



BCABA ANNUAL PROGRAM

October 7, 2010

Renaissance M Street Hotel
1143 New Hampshire Avenue, NW
Washington, D.C

8:30-9:00 am

Registration*

Welcoming Remarks: **Susan Warshaw Ebner** (Buchanan Ingersoll & Rooney PC), **President, BCABA, Inc.**
David S. Black (Holland & Knight LLP), **Vice-President and Program Chair**

9:00 - 10:15 a.m. PROCUREMENT POLICY DEVELOPMENTS IN THE SECOND YEAR OF THE OBAMA ADMINISTRATION

Many years of acquisition reform initiatives have significantly altered the procurement landscape, yet each session of Congress brings dozens more bills intended to further tweak the process. From fraud, waste and abuse to contractor and government workforce issues, from small business preferences to domestic preferences, this panel will share insights and analysis on the key legislative provisions impacting government contractors.

Panelists: **Cathy Garman**, Professional Staff Member, House Armed Services Committee; **Alan Chvotkin, Sr.**, Vice President and Counsel, Professional Services Council; **Jeffrey Green**, President, J.A. Green & Company
Moderator: **Kristen Ittig**, Partner, Arnold & Porter LLP

10:15 - 11:15 a.m. IMPLEMENTATION OF THE FERA AMENDMENTS TO THE FALSE CLAIMS ACT

The Fraud Enforcement and Recovery Act marks the first full scale amendment to the False Claims Act since 1986. The new law significantly expands the scope and reach of the FCA and eliminates key defenses to FCA actions that were previously available under recent judicial decisions. This panel will discuss the noteworthy changes to the FCA and the heightened risk that contractors face under the new law.

Panelists: **Stephen D. Altman**, Former Assistant Director, Commercial Litigation Branch, Department of Justice; **Richard O. Duvall**, Partner, Holland & Knight LLP; **Robert L. Vogel**, Partner, Vogel, Slade & Goldstein LLP
Moderator: **David M. Nadler**, Partner, Dickstein Shapiro LLP

11:30-12:15 p.m. ADVENTURES IN ACCOUNTING: PREPARING CLAIMS FOR MATHEMATICALLY CHALLENGED LAWYERS

Documenting quantum in a government contract claim frequently presents a wide variety of challenges that are largely unknown to attorneys, but which accountants encounter and resolve. The panel of experienced practitioners will discuss some of the complex accounting problems and pitfalls that arise in government contract litigation.

Panelists: **James W. Thomas**, Partner, PricewaterhouseCoopers LLP; **Nadine A. Massih**, RSM McGladrey, Inc.; **Greg S. Bingham**, Vice President, The Kenrich Group LLC
Moderator: **Peter A. McDonald**, Director, Navigant Consulting

12:15 - 1:15 p.m. LUNCHEON

Speaker: **The Hon. Randall R. Rader**, Chief Judge, United States Court of Appeals for the Federal Circuit

1:30 - 2:45 p.m. THE INTERPLAY BETWEEN ADMINISTRATIVE LAW AND PROCUREMENT LAW: SEEING THE BIG PICTURE

Like grants and government contracts, administrative law and procurement law exist in close proximity, albeit not in perfect harmony. This panel will explore some of the issues at the intersection of administrative law and procurement law, such as the FAR rulemaking process, conflicts between the FAR and federal statutes, legislative/executive conflicts, regulation by Internet and "tweet," and APA vs. Tucker Act jurisdiction. The panel will feature a behind-the-scenes look at the cryptic, often opaque FAR rulemaking process.

Panelists: **Robert A. Burton**, Partner, Venable LLP (former OFPP deputy administrator); **Margaret K. Patterson**, Army Legal Member of DAR Council; **Jeffrey S. Lubbers**, Professor of Practice in Administrative Law, American University
Moderator: **John A. Howell**, Sullivan & Worcester LLP

3:00 - 4:00 p.m. BCA JUDGES PANEL

Judges will discuss key issues and best practices in the presentation of damages claims in BCA litigation, including pre-litigation claim presentation, discovery and evidentiary issues related to damages, and practical considerations in damages presentation.

Panelists: **Judge Paul Williams**, Chairman, Armed Services Board of Contract Appeals; **Judge Anthony Borwick**, Civilian Contract Appeals Board; **Judge Jonathan Zischkau**, District of Columbia Contract Appeals Board; **Judge Sharon L. Larkin**, Government Accountability Office Board of Contract Appeals; **Judge Gary E. Shapiro**, Postal Service Board of Contract Appeals
Moderator: **Francis E. Purcell, Jr.**, Partner, Williams Mullen

**5.0 Hours of Virginia CLE Credit Requested
(Subject to Final Virginia Bar Approval)**

4:00 - 4:30 p.m. BCABA, INC. ANNUAL MEETING



BCABA ANNUAL PROGRAM REGISTRATION FORM

Registration Deadline: September 30, 2010

Name: _____

Title: _____

Company/Agency: _____

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Questions?
Contact David Black
703-720-8680
david.black@hklaw.com

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| | |
|--|-------|
| Non-Members: | \$200 |
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Registration Deadline: September 30, 2010

If you wish to pay for the BCABA Annual Program registration fee(s) and/or membership due(s) by credit card (VISA or Master Card only) *in lieu of check*, please provide the following information:

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