



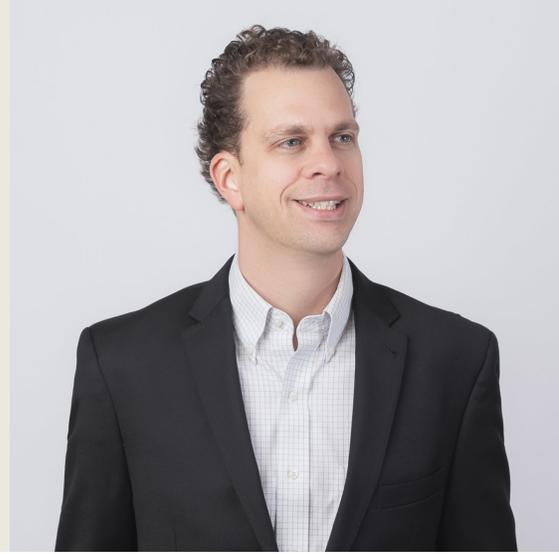
## Jon W. Burd

Partner



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Jon is a creative problem solver who counsels government contractors and subcontractors on a range of legal matters. He routinely handles complex government contracts disputes and earns praise from clients for his ability to quickly assimilate challenging technical issues involving weapons system, aerospace, and intelligence programs.

Jon regularly litigates bid protests before the Government Accountability Office (GAO), the Court of Federal Claims (COFC), and federal agencies; conducts internal investigations involving allegations of contractor fraud or abuse and represents clients in response to Department of Justice (DOJ) and Inspector General (IG) subpoenas, suspension and debarment proceedings, and employee whistleblower claims; helps clients develop and maintain internal compliance and training programs; and advises buyers and sellers in mergers, acquisitions and other due diligence activities unique to government contractors.

Jon serves as the Firm's Facility Security Officer and has unique experience advising government contractor and critical infrastructure clients on a range of cybersecurity and national security compliance issues and representing clients in investigations and litigation involving classified programs.

## Representative Matters

- Defended an aerospace contractor against a wrongful termination claim in connection with a cleared former employee's suspension and subsequent debriefing from a Special Access Program. *Dubuque v. The Boeing Co.*, 325 F. R.D. 296 (E.D. Missouri, 2018) (dismissing amended complaint).
- Defended a national security services contractor against a claim for breach of a teaming agreement in connection with a classified program, where the U.S. Department of Justice intervened to assert the State Secrets privilege and dismiss the case. *Wever v. AECOM National Security Programs, Inc.*, No. 1:17-cv-00200, 2017 WL 5139263 (E.D. Virginia, 2017) (slip op.)
- Provided government contracts due diligence and advised on Defense Security Services (DSS) notifications and approvals in connection with a

## Practice Areas

Foreign Ownership, Control or Influence (FOCI)  
Government Contracts  
National Security  
Privacy, Cyber & Data Governance

## Credentials

### Education

J.D., *magna cum laude*, George Mason University School of Law  
B.A., The Johns Hopkins University

### Clerkships

Law Clerk for the Honorable Lawrence J. Block, U.S. Court of Federal Claims (2004-2006)

### Bar and Court Memberships

District of Columbia Bar  
Maryland Bar  
U.S. Court of Appeals for the Eighth Circuit  
U.S. Court of Federal Claims  
U.S. District Court for the District of Columbia

global aviation services provider's \$560 million acquisition of a privately-held heavy-lift helicopter services and MRO services provider.

- Advises multiple clients on compliance with all aspects of DFARS Clause 252.204-7012, Safeguarding Covered Defense Information, including the implementation of NIST 800-171 compliant information systems, mandatory cyber incident reporting and follow-up, and subcontractor flow-down obligations.
- Defended and successfully resolved whistleblower allegations and a government investigation regarding cybersecurity obligations for sensitive compartmented information systems under ICD 500 and DCID 6/3.
- Negotiated a contract termination and represented client in a parallel investigation by an agency's Office of Inspector General in connection with a national security intelligence program.
- Successfully negotiated a \$375 million indemnification payment by the U.S. Department of Energy to two legacy DOE contractors in connection with the settlement of a class action lawsuit under the Price Anderson Nuclear Industries Indemnity Act involving historical nuclear contamination near the Rocky Flats plutonium processing facility.
- Represented an aerospace contractor in connection with a defense agency's investigation into the alleged improper use and disclosure of classified information from a special access program in the contractor's proposal for another agency program.

## Professional Experience

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- Adjunct Professor, Government Contracts (2019) and Commercial Paper (2005-2006), Antonin Scalia Law School at George Mason University
- Summer Law Clerk for the Honorable Bruce Levine, U.S. Commodity Futures Trading Commission (2003)
- Intern for the Institute of International Banking Law and Practice (2001-2002)
- Works with the Whitman-Walker clinic to represent clients with HIV/AIDS pursuing claims for Social Security disability benefits

## Affiliations

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- American Bar Association (ABA), Section of Public Contract Law
  - Acquisition Reform & Emerging Issues Committee
  - Bid Protest Committee
  - Procurement Fraud Committee
- Court of Federal Claims Bar Association
  - President-Elect (2021)
  - Board of Governors

## Recognitions

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- Listed by *Chambers USA* as one of "America's Leading Lawyers for Business" (2020) and "America's Leading Lawyers for Business - Up and Coming" in Government Contracts (2018-2019)
- Recognized by *Law360* as a "Rising Star" in Government Contracts law (2016)

- Named by *The Legal 500 US* a "next generation lawyer" (2017-2020) and a "recommended lawyer" (2016-2019) in Government Contracts
- Named one of *Bisnow's* "Trending 40 Lawyers Under 40", which recognizes up-and-coming lawyers from the Washington, DC metro area who have distinguished themselves with exceptional performance and potential (2015)
- Named to *Law360's* Aerospace & Defense Editorial Advisory Board (2020)