

Gov't Contracts MVP: Crowell & Moring's Daniel Forman

By Daniel Wilson



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Daniel Forman's successful work on challenges to significant government software and medical supply contracts, continuing a long streak of "dogged" advocacy for clients, has earned the Crowell & Moring LLP partner a spot on Law360's 2015 list of Government Contracts MVPs.

The 43-year-old Forman, one of five government contracts MVPs this year, is a "lifer" at Crowell & Moring, he told Law360, joining as an associate fresh out of law school in 1997 after previously working as a summer associate at the firm.

He now co-chairs the firm's prominent government contracts practice group — a winner this year of a Law360 Practice Group of the Year award — after being named to the leadership role in 2014, and was quick to share credit for his successes with his colleagues, saying that the firm has "very much a team approach" when it comes to resolving issues for clients.

"The group itself is really the MVP," he said.

But Peter Eyre, a Crowell & Moring government contracts partner and longtime colleague of Forman's, said that although Forman is a "real team player" who takes significant pride in the success of younger attorneys he has helped to mentor, much of his success was of his own making, praising Forman's "energy and drive."

Forman has a "dogged" commitment to client service and success using the best means available to achieve the desired outcome, whether in public or with a quiet resolution, according to Eyre.

"Dan is one of those people who can think about all the different tools to get to success. ... He defines success broadly and holistically and likes to win — he's competitive in the best possible way," Eyre said.

Forman's list of clients and his track record both back those claims. Among his contractor clients are

technology and telecom giants like the former Hewlett-Packard Co., Avaya Inc. and AT&T Corp., defense firms such as Huntington Ingalls Industries and Northrop Grumman Corp. and health care and homeland security firms, as driven by the priorities of the federal budget.

In the last year alone, Forman's work — which encompasses bid protests, False Claims Act cases, debarment proceedings, investigations and a range of other contract-related matters — has taken him across the country and put him before multiple federal agencies, courts and other venues, he said.

"One of the things that is really attractive to me about the practice I have and being part of Crowell & Moring is the depth and breadth of matters I get to work on," he said. "It's an incredibly exciting area of the law."

These include a lead role in helping Northrop secure a significant victory in January, successfully defending it in a \$200 million bid protest over a U.S. Customs and Border Protection software development and maintenance contract, hot on the heels of the firm getting Northrop back into the running for an Army support services procurement it was initially excluded from.

In another tricky case, Forman and his team helped medical equipment supplier Community Surgical Supply Inc. defend against a \$46 million bid protest before both the U.S. Government Accountability Office and Court of Federal Claims over a U.S. Department of Veterans Affairs respiratory care contract.

CSS, with the aid of Forman and his team, beat back the challenges from former incumbent Rotech Healthcare Inc., despite a "problematic" agency record that required careful work to craft winning arguments.

And although reluctant to divulge specific details due to the sensitivity involved, he has also been involved in important recent work as a trusted advisor to HP, including advising the company on security enhancements and subcontractor screening following the deadly shooting tragedy at the Washington Navy Yard in 2013, as well as during its recent split into separate consumer and enterprise businesses.

Forman's ongoing relationship with the tech giant has seen him rack up a few prominent notches on his belt, including taking a lead role in the successful 2013 defense of the company's \$3.5 billion Navy network upgrade contract in a bid protest before the GAO.

But whether he's working with an industry giant or a small startup company, Forman brings the same level of service to every issue, he said.

"There's a lot of amazing government contracts lawyers in Washington, and one of the things I like to pride myself on ... is to provide not only the best quality lawyering, but also good quality service," he said. "I always try to remind myself that above all else, we are service providers."

--Editing by Mark Lebetkin.