

## Government Contracts Group Of The Year: Crowell & Moring

By **Michael Macagnone**

*Law360, Washington (January 6, 2016, 8:50 PM ET)* -- Big-ticket successes — including vacating a \$657 million False Claims Act verdict at the Sixth Circuit — along with wins for government contractor clients in district courts, with agencies and through acquisitions showed the continuing muscle of Crowell & Moring in 2015, earning the firm another spot among Law360’s Government Contracts Groups of the Year.



The co-chairs of the firm’s government contract practice — now more than 50 attorneys strong — attributed much of their success to a deep, growing bench of talent and an ability to think strategically and identify issues among traditional government contractors and newer companies just engaging in government contracts.

Daniel Forman, one co-chair whose long streak of “dogged” advocacy for clients, cemented his place in the 2015 Government Contracts MVPs, emphasized the firm’s team approach to its representation across a growing range of industries.

“If you are looking to ID denominators, it is really the breadth and depth of the practice, the ability to be counselors and litigators and investigators and in a broad swath of industries from defense to health to technology,” Forman said.

Even as the practice group has grown and branched out to growing contracting businesses in health care and technology, according to co-chair Angela Styles, it has continued finding success with longstanding clients, such as United Technologies Inc. In April, the Sixth Circuit rejected a \$664 million verdict in the long-running False Claims Act suit against the company, ordering U.S. District Judge Thomas M. Rose to consider the comparative cost of Pratt & Whitney’s engines for the F-15 and F-16 fighter jets as opposed to engines made by General Electric when calculating any damages the government may have suffered.

At the same time such high-profile court cases have come down, Styles pointed to the firm’s ability to learn

from so-called “new economy” clients in technology and health care, better marrying the firm’s longstanding government contracting knowledge with evolving business practices.

“We have an ability to approach a company and exercise our ability to think strategically to get the result you want,” Styles said.

Styles said the firm has grown its ability to reach out beyond traditional contractors, including a \$113 million win for SUFI Network Services Inc. at the Court of Federal Claims in July.

The long-running dispute involves multiple breaches of a contract between the Air Force and SUFI, which was hired in 1996 to install and operate telephone systems at various Air Force lodging facilities in Europe. SUFI was not paid for the work, but intended to recoup its costs and earn a profit by charging guests for local or long-distance calls made from SUFI's phones. The company alleged that the Air Force allowed guests to circumvent SUFI's charges by using calling cards and abusing a free line for short international calls.

U.S. District Judge Thomas C. Wheeler found that the company was entitled to the finality of an Armed Services Board of Contract Appeals decision, giving it \$113 million after more than a decade bouncing up and down various courts and agencies.

The firm also represented Accenture Federal Services in its February acquisition of Virginia-based Agilex Technologies Inc., a company that supplies digital and mobile technology to federal agencies. The privately held Agilex, which is based in Chantilly, Virginia, specializes in what it calls unique mission and information technology requirements for federal agencies.

The Government Accountability Office also sided with Crowell & Moring clients on several occasions, including recommending the Air Force rebid a \$110 million vehicle contract in light of a protest by Georgia-based Logistics Management International Inc. and Saudi Arabian Al Raha Group for Technical Services Inc.

Although the GAO rejected Crowell client RGTS’ claim that its past performances were undervalued, it sustained the protest that the Air Force’s evaluation of original winner SupplyCore was inadequate because the recent performances the company submitted were not relevant to the current request for proposals since they were for much smaller projects.

In the coming year, Styles and Forman said the firm hopes to grow its client base, leveraging its “nuts and bolts” knowledge of government contracting to help clients who do not specialize in working with the federal government and maybe never have before.

“Our lawyers have been out in front in thinking to not just identify the issues but identify the practical solutions to deal with these issues,” Forman said. “Being able to come into a company that is really more of a commercial company that has a side business that is government contracting, that is what you will see for more companies, and we find creative solutions for dealing with the government.”

Crowell has continued to add new talent Styles said, from lateral hires like Lorraine Campos, the former co-chair of Reed Smith LLP’s government contracts and grants practice, to up-and-coming attorneys, maintaining the practice group’s deep bench of expertise.

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