding to the Evolving Threat***
- [Ray Biagini](#), Partner at Covington
 - [Susan Cassidy](#), Partner at Covington
 - [Secretary Michael Chertoff](#), Senior Of Counsel at Covington
 - [David Fagan](#), Partner at Covington
- 4:25-4:30 p.m. **Closing Remarks**
- 4:30-5:30 p.m. **Reception followed by departure for Nationals Park**
Transportation to and from Nationals Park will be provided from the main lobby in CityCenter.

While You're Here - WiFi & Business Needs

We understand that your business responsibilities do not pause when you take time to participate in conferences and events. For this reason, our facilities at CityCenter are designed to allow you the flexibility to take calls and to access our wireless Internet connection, as needed. If you need a private room at any point during your time here, please visit the Reception Desk across from the elevator bay.

WiFi Network: CovGuest

Password: Cov0850!

Presenter & Panelist Biographies

Open Remarks and Scene-Setting



Fred Levy
Partner
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Frederic Levy, co-chair of the Government Contracts practice group, is one of the nation's leading suspension and debarment lawyers, focusing his practice on the resolution of complex compliance and ethics issues. He has successfully represented numerous high-profile corporations and individuals under investigation by the government in civil and criminal matters, including FCA cases, and in suspension and debarment proceedings to ensure their continued eligibility to participate in federal programs. He has also conducted numerous internal investigations on behalf of corporate clients, particularly in the areas of program fraud and export controls, and often involving sensitive personnel or fiduciary matters. He has advised corporations in voluntary or mandatory disclosures to a variety of federal agencies. Mr. Levy regularly counsels clients on government contract performance issues, claims and terminations, and he litigates such matters before the boards of contract appeals and in the Federal Circuit.



Alan Pemberton
Partner
apemberton@cov.com

Alan Pemberton co-chairs the firm's Government Contracts practice group. He has practiced in the government contracts area since 1982. His practice includes the full range of government contracts matters, including bid protest and other procurement litigation before GAO, agency boards, and federal and state courts and ADR tribunals. He advises large and small contractors and grantees about the full range of government proposal, performance, compliance, regulatory, suspension and debarment, transactional, and legislative issues.



Jen Plitsch
Partner
jplitsch@cov.com

Jennifer Plitsch is co-chair of the firm's Government Contracts practice group where her practice includes a wide range of contracting issues for large and small businesses in both defense and civilian contracting. Her practice involves advising clients on contract proposal, performance, and compliance questions as well as transactional and legislative issues. Her practice also includes bid protest and contract claims and appeals litigation before GAO, agency boards and the federal courts. Ms. Plitsch has particular expertise in advising clients in the pharmaceutical and biologics industry. She advises a range of pharmaceutical and biologics manufacturers on Federal Supply Schedule contracts, including the complex pricing requirements imposed on products under the Veterans Health Care Act, as well as research and development contracts and grants with various federal agencies. She also has significant experience advising on the requirements of various programs under which vaccine products and biodefense medical countermeasures are procured by the Government.

Legislative Conversation: *Defense Appropriations and Acquisition Reform*



Senator Jon Kyl
Senior Of Counsel
jkyl@cov.com

Senator Jon Kyl, who left Congress in January 2013 as the second-highest ranking Republican senator, advises companies on domestic and international policies that influence U.S. and multi-national businesses. He assists corporate clients on tax, health care, defense, national security, and intellectual property matters.

During Senator Kyl's 26 years in Congress, he built a reputation for mastering the complexities of legislative policy. In 2010, *Time* magazine called him one of the 100 most influential people in the world, noting his "encyclopedic knowledge of domestic and foreign policy, and his hard work and leadership" and his "power to persuade."

Senator Kyl sat on the powerful Senate Finance Committee where he was the top Republican on the Subcommittee on Taxation and Internal Revenue Service Oversight. The senator also served as the ranking Republican on the Senate Judiciary Committee's Subcommittee on Crime and Terrorism. A member of the Republican Leadership for well over a decade, Senator Kyl chaired the Senate Republican Policy Committee and the Senate Republican Conference, before becoming Senate Republican Whip.



Senator John McCain

John McCain entered the Naval Academy in June of 1954. He served in the United States Navy until 1981.

He was elected to the U.S. House of Representatives from Arizona in 1982 and elected to the United States Senate in 1986.

He was the Republican Party's nominee for president in the 2008 election.

He currently serves as Chairman of the Senate Committee on Armed Services.

Break-out Session One: *Contractor M&A: Effective and Efficient Diligence*



Scott Freling
Partner
sfreling@cov.com

Scott Freling, recognized by *Law360* in 2015 as a “Rising Star” in Government Contracts, represents civilian and defense contractors at all stages of the procurement process and in their dealings with federal, state, and local government customers. Mr. Freling assists clients in a range of industries, including defense and aerospace, information technology and software, government services, life sciences, energy, and private equity.



Michael Reed
Partner
mreed@cov.com

Michael Reed advises on public and private transactional, strategic, regulatory, compliance, corporate finance and disclosure matters. He represents publicly and privately held companies and private equity firms, with an emphasis on financial institutions and diversified companies.

Mr. Reed has regularly represented public and privately held clients in all types of acquisitions, including stock-for-stock mergers, cash mergers, going private transactions, joint ventures, strategic alliances and stock and asset purchase and sale transactions. He also has represented underwriters and issuers in capital market transactions, including public and private offerings of debt, equity, and hybrid securities, and complex structured finance transactions.

Mr. Reed advises and represents boards of directors on a variety of matters, including strategic transactions, corporate governance issues, and legal issues and fiduciary duties in the context of strategic transactions and corporate governance.



Paul Rogers
Partner
progers@cov.com

Paul Rogers is a partner with a broad-based corporate and securities transactional and advisory practice. His practice is focused on mergers and acquisitions, venture capital investments, public and private securities offerings, corporate governance and commercial transactions. He has served as outside counsel to numerous companies, ranging in size from the development stage to large public companies, entrepreneurs and venture capital firms. Mr. Rogers is co-chair of Covington's Venture Capital and Emerging Companies practice.

Mr. Rogers has experience in a number of industries, including government services, defense, e-commerce, communications, software, computer equipment, biotechnology, distribution, manufacturing, and real estate. Mr. Rogers has practiced in both Boston, MA and Washington, DC.

Break-out Session One: *Managing Your Supply Chain*



Susan Cassidy
Partner
scassidy@cov.com

Susan Cassidy advises clients on the complex rules and regulations imposed on government contractors, with a special emphasis on the defense and intelligence sectors. She combines a sophisticated knowledge of the FAR and DFARS with the practical insight gained from senior in-house positions at both dedicated defense and commercial item contractors. Ms. Cassidy's practice includes both counseling and litigation components, advising clients at all stages of the procurement cycle and representing them in courts and before the government when a dispute arises. She also has an active internal investigations practice and regularly advises clients as to FAR mandatory disclosure requirements. Ms. Cassidy has considerable litigation experience and has represented clients in bid protests, prime-subcontractor disputes, APA cases, and product liability litigation before federal courts, state courts, and administrative agencies.



Peter Flanagan
Partner
pflanagan@cov.com

Peter Flanagan is a partner in our Washington office who concentrates in international trade matters and financial services regulation. He is a member of the firm's Management Committee and served as vice chair of the International Trade and Finance practice group.

Mr. Flanagan counsels clients on a broad range of compliance requirements affecting international trade and investment. These include most notably export controls, economic sanctions constraints, defense trade limitations, and the implications of related non-U.S. requirements. Mr. Flanagan has advised leading companies in the oil and gas sector, pharmaceutical and medical technology companies, defense contractors, manufacturing entities, financial institutions, software and high-technology concerns, and university-affiliated laboratories.



Jen Plitsch
Partner
jplitsch@cov.com

Jennifer Plitsch is co-chair of the firm's Government Contracts practice group where her practice includes a wide range of contracting issues for large and small businesses in both defense and civilian contracting. Her practice involves advising clients on contract proposal, performance, and compliance questions as well as transactional and legislative issues. Her practice also includes bid protest and contract claims and appeals litigation before GAO, agency boards and the federal courts. Ms. Plitsch has particular expertise in advising clients in the pharmaceutical and biologics industry. She advises a range of pharmaceutical and biologics manufacturers on Federal Supply Schedule contracts, including the complex pricing requirements imposed on products under the Veterans Health Care Act, as well as research and development contracts and grants with various federal agencies. She also has significant experience advising on the requirements of various programs under which vaccine products and biodefense medical countermeasures are procured by the Government.

Break-out Session Two: *Labor & Employment: New Obligations and Considerations*



Lindsay Burke
Of Counsel
lburke@cov.com

Lindsay Burke is vice chair of the firm's employment practice group and regularly advises US, international, and multinational employers on employee management issues and international HR compliance. Her domestic practice includes advice pertaining to discrimination, leave, whistleblower, wage and hour, trade secret, and non-competition issues arising under federal and state laws, while her international practice focuses on drafting global employment policies and coordinating multi-country surveys to ensure that employment contracts and policies comply with employment laws across many jurisdictions.



Dan Johnson
Partner
dejohnson@cov.com

Dan Johnson represents government contractors and other clients in litigation and employment matters. He has more than 30 years of experience litigating complex disputes and has successfully represented government contractors and other clients in large trade secret claims, contract claims, prime-sub disputes, software development disputes, and various business disputes arising from corporate transactions, joint ventures, sales of commercial goods, construction projects, and government procurements.



Jen Plitsch
Partner
jplitsch@cov.com

Jennifer Plitsch is co-chair of the firm's Government Contracts practice group where her practice includes a wide range of contracting issues for large and small businesses in both defense and civilian contracting. Her practice involves advising clients on contract proposal, performance, and compliance questions as well as transactional and legislative issues. Her practice also includes bid protest and contract claims and appeals litigation before GAO, agency boards and the federal courts. Ms. Plitsch has particular expertise in advising clients in the pharmaceutical and biologics industry. She advises a range of pharmaceutical and biologics manufacturers on Federal Supply Schedule contracts, including the complex pricing requirements imposed on products under the Veterans Health Care Act, as well as research and development contracts and grants with various federal agencies. She also has significant experience advising on the requirements of various programs under which vaccine products and biodefense medical countermeasures are procured by the Government.

Break-out Session Two: *Mitigating Risk in International Contracting*



Allan Moore
Partner
abmoore@cov.com

Allan Moore practices in the areas of international arbitration and insurance coverage and is co-chair of the firm's Arbitration practice group. He has represented a broad array of multinational corporations and regularly appears before both international and domestic arbitral tribunals, as well as federal and state courts throughout the United States. Mr. Moore has helped clients recover over \$2 billion in damages awards, fee awards, and settlement payments in various commercial and insurance coverage disputes. He has served as lead counsel in ICC, ICSID, UNCITRAL, SCC, AAA, CPR, and ad hoc arbitrations involving both common law and civil law systems, and he has extensive experience with "Bermuda Form" arbitrations and FIDIC construction disputes.

Presently, Mr. Moore is lead counsel for BP in insurance coverage litigation relating to the Deepwater Horizon oil spill and lead counsel for Apache Corporation in insurance and contract disputes relating to LNG operations in Australia and Canada. As lead counsel for a major Swedish shipbuilder, he won a final award on the merits in an ICC arbitration brought in New York by a US subcontractor relating to stealth-enabled warships built for the Swedish Navy.

Mr. Moore has served as lead counsel for the prevailing parties in numerous international arbitrations that have proceeded to final awards on the merits after extensive hearings. Clients in major matters include Apache, BP, Blackstone Group, Eli Lilly, ExxonMobil, the Jordanian Government, Joy Global, Kamyron Capital, Kockums, Merck, Microsoft, Norfolk Southern, and UBS. Mr. Moore also occasionally sits as an arbitrator. For example, he recently served on an ICC tribunal in a \$200 million dispute relating to a concession agreement in the Red Sea, and he currently serves on an ICDR tribunal involving a supply contract dispute in the renewable energy sector. He has written numerous articles on issues pertaining to international arbitration, evidence and advocacy, and insurance law, and he is a frequent speaker on these topics.



Robert Nichols
Partner
rnichols@cov.com

Robert Nichols is a member of the Government Contracts practice group. He has nearly two decades of experience representing contractors in the defense and aerospace, information technology, large-scale construction, and international development sectors. His expertise and practice includes both litigation and advisory work in the areas of: Bid protests, claims, audits and investigations, cybersecurity, suspension and debarment actions, prime-sub disputes, procurement-related legislation, negotiating contract terms, contractor mergers & acquisitions, foreign military sales and direct commercial sales, security clearance issues, compliance counseling, and risk mitigation techniques for contractors working overseas.



Mona Patel
Partner
mpatel@cov.com

Mona Patel is a partner in the Litigation and White Collar Defense & Investigations practice groups and is resident in the firm's Washington Office. She represents companies, boards of directors, and senior executives in internal investigations, white collar criminal defense matters, and complex commercial litigation.

Ms. Patel has substantial experience representing and counseling pharmaceutical and other healthcare companies in large scale internal and government investigations and related civil litigation and compliance matters. Ms. Patel also conducts internal FCPA investigations for companies and provides guidance to clients on FCPA compliance issues and program elements. She has litigated business tort and complex contract cases across a broad range of industries, and has represented clients before state and federal courts on a variety of matters, including False Claims Act cases.

Panel Discussion: *Protests: Developments and Trends*



Jay Carey
Partner
jcarey@cov.com

Jason Carey represents clients in litigation with the government and other private parties, counsels clients regarding a wide range of formation and compliance matters, and defends clients under investigation by federal and state governments. Mr. Carey regularly represents government contractors in bid protests before the U.S. Government Accountability Office and the Court of Federal Claims. He has prosecuted and defended more than 80 protests covering a wide range of procurements, such as: aerospace and defense (including an \$11B launch services contract), biotechnology (including a \$2B biodefense contract), health care (including a \$23B TRICARE contract), information technology (including a \$600M cloud services contract), and telecommunications (including a \$270M telephone system replacement contract).



Alan Pemberton
Partner
apemberton@cov.com

Alan Pemberton co-chairs the firm's Government Contracts practice group. He has practiced in the government contracts area since 1982. His practice includes the full range of government contracts matters, including bid protest and other procurement litigation before GAO, agency boards, and federal and state courts and ADR tribunals. He advises large and small contractors and grantees about the full range of government proposal, performance, compliance, regulatory, suspension and debarment, transactional and legislative issues.

Keynote Address by Former Attorney General Eric Holder: *The Current Enforcement Environment*



Eric Holder
Partner

Eric Holder advises clients on complex investigations and litigation matters, including those that are international in scope and involve significant regulatory enforcement issues and substantial reputational concerns. Mr. Holder, who was a partner at Covington from 2001 to 2009, rejoined the firm after serving for six years as the 82nd Attorney General of the United States.

Before his service as Attorney General, Mr. Holder maintained a wide-ranging investigations and litigation practice at Covington. Among numerous significant engagements, he led the firm's representation of a major multi-national agricultural company in related civil, criminal, and investigative matters; acted as counsel to a special investigative committee of the board of directors of a Fortune 50 technology company; successfully tried a complex discrimination lawsuit on behalf of a leading financial services company; and represented several life sciences companies in litigation and investigations.

Mr. Holder served as Attorney General from February 2009 to April 2015. As the third longest serving Attorney General in U.S. history and the first African American to hold that office, Mr. Holder is an internationally recognized leader across a broad range of regulatory enforcement, criminal justice, and national security issues. In 2014, *Time* magazine named Mr. Holder to its list of 100 Most Influential People, noting that he had "worked tirelessly to ensure equal justice."

Including his tenure as Attorney General, Mr. Holder has served in government for more than thirty years, having been appointed to various positions requiring U.S. Senate confirmation by Presidents Obama, Clinton, and Reagan.

Panel Discussion: False Claims Act Developments



Bill Craco
Assistant General
Counsel at Johnson &
Johnson

William E. Craco is Assistant General Counsel for Johnson & Johnson, where he serves as head of the Government Investigations and Litigation practice. His team focuses principally on domestic and international government and internal investigations and a broad range of civil litigation. He also counsels J&J's global businesses on the FCPA and other anti-corruption efforts. Mr. Craco graduated from Fordham University of Law, where he served as Editor-in-Chief of the *Fordham Law Review*. He served as a law clerk for Judge John F. Keenan of the U.S. District Court, Southern District of New York. Following his clerkship, he was a litigator at the firm of Davis Polk and Wardwell in New York. Mr. Craco then served as an Assistant U.S. Attorney in the Criminal Division of the U.S. Attorney's Office for the Southern District of New York. As an Assistant U.S. Attorney, Mr. Craco investigated and prosecuted criminal cases involving official corruption, violent gangs, narcotics and securities offenses. He served as Deputy Chief and Acting Chief of the Criminal Division. Mr. Craco joined Johnson & Johnson in 2005.



Ethan Posner
Partner
eposner@cov.com

Ethan Posner, named by the *American Lawyer* as a "Rising Litigation Star," is co-chair of Covington's [White Collar Defense and Investigations](#) and [Pharmaceutical Litigation & Investigations](#) practice groups. He represents numerous major pharmaceutical companies and health care organizations in federal and state criminal and civil government investigations, False Claims Act cases, and related private class actions. Mr. Posner also has handled several recent major congressional investigations and hearings on behalf of pharmaceutical and health care clients before House and Senate Committees.



Michael Scheininger
Partner
mscheininger@cov.com

Michael Scheininger focuses on the defense of business crimes and civil fraud, especially procurement fraud civil false claims (qui tam) and criminal investigations. He regularly advises government contractors on mandatory disclosure.

Mr. Scheininger also focuses his practice on health care fraud. In addition, he represents individuals and entities in investigations alleging offenses in the areas of FCPA, National Security, Public Corruption, Securities (Criminal and Civil Fraud).



Stuart Young
Senior VP and
General Counsel at
AECOM

Stuart has led the legal function for AECOM Management Services Group and predecessor companies since 1999. He provides advice on a full range of Government contracting issues. He also provides legal support in the areas of labor and employment law, compliance, export control and international law, and supervises Company litigation. Stuart has been General Counsel for legacy AECOM companies performing Federal Government contracting work, including URS Federal Services, Inc., EG&G Technical Services, Inc. and Lear Siegler Services, Inc.

From 1992 – 1999, Stuart served as Corporate Counsel at DynCorp. In this role, he drafted teaming agreements, non-disclosure agreements, joint venture agreements, and contract and subcontract documents. At DynCorp Stuart litigated bid protests and contract disputes at GAO and GSBCA, and was admitted under protective orders and participated in bid protest hearings and Contract Dispute Act appeals. He was heavily involved in international law issues, including the negotiation of contracts with foreign governments, and foreign registration and tax issues.

Stuart worked at the General Services Administration from 1984 – 1992. As Senior Assistant General Counsel for GSA, he was in charge of handling bid protests filed against Federal Supply Service and other GSA organizations acquiring personal property and services. Stuart handled contract formation, contract administration, cost and pricing issues, and issues relating to GSA Multiple Award Schedules. His experience at GSA included litigating bid protests at GAO and GSBCA for major procurements.

Panel Discussion: *The New Age of Contractor Responsibility*



Rodney A. Grandon
Deputy General
Counsel for Contractor
Responsibility,
Department of the Air
Force

Rodney A. Grandon, a member of the Senior Executive Service, serves as the Deputy General Counsel for Contractor Responsibility and Conflict Resolution, Department of the Air Force, Washington, D.C. In that capacity, he is the Air Force's Suspending and Debarring Official, and is responsible for providing legal advice concerning contractor responsibility matters to senior Air Force and DoD leadership, as well as leading the Air Force's Procurement Fraud Remedies Program. Mr. Grandon also has responsibility for the Air Force's Alternative Dispute Resolution/Conflict Resolution Program.

Prior to assuming his present duties, Mr. Grandon served as the Chief of Procurement Law and Chief Trial Attorney for the U.S. Coast Guard.



Frederic Levy
Partner
flevy@cov.com

Frederic Levy, co-chair of the Government Contracts practice group, is one of the nation's leading suspension and debarment lawyers, focusing his practice on the resolution of complex compliance and ethics issues. He has successfully represented numerous high-profile corporations and individuals under investigation by the government in civil and criminal matters, including False Claims Act cases, and in suspension and debarment proceedings to ensure their continued eligibility to participate in federal programs. He has also conducted numerous internal investigations on behalf of corporate clients, particularly in the areas of program fraud and export controls, and often involving sensitive personnel or fiduciary matters. He has also advised corporations in voluntary or mandatory disclosures to a variety of federal agencies. Mr. Levy regularly counsels clients on government contract performance issues, claims and terminations, and he litigates such matters before the boards of contract appeals and in the Federal Circuit.



Douglas Perry
Vice President, Global
Compliance Honeywell
International Inc.

Doug Perry is the Vice President for Global Compliance at Honeywell International Inc. Doug is responsible for leading Honeywell's overall compliance efforts including export and import controls, compliance with anti-corruption laws, employee code of conduct and compliance training, and government contracts compliance. Prior to assuming this role, he served as vice president of government contracts within Honeywell Aerospace. Before joining Honeywell in 2003, Doug was a partner at Sheppard, Mullin, Richter & Hampton, LLC in Washington, D.C. Earlier in his career he was a partner at Fried, Frank, Harris, Shriver & Jacobson, LLP. A graduate of Kenyon College, Doug earned his Juris Doctor from Cornell Law School.



Steven Shaw
Senior of Counsel
sshaw@cov.com

Steven Shaw is a member of the Government Contracts practice group. He is also active in litigation matters, specializing in civil fraud and white collar criminal litigation.

Most recently, Mr. Shaw was Deputy General Counsel (Contractor Responsibility), Department of the Air Force. Here he served as the Air Force debarment and suspension official and managed the Air Force's Coordination of Fraud Remedies Program.

Panel Discussion: *Cybersecurity: Mitigating Risk, Ensuring Compliance, and Responding to Evolving Threat*



Ray Biagini
Partner
rbiagini@cov.com

A distinguished counselor and litigator on behalf of some of the world's largest aerospace, defense, and pharmaceutical companies, Raymond Biagini has risen to national prominence in a number of high-profile tort cases, defending commercial and government contractors in a variety of high profile lawsuits. He is also widely recognized for his expertise in defending "contractors on the battlefield" in tort litigation, and he has established ground-breaking legal principles at the federal appellate level which immunize defense contractors from tort liability arising out of combatant scenarios.

Mr. Biagini also has an extensive product liability prevention practice, counseling companies on mechanisms for reducing their tort exposure for products and services sold to government and commercial entities. He is significantly involved in counseling companies selling "homeland security" products and services and conceptualized and authored key provisions of the SAFETY Act, a new federal statute that is part of the Homeland Security Act of 2002.



Susan Cassidy
Partner
scassidy@cov.com

Susan Cassidy advises clients on the complex rules and regulations imposed on government contractors, with a special emphasis on the defense and intelligence sectors. She combines a sophisticated knowledge of the FAR and DFARS with the practical insight gained from senior in-house positions at both dedicated defense and commercial item contractors. Ms. Cassidy's practice includes both counseling and litigation components, advising clients at all stages of the procurement cycle and representing them in courts and before the government when a dispute arises. She also has an active internal investigations practice and regularly advises clients as to FAR mandatory disclosure requirements. Ms. Cassidy has considerable litigation experience and has represented clients in bid protests, prime-subcontractor disputes, APA cases, and product liability litigation before federal courts, state courts, and administrative agencies.



Secretary Michael Chertoff
Senior Of Counsel
mchertoff@cov.com

Michael Chertoff concentrates in the area of White Collar Defense and Investigations. In recent years, he has handled a series of federal investigations, including complex criminal and civil regulatory matters. He has advised major clients on SEC and Justice Department investigations and successfully served as the independent monitor of a major national healthcare company under criminal and civil investigation. In addition to his legal work, Mr. Chertoff is Founder and Chairman of The Chertoff Group, a security and risk management firm, where he provides high-level strategic counsel to corporate and government leaders on a broad range of security issues, from risk identification and prevention to preparedness, response, and recovery.

Previously, Mr. Chertoff served as Secretary of the Department of Homeland Security. Prior to his appointment to the Cabinet, Mr. Chertoff served from 2003 to 2005 on the U.S. Court of Appeals for the Third Circuit. Before becoming a federal judge, Mr. Chertoff was the Assistant Attorney General for the Criminal Division of the U.S. Department of Justice.

Mr. Chertoff's career includes more than a decade as a federal prosecutor, including service as U.S. Attorney for the District of New Jersey, First Assistant U.S. Attorney for the District of New Jersey, and Assistant U.S. Attorney for the Southern District of New York.



David Fagan
Partner
dfagan@cov.com

David Fagan's practice covers national security law, international trade and investment, cybersecurity, and global privacy and data security. Mr. Fagan has represented clients before federal and state government agencies and Congress in connection with a range of issues, including regulatory approvals of international investments, national security-related criminal investigations, high-profile congressional investigations, cybersecurity matters, and federal and state regulatory and enforcement actions in the data security area.

In the privacy and data security area, Mr. Fagan counsels clients on preparing for and responding to cyber-based attacks on their networks and information, assessing their security controls and practices for the protection of data, developing and implementing information security programs, and complying with federal and state regulatory requirements, as well as on transactional matters involving the transfer of personal data. Mr. Fagan also has been counsel to companies in a range of cyber and data security incidents, including dozens of data security breach matters involving millions of affected consumers.

Industry and Practice Group - Topics of Interest

Please identify, by checking the box, the areas of interest for your contact. The contact will be added to the relevant practice or industry group mailing list(s).

CONTACT NAME: _____

Corporate, Tax & Benefits
<input type="checkbox"/> Corporate
<input type="checkbox"/> Employee Benefits
<input type="checkbox"/> Employee Benefits - Tax Exempt Client
<input type="checkbox"/> M&A
<input type="checkbox"/> Investment Advisers
<input type="checkbox"/> Private Equity
<input type="checkbox"/> Securities
<input type="checkbox"/> Tax

Litigation
<input type="checkbox"/> Anti-Corruption (China)
<input type="checkbox"/> Anti-Corruption (London)
<input type="checkbox"/> Anti-Corruption (US)
<input type="checkbox"/> E-Discovery
<input type="checkbox"/> ERISA Litigation
<input type="checkbox"/> International Arbitration
<input type="checkbox"/> Insurance Coverage
<input type="checkbox"/> IP (China)
<input type="checkbox"/> IP/Patent Litigation
<input type="checkbox"/> Litigation (EU)
<input type="checkbox"/> Securities Litigation
<input type="checkbox"/> White Collar

Industries, Regulatory & Legislative
<input type="checkbox"/> CECIG and Energy
<input type="checkbox"/> Biofuels
<input type="checkbox"/> Electricity
<input type="checkbox"/> Financial
<input type="checkbox"/> Law Firms
<input type="checkbox"/> Mining
<input type="checkbox"/> Nuclear
<input type="checkbox"/> Other
<input type="checkbox"/> Renewables & Clean Tech
<input type="checkbox"/> Solar
<input type="checkbox"/> Oil & Gas
<input type="checkbox"/> Consumer Law/Manufacturing
<input type="checkbox"/> Election & Political Law
<input type="checkbox"/> Employment (International)
<input type="checkbox"/> Employment (US)
<input type="checkbox"/> Environmental
<input type="checkbox"/> Financial Institutions
<input type="checkbox"/> Foreign Bank
<input type="checkbox"/> Government Contracts
<input type="checkbox"/> Public Policy & Government Affairs (EU)
<input type="checkbox"/> Public Policy & Government Affairs (US)
<input type="checkbox"/> REACH (EU)
<input type="checkbox"/> States

Aerospace, Defense & National Security
<input type="checkbox"/> Defense, Homeland & National Security [In Progress]

Antitrust & Competition Law
<input type="checkbox"/> Anti-Monopoly Law Enforcement (China)
<input type="checkbox"/> Antitrust
<input type="checkbox"/> Competition (EU)

Life Sciences
<input type="checkbox"/> Animal Food & Drug
<input type="checkbox"/> Food & Beverage/Cosmetic/Dietary Supplements
<input type="checkbox"/> Food & Drug (EU)
<input type="checkbox"/> Health Care (Privacy)
<input type="checkbox"/> Health Care (Reimbursement Issues)
<input type="checkbox"/> Life Sciences (EU)
<input type="checkbox"/> Medical Devices
<input type="checkbox"/> OPDP
<input type="checkbox"/> Pharmaceutical & Biotech
<input type="checkbox"/> Pharmaceutical & Biotech (China)

International Trade & Finance
<input type="checkbox"/> CFIUS
<input type="checkbox"/> International Trade Controls
<input type="checkbox"/> Trade Controls (China)
<input type="checkbox"/> Trade Policy

Technology & Media
<input type="checkbox"/> Communications (Master)
<input type="checkbox"/> Broadband
<input type="checkbox"/> Broadcast
<input type="checkbox"/> Content/New Media
<input type="checkbox"/> Equipment
<input type="checkbox"/> FCC Children
<input type="checkbox"/> FCC General
<input type="checkbox"/> FCC Transaction
<input type="checkbox"/> General Counsel
<input type="checkbox"/> International
<input type="checkbox"/> Private Equity
<input type="checkbox"/> Public Company
<input type="checkbox"/> Technology
<input type="checkbox"/> Telecom
<input type="checkbox"/> Telecom (EU)
<input type="checkbox"/> Communications - Public
<input type="checkbox"/> Communications - Public (New Media)
<input type="checkbox"/> Data Privacy (EU)
<input type="checkbox"/> Intellectual Property Rights
<input type="checkbox"/> Media
<input type="checkbox"/> Media, Internet & Telecommunications
<input type="checkbox"/> Privacy & Data Security (US)

Miscellaneous
<input type="checkbox"/> Conflict Minerals
<input type="checkbox"/> India
<input type="checkbox"/> Korea
<input type="checkbox"/> Latin America [In Progress]