CONFERENCE UPDATE: NEW VIRTUAL FORMAT

https://www.americanbar.org/events-cle/mtg/web/399481384/

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The Section of Public Contract Law 2020 Virtual FPI is only a few clicks away! Mark your calendars to join us on Wednesdays—May 13, May 20, May 27 & June 10, for exciting content from the 26th Annual Federal Procurement Institute bundled together in this 4-part webinar series.

This real-time series provides an anticipated 6.5 hours of CLE and CPE credit hours (including 2 hours of Ethics credit) and can be purchased as a discounted package or as individual programs. At the completion of the virtual conference, participants will also have access to on-demand recordings.

While we missed seeing everyone in Annapolis, MD, as originally planned, we are excited to bring you a portion of the outstanding content you’ve come to depend on from the Section of Public Contract Law as a virtual conference.

The Section of Public Contract Law is grateful to have committed program sponsors from leading law firms around the country.

FPI Planning Committee

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### Agenda

<table>
<thead>
<tr>
<th>TIME</th>
<th>CLE*</th>
<th>EVENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WEDNESDAY, MAY 13</strong></td>
<td>General CLE</td>
<td>Whither or Whether to Protest: New Legislative and Judicial Developments and Their Impact on Filing Decisions</td>
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<tr>
<td>1:00 pm–2:30 pm ET</td>
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<td>General CLE</td>
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<tr>
<td><strong>WEDNESDAY, JUNE 10</strong></td>
<td>General CLE</td>
<td></td>
</tr>
<tr>
<td>1:00 pm–2:30 pm ET</td>
<td>General CLE</td>
<td></td>
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</tbody>
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*The Section of Public Contract Law is seeking CPE credit in addition to CLE credit for the FPI Webinar Series. See page 6 for more CLE/CPE information.*
**Live Webinars**

*Earn your CLE, CPE, and Ethics credit by attending these stand out panels:*

**Wednesday, May 13, 2020**

1:00 pm–2:30 pm ET

**Whither and Whether to Protest: New Legislative and Judicial Developments and their Impact on Filing Decisions (General CLE)**

Every year, between 2,500 to 3,000 bid protests are filed at GAO, with another 100 to 200 protests filed at the Court of Federal Claims. Yet year in and year out, less than 20% of GAO protests are sustained, and the win rate is even lower at COFC. In addition, new DoD and legislative agendas seek to curtail a contractor’s ability to protest. Given these facts, and the legal fees and other costs associated with protesting, why protest at all? This panel will present industry and outside counsel perspectives on why the ability to protest provides important protections to the contractor and helps ensure integrity in the procurement process. The panelists will discuss the practical considerations that enter into where and whether to protest, and the impact that proposed legislation and recent judicial decisions have had on that decision-making process.

**MODERATOR**

Anuj Vohra, Partner, Crowell & Moring, Washington, DC

**PANELISTS**

Justin A. Chiarodo, Partner, Blank Rome, Washington, DC

Seth Locke, Partner, Perkins Coie, Washington, DC

Erin B. Sheppard, Principal and Associate General Counsel, Booz Allen Hamilton, McLean, VA

**Wednesday, May 20, 2020**

1:00 pm–2:30 pm ET

**View from the Inside: Perspectives on the Qualities of ADR in Different Fora (General CLE)**

ADR is not the same in every forum in which parties seek resolution of procurement and contracting disputes. In GAO, for instance, where bid protests constitute the vast majority of cases brought, almost all ADR consists of outcome prediction by the assigned attorney. By contrast, the robust ADR programs at the Boards of Contract Appeal, ODRA, and the Court of Federal Claims tend to emphasize mediation, but not exclusively, and each tribunal has a slightly different approach. Here, the panelists will discuss the ADR experience at their respective venues and provide insights into the most effective presentations and strategies for litigants.

**MODERATOR**

Patricia M. McCarthy, Assistant Director, Commercial Litigation Branch, Civil Division, U.S. Department of Justice, Washington, DC

**PANELISTS**

Hon. Marie A. Collins, Administrative Judge and Dispute Resolution Officer, Federal Aviation Administration, Washington, DC

Hon. Marian E. Sullivan, Administrative Judge, U.S. Civilian Board of Contract Appeals, Washington, DC

Ralph White, Managing Associate General Counsel for Procurement Law, U.S. Government Accountability Office, Washington, DC

Hon. Mary Ellen Coster Williams, Judge, U.S. Court of Federal Claims, Washington, DC

Hon. Owen Wilson, Vice Chairman, Armed Services Board of Contract Appeals, Falls Church, VA
Live Webinars

Wednesday, May 27, 2020

1:00 pm–3:00 pm ET
Ethics Issues Regarding Social Media and Government Contracting (Ethics CLE)
This presentation will address the various social media tools that populate our daily lives and how social media has become a component of attorney competence. The panel will discuss the various applicable ABA model rules and some select states’ rules of professional conduct that apply when addressing social media-related issues in legal practice generally, and particularly as these issues may apply to the government contracting community.

PANELISTS
Thomas Mason, Partner, Harris, Wiltshire & Grannis LLP, Washington, DC
Andrew D. Pilant, Senior Counsel, Huntington Ingalls Industries, Inc., Avondale, LA
Preston L. Pugh, Member, Miller & Chevalier Chartered, Washington, DC
Abigail (Abi) Stokes, Associate, Miller & Chevalier Chartered, Washington, DC

Wednesday, June 10, 2020

1:00 pm–2:30 pm ET
Government Construction Contracts: Recession or Economic Downturn—How to Protect Your Rights and Determine Your Remedies (General CLE)
The government construction contracts panelists will explore the following subtopics:
★ The Miller Act—How to make a claim on a payment bond
★ Releases and waivers and how to incorporate Reservation of Rights language
★ Bankruptcy—A subcontractor or general contractor files for bankruptcy—Now what do you do?

MODERATOR
Erin Frazee Masini, Senior Associate, Fox Rothschild LLP, Washington, DC

PANELISTS
Olya Antle, Associate, Cooley LLP, Washington, DC
Shawn Kelly, Claims Counsel, Travelers Casualty & Surety Company of America, Hunt Valley, MD
Jonathan Mitz, Ennis Electric Co, Vice President, Manassas, VA
Kyle P Murphy, Vice President and Senior Claims, IAT Insurance, Owings Mills, MD

Government Construction Contracts Program Sponsors

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VIRTUAL FPI PACKAGE
Includes 4 webinars, estimating a total of 6.5 hours of CLE credit in 60-minute states.

| Public Contact Law Section Members | $150 |
| ABA Member                       | $180 |
| Non-ABA Member                   | $270 |

You must be an ABA member to join the Section of Public Contract Law. Lawyers and Associates can join the Section at ambar.org/pcjoin for only $45. ABA and Section of Public Contract Law membership is free for law students!

INDIVIDUAL WEBINARS PRICING

| Public Contact Law Section Members | $40 |
| ABA Member                       | $50 |
| Non-ABA Member                   | $75 |

MCLE INFORMATION
The ABA will seek 6.5 hours of CLE credit in 60-minute states (including 2.0 hour of ethics CLE credit) and 7.8 hours of CLE credit for this program in 50-minute states (including 2.4 hours of ethics CLE credit). Credit hours are estimated and are subject to each state’s approval and credit rounding rules. Please visit the program website https://www.americanbar.org/events-cle/mtg/web/399481384/ for program CLE details or visit ambar.org/mcle for general information on CLE at the ABA.

CPE INFORMATION
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 board of accounting have final authority on the acceptance of individual courses for CPE credit. Due to the COVID-19 crisis, many State boards of accountancy are providing flexibility in the instructional delivery method and allowing for Group Live approved providers to issue credits for Group Live Internet Based vended programs. Kansas does not allow for this flexibility, and waiver requests are pending with Iowa, New York, and North Dakota. All other State boards of accountancy have noted their flexibility. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

Recommended CPE Credits and Fields of Study: Program attendees can earn up to 7.8 hours of CPE credits in specialized knowledge and behavioral ethics fields of study. Prerequisites: Previous experience in tax law; Advance Preparation: None; Program Level: Intermediate; Delivery Method: Group-Live.

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