DATED MATTER

Look inside for program details!

- Attend any of 9 CLE programs plus two optional CLE programs
- Network with leading procurement practitioners
- Participate in the Section Council Meeting
- Register by FEBRUARY 12 and get a discounted rate

Don’t miss this premier event!

21st Annual Federal Procurement Institute

Procurement Baseball—Covering All the Bases

March 11-13, 2015

2 Full Days at Loews Annapolis Hotel, Annapolis, MD

Followed by the Section's Council Meeting on March 14
Procurement Baseball: Covering All the Bases
March 11–13, 2015 Loews Annapolis Hotel Annapolis, MD

In the 2015 Federal Procurement Institute, expert panelists will explore how legal practitioners can respond effectively to audit, enforcement, and litigation challenges, including the latest trends in e-discovery and best practices for response to subpoenas and investigations. These experts will provide practice tips for government, private bar and in-house counsel related to bid protests, privacy issues, and more.

Jointly sponsored by the ABA Section of Public Contract Law and Federal Bar Association Government Contracts Section, our expert panelists from Government, industry, academia, private law practice and consulting firms will address:

- E-discovery for the government and its contractors; making effective production;
- Evolving compliance requirements and strategies to respond to subpoenas and investigations;
- Judges debate statutory/regulatory interpretations, the fall-out of good faith and fair dealing and fraud allegations;
- General counsels discuss risks that keep contractors up at night and tips for managing through crises;
- Experts review bid protest jurisdiction, corrective-actions and practice advice for protest preparation;
- Insiders describe the funding and legislative priorities of the 114th Congress;
- Privacy issues faced by the Government and contractors in a cyber-laden world;
- Ethical rules implied when advising on emerging areas of law; handling conflicts and multi-party matters; and professional rules applicable to Government lawyers and in-house counsel;
- Optional events include a Wednesday evening Practicum on Government audit rights, access to data and people, the bases of government need and practical solutions to audit access issues and a Thursday Construction Luncheon Program on the “Interplay between Contractor, Surety, and Government of Federal Construction Contracts.”

On Saturday, March 14, 2015, from 8:30 a.m. to 12:00 noon, the ABA Public Contract Law Section Council will meet in open session to discuss actions and information on legislation, regulations, and other current issues important to government contracts practitioners. Put this meeting on your “don’t miss” calendar. Register now to take advantage of the discounted rate.

The Section gratefully acknowledges the generous support from the following 2015 FPI sponsors:

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- Smith Currie & Hancock LLP

**Construction Luncheon**

- Gold
- Silver
### Optional Practicum: Government Contracting Moneyball: Cost Issues

5:00–7:00

- Scope and limitation of audit rights
- Access to data, and people—hot topic items
- Bases of Government need
- Practical solutions to audit access issues

**Paul E. Pompeo, Moderator**
Arnold & Porter LLP

**Jeffrey S. DuVal**
The Kenrich Group LLC

**Thomas A. Lemmer**
McKenna Long & Aldridge LLP

**David Hoffman**
Deputy General Counsel
Defense Contract Audit Agency

**John H. Russell**
Corporate Director & Corporate Counsel
Northrup Grumman Corporation

**Reception hosted by PwC**
Crush Kitchen & Winehouse, 114 West Street

7:00–8:00

8:00–9:30

**“No Host” Women’s Networking Dinner**
Nearby venue to be determined

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### THURSDAY, MARCH 12, 2015

7:15–8:15

**Registration and Continental Breakfast**

8:15–8:30

**Opening Remarks and Introductions**

**Stuart B. Nibley, Chair**
Section of Public Contract Law
K&L Gates LLP

**Anne M. Donohue, FPI Co-Chair**
Sr. Vice President & General Counsel
SRA International, Inc.

**John R. Prairie, FPI Co-Chair**
Wiley Rein LLP

10:00–10:15

**Networking Break**

10:15–11:45

**Subpoenas and Investigations—Hits and Misses**

- When and how the Government uses subpoenas in investigating potential fraud
- The early days: Government expectations and the contractor’s reaction
- Strategies for avoiding and responding to subpoenas

**Gail D. Zirkelbach, Moderator**
Crowell & Moring LLP

**Aleksandra Doran**
Assistant Counsel, Office of the Inspector General
General Services Administration

**Keith V. Morgan**
Deputy Chief, Civil Division
United States Attorney’s Office

**Steven N. Siegel**
Corporate Counsel (Investigations)
Northrop-Grumman Corporation

**John L. Brownlee**
Holland & Knight LLP

**Sarah A. Maguire**
Assistant General Counsel, Litigation and Investigations
BAE Systems

**Col. Robert J. Preston, II**
United State Air Force
Acquisition Law and Litigation

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8:30–10:00

**Stepping up to the Plate: What You Need to Know Now for-E-Discovery in Government Contracts Cases**

- What issues does a government contractor face when litigation involves e-discovery?
- How does the Government deal with e-discovery, both as the recipient of data and the producer of documents?
- What must government contractors understand about the Government’s e-discovery capabilities?
- How can in-house counsel most effectively deal with collection and production of documents in an e-discovery world?

**Daniel E. Chudd, Moderator**
Jenner & Block LLP

**Robert E. Kirschman, Jr.**
Director, National Courts Section of the Commercial Litigation Branch
Department of Justice
12:00–1:30  Optional Construction Luncheon: Interplay between Contractor, Surety, and Government on Federal Construction Projects
This 30-minute boxed lunch, followed by a 60-minute CLE program, is optional. **No seminar-sponsored luncheon is scheduled.**
- Review of Government bonding requirements and surety security interests
- What are the surety’s response to a default or termination and the financial consequences of default/termination?
- What issues should the surety and Government consider before utilizing/approving a completion contractor?

Susan N. Eccles, Moderator
Dunlap Fiore LLC

Rudy Dominguez
Surety Claims Counsel
Liberty Mutual Insurance Company

L. Rex Crosswhite
District Counsel, Fort Worth District
US Army Corps of Engineers

An analytic discussion of the legal issue addressed in the paper awarded First Place in the 2014 Public Contract Law Journal Writing Competition

Deborah Norris Rodin
The George Washington University Law School

2:15–3:45  Judges’ Panel: Calling Balls and Strikes on Recent Decisions
- Good faith and fair dealing fallout
- Fraud allegation pitfalls
- A new look at damages
- Thorny issues of statutory and regulatory interpretation

3:45–4:00  Networking Break

4:00–5:30  Coaching Tips from Inside the Dugout: General Counsels Speak
- Controlling corporate and agency risks
- Managing through crises
- Best practices for responding to Government regulators

Michelle D. Hertz
General Counsel
CGI Federal Inc.

Maryanne R. Lavan
Senior Vice President & General Counsel
Lockheed Martin Corporation

5:30–6:30  Reception hosted by WilmerHale

7:00–9:00  “No Host” Dinners at Restaurants near Loews Annapolis Hotel
7:30–8:00  Registration and Continental Breakfast

8:00–8:15  Opening Remarks and Introductions
Scott Flesch, FPI Co-Chair
US Army Legal Services Agency

David F. Dowd, FPI Co-Chair
Mayer Brown LLP

8:15–9:45  Bid Protests—No Easy Day at the Park
• Bid protest jurisdiction—What is a procurement? Does a bid protest remedy exist?
• Record review—How strict is it?
• Corrective action challenges and serial protests—good, bad, indifferent
• Protest preparation—Practical tips for an efficient and expedient challenge process

Kara L. Daniels, Moderator
Arnold & Porter LLP

LTC Patrick Butler
Chief, Contract & Fiscal Law Division
Office of Chief Counsel, National Guard

Louis A. Chiarella
Senior Attorney
Government Accountability Office

Hon. Marian Blank Horn
United States Court of Federal Claims

Kirk T. Manhardt
Assistant Director, Commercial Litigation
Department of Justice

11:45–1:15  Program Luncheon
Speaker:
Teisha M. Anthony
Deputy General Counsel
National Security Agency

1:30–3:00  Privacy for Government Contractors
Is a Whole New Ballgame in the Age of Information Sharing: Safeguarding Government Data
• What privacy issues does a government contractor face?
• How does the Government deal with privacy breaches of Government furnished data and data collected from third party sources?
• What must government contractors understand about emerging privacy standards and regulations?
• High profile breaches and ways in-house counsel can effectively mitigate risk

M. Peter Adler, Moderator
Vice President, Deputy General Counsel & Chief Privacy Officer
SRA International, Inc.

John T. Martinez
Senior Counsel for Cybersecurity and Special Missions
Raytheon Intelligence, Information and Services, Raytheon Company

Kirk J. Nahra
Wiley Rein LLP

Karen Neuman
Chief Privacy Officer and Chief Freedom of Information Act Officer
Department of Homeland Security

9:45–10:00  Networking Break

10:00–11:30  Inside Baseball: A View on Issues before the 114th Congress
• What will the new Congress fund?
• What issues or possible investigations will occupy the new Congress?
• Recent cyber legislation

Alan Chvotkin, Moderator
Executive Vice President & Counsel
Professional Services Council

Jim Richards
Cornerstone Government Affairs

Andrew Hunter
Center for Strategic and International Studies

3:00–3:15  Networking Break
3:15–5:15  Ethics Program—Covering All the Bases
• Ethics and professional responsibility
hypotheticals
• Managing conflicts and matters involving
multiple lawyers
• Ethical challenges for government lawyers
and their counter-parts
• Professional rule considerations when
advising clients on emerging or unsettled
law

Marianne Roach-Casserly, Moderator
Alston & Bird LLP

Peter R. Jarvis
Holland & Knight LLP

LCDR William C. Kuebler
Assistant Professor, Department of
Leadership, Ethics, and Law
US Naval Academy

Thomas E. Reinert, Jr.
Morgan Lewis & Bockius LLP

5:15–7:15  Section Reception

We gratefully acknowledge the contributions from the
following sponsors to help defray the costs of all of the
Section’s quarterly Receptions this year.

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activities.

DIETARY RESTRICTIONS

If you have any dietary restrictions, please email the Program
Registrar at: Ernestine.Leibas@americanbar.org by February 18,
2015 so that your needs are noted.

AMERICANS WITH DISABILITIES ACT

If any special arrangements are required for a disabled
individual to attend this conference, please call or email
Ernestine Leibas, Program Registrar, at 312.988.5699 or
Ernestine.Leibas@americanbar.org by February 18, 2015.
SECTION COUNCIL MEETING

On Saturday, March 14, from 8:30 a.m. to 12:00 noon, at Loews Annapolis Hotel, the Council of the Section of Public Contract Law will meet in open session to discuss issues of current importance to government contracts practitioners. All members and 2015 FPI registrants are welcome.

CANCELLATION POLICY

Requests for refund must be made in writing and received by the ABA Service Center’s offices on or before February 26, 2015. Refund requests received after February 19 will be reduced by a $50.00 administrative fee. Substitutions may be made at any time.

A registration submitted online, by mail, or email to the ABA is considered a firm commitment. If you do not cancel by the designated deadline date for refund, you will be expected to pay the registration fee even if circumstances prevent you from attending the program.

NO REFUNDS WILL BE MADE AFTER FEBRUARY 26, 2015.

HOTEL INFORMATION

Loews Annapolis Hotel, located at 126 West Street in the historic seaport of Annapolis, Maryland, is a 25-minute drive from both Baltimore and Washington, D.C., and only 18 miles from Baltimore-Washington International Airport (BWI). Room rates are $169, single or double, plus 13% tax per room per night. A very limited number of rooms are also available for government employees at the rate of $129 single or double. Proof of current employment by a government agency will be required at check-in to be entitled to this $129 room rate. Parking rates range from $8-$23 per day.

You may reserve your accommodations at Loews Annapolis Hotel by calling the hotel directly at 800.526.2593 and guaranteeing your reservation by credit card or deposit check. Please refer to the ABA Public Contract Law 21st Annual Federal Procurement Institute. Rooms will be available for check-in after 3:00 p.m. with a check-out time of 12:00 noon. Early arrivals or late departures will be booked on an availability basis. Individuals with guaranteed reservations must cancel their reservations by 24 hours prior to the scheduled day of arrival to avoid a one night’s cancellation charge.

Make your reservations NOW. The hotel will release the room block on February 18, 2015.

GROUND TRANSPORTATION

Super Shuttle operates a van/bus service between BWI and Annapolis. Information about this service can be obtained by calling 800.258.3826. The cost is $38 per person each way, and $74 if booked as a round trip.

Private car transportation from BWI is available for $68 each way for one or two persons. Arrangements should be made in advance by calling Epic Sedans at 443.822.8747 or info@epicsedans.com.

CLE / CPE CREDIT

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, WI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 16.0 CLE credit hours (including 2.0 ethics hours) in 60-minute states, and 19.20 credit hours (including 2.4 ethics hours) in 50-minute states. These total credit hours include those for the Optional Practicum and Optional Construction Division Program. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, please contact Ernestine Leibas at Ernestine.Leibas@americanbar.org or 312.988.5699. The American Bar Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org

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COMING ATTRACTIONS

APRIL 23 – 24, 2015
10th Annual State and Local Procurement Symposium
LOEWS PHILADELPHIA HOTEL, PHILADELPHIA, PA

JULY 30 – AUGUST 1, 2015
Annual Educational Programs and Council Meeting
INTERCONTINENTAL CHICAGO, CHICAGO, IL

NOVEMBER 12 – 14, 2015
Fall Educational Program and Council Meeting
FRANCIS MARION HOTEL, CHARLESTON, SC

MARCH 9 – 12, 2016
22nd Annual Federal Procurement Institute and Midyear Council Meeting
LOEWS ANNAPOLIS HOTEL, ANNAPOLIS, MD
### Basic Registration
(Please circle appropriate amount)

<table>
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<tr>
<th>Registration</th>
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<tr>
<td>On or Before</td>
<td>After Feb. 12, 2015</td>
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<tr>
<td>PCL (Public Contract Law) Section or FBA Member</td>
<td>$450.00</td>
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<td>PCL or FBA Government Employee, Academic, Lawyer Admitted to Practice Less than 5 Years</td>
<td>$350.00</td>
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<td>$410.00</td>
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<td>ABA Member, PCL Non-Member</td>
<td>$550.00</td>
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<tr>
<td>Non-ABA or Non-FBA Member</td>
<td>$650.00</td>
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<tr>
<td>Law Student</td>
<td>$75.00</td>
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For reservations postmarked, faxed or entered online after March 5, 2015, add $50 to each fee category.

Your registration fee includes continental breakfast on both days, all scheduled breaks, Friday luncheon, Friday reception, and two days of speakers' written presentations available in advance through a web link that will be provided. No written materials will be available on-site. You may wish to bring a laptop, notebook, or tablet to view the materials on-site as complimentary Wi-Fi access will be available.

The registration fees above provide for reduced registration fees for government employees, academics, public interest lawyers employed with non-profit organizations, lawyers admitted to practice less than 5 years, and law students. The Section of Public Contract Law’s Scholarship Program provides a total of 3 Scholarships every two years for lawyers in need of financial assistance wishing to attend Section programs. Those interested in applying for future Scholarships should send a letter of interest to Marilyn M. Neforas, Director, ABA Section of Public Contract Law, 321 North Clark Street, M/S. 19.1, Chicago, IL 60654, marilyn.neforas@americanbar.org. No other full-tuition waivers are available.

### Events Registration
(Please indicate all events you and your spouse/guest will attend)

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<tr>
<td>Wednesday, March 11</td>
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<tr>
<td>Optional CLE Practicum on Government Contracting Moneyball: Cost Issues</td>
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<tr>
<td>Reception hosted by PwC</td>
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<td>Thursday, March 12</td>
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<tr>
<td>Optional Construction Division Luncheon and CLE Program: Interplay between Contractor, Surety, and Government on Federal Construction Projects</td>
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<tr>
<td>Reception hosted by WilmerHale</td>
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<td>Friday, March 13</td>
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<tr>
<td>Luncheon</td>
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<td>Reception</td>
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<td>Saturday, March 14</td>
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<td>Council Meeting</td>
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- Enclosed is my check, made payable to the American Bar Association.
- Credit card payments accepted online only at: [http://ambar.org/](http://ambar.org/)
- Enclosed is Government purchase/training order.
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#### Registration Totals

<table>
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<td>Registration Fee $____________</td>
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<tr>
<td>Other Events $____________</td>
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Send to:
American Bar Association
Attn: Service Center Meeting/Event Registration
PC1503
321 North Clark Street
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Secured Fax Number: 312-988-5850

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ABA Member No. ____________________________ FBA Member No. ____________________________
Employment Affiliation: _____________________________________________________________
Suite Number or Floor: _______________________________________________________________
Street Address: ___________________________________________________________________
City/State/Zip: ___________________________________________________________________
Primary Phone Number: __________________ Fax Number: _______________________________
Email: ___________________________________________________________________________
Spouse/Guest: ____________________________________________________________________