

2011 Annual Meeting



August 5-8

Sheraton Centre Toronto Toronto, Canada American Bar Association Section of Public Contract Law 2011 Annual Meeting Program August 5 through August 8 Toronto, Canada

Unless otherwise noted, all sessions will be held at

Sheraton Centre Toronto

123 Queen Street West Toronto, ON Canada MSH 2M9 416-361-1000

You must have a current and valid passport (with an expiration date AFTER FEBRUARY 10, 2012 if you are a U.S. citizen) to enter Canada. Please refer to page 13 for specific details.

In order to attend any of the ticketed events or CLE programs, you must register for the Annual Meeting.

Purchasing CLE at the 2011 Annual Meeting is easy. ABA members can purchase an All-Access CLE Badge for \$545* (registration for non-ABA members is \$950.) that covers registration and admittance to governance meetings, non-CLE programs and all CLE programs at the Annual Meeting, including those in the CLE Centre and at the satellite hotels.

For those wishing to attend only a few CLE programs, the basic ABA member registration fee is \$195*, and individual CLE program tickets are \$90 each (\$35 each for government employees and judges and solos).

Please note that ALL of the Section's CLE programs, including the Monday morning Construction program, will require either a CLE program ticket or the ABA All-Access CLE Badge.

If you register for the All-Access CLE Badge, do not purchase individual CLE program tickets, too.

See page 13 of this brochure for passport, registration, housing, event and CLE program ticket information.

All requests for tickets to Section functions will be processed through CDS/TP and must be received by them by Friday, July 15, 2011.

Donald G. Featherstun, Chair Section of Public Contract Law

Annual Meeting Program Co-Chairs: **David G. Ehrhart** Stuart B. Nibley

Annual and Quarterly Programs Co-Chairs: **Sharon L. Larkin Aaron P. Silberman**

- * Increases by \$100 after May 31, 2011.
- * Increases by \$125 beginning August 4.

Thursday, August 4

Please click on **CLE PROGRAMS** in the following link for the complete listing of available CLE offerings that begin on Thursday, August 4: http://www2.americanbar.org/annual/pages/default.aspx

Saturday, August 6

7:00 a.m. to 8:15 a.m.

Council Breakfast

City Hall, 2nd Floor

Executive session. For 2010-2011 and nominees for 2011-2012 Section Officers and Council Members only

8:30 a.m. to 12:00 noon

Council Meeting

Dominion Ballroom, 2nd Floor Open to all Section members

12:00 noon to 2:00 p.m.

Section Luncheon and

Annual Alan E. Peterson Lecture

Civic Ballroom South, 2nd Floor

Luncheon Speaker:

Daniel I. Gordon

Administrator

Office of Federal Procurement Policy

Washington, DC

This year's Luncheon is made possible by the following Sponsors who have contributed to help defray its expenses:

Section Luncheon Sponsors

Arent Fox LLP Arnold & Porter LLP Barnes & Thornburg LLP Cooley LLP Crowell & Moring LLP Dickstein Shapiro LLP DLA Piper US LLP Fried, Frank, Harris, Shriver & Jacobson LLP **FTI Consulting Gibson, Dunn & Crutcher LLP Holland & Knight LLP Jackson Kelly PLLC Jenner & Block LLP The Kenrich Group Lockheed Martin Corporation Mayer Brown LLP McGlinchey Stafford PLLC** McKenna Long & Aldridge LLP Miles & Stockbridge P.C. **Morrison & Foerster LLP Northrop Grumman Corporation Peckar & Abramson PC**

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Venable LLP
Wiley Rein LLP
Womble Carlyle Sandridge & Rice PLLC

2:00 p.m. to 2:15 p.m. Annual Section Business Meeting Civic Ballroom South, 2nd Floor Includes election of Officers and Council Members for 2011-2012 and other Section business

Presiding:

Donald G. Featherstun 2010-2011 Section Chair Seyfarth Shaw LLP San Francisco, CA

2:15 p.m. to 3:45 p.m. **2011-2012 Section Leadership Brainstorming Session**Civic Ballroom South. 2nd Floor

4:00 p.m. to 5:30 p.m.

Battle Space and Contingency Procurements

Committee Meeting

Conference Room H, Mezzanine

4:00 p.m. to 5:30 p.m.

Cybersecurity, Privacy and Data Protection Committee Meeting Conference Room B. Mezzanine

4:00 p.m. to 5:30 p.m.

International Procurement Committee Meeting
Conference Room C. Mezzanine

4:00 p.m. to 5:30 p.m.

State and Local Procurement Division Meeting

Conference Room E, Mezzanine

6:30 p.m. to 8:30 p.m.

Section Reception

The National Club

303 Bay Street, between Adelaide and King on Bay Street

Advance reservations and payment of guest tickets must have been received by CDS/TP by July 15.

This gracious social gathering for Section members and their guests, and honoring the incoming Section Chair, is made possible through the generosity of the following Sponsors who have contributed to defray its expenses.

Reception Sponsors

Akin Gump Strauss Hauer & Feld LLP Arent Fox LLP Argy, Wiltse and Robinson, P.C. **Arnold & Porter LLP Baker Tilly Barnes & Thornburg LLP Buchanan Ingersoll & Rooney PC Chess Consulting LLC Cooley LLP Crowell & Moring LLP Dickstein Shapiro LLP Diepenbrock Harrison LLP DLA Piper US LLP** Fried, Frank, Harris, Shriver & Jacobson LLP **FTI Consulting Gibson, Dunn & Crutcher LLP Greenberg Traurig LLP Hogan Lovells LLP Holland & Knight LLP Hollingsworth LLP Jackson Kelly PLLC Jenner & Block LLP K&L Gates LLP The Kenrich Group LLC Kirkland & Ellis LLP Lockheed Martin Corporation Mayer Brown LLP** McAleese & Associates, P.C. **McGlinchey Stafford PLLC** McKenna Long & Aldridge LLP Miles & Stockbridge, P.C. **Morrison & Foerster LLP Navigant Consulting, Inc. Northrop Grumman Corporation** Peckar & Abramson, P.C. **Pepper Hamilton LLP Perkins Coie LLP Pillsbury Winthrop Shaw Pittman LLP Raytheon Company Reed Smith LLP** Rifkin, Livingston, Levitan & Silver, LLC **Rogers Joseph O'Donnell Seyfarth Shaw LLP** Sheppard, Mullin, Richter & Hampton LLP **Shook Doran Koehl LLP Smith, Currie & Hancock LLP Smith Pachter McWhorter, PLC Steptoe & Johnson LLP Teledyne Technologies Incorporated Venable LLP** Watt, Tieder, Hoffar & Fitzgerald, L.L.P. **Wiley Rein LLP** Wittie, Letsche & Waldo, LLP **Womble Carlyle Sandridge & Rice PLLC**

Sunday, August 7

7:00 a.m. to 9:00 a.m.

Strategic Planning Committee Breakfast Meeting

Churchill Room, 2nd Floor

9:00 a.m. to 12:00 noon

CLE Program: Pressing Issues Confronting In-House and Agency Government Contracts Counsel

Dominion Ballroom North, 2nd Floor

As the saying goes, "There's no free lunch these days." It seems this truism applies to no one more forcefully than to those who labor in the trenches where the day-to-day work is pursued—in-house counsel for government contractors and agency counsel. "Do more with less" marks the walls of the offices of these front line soldiers, who toil in the legal quagmires that define today's military industrial complex. Hear thoughts on what works, and what doesn't work, for in-house and agency counsel performing in the orchestra pit of the high stakes legal stage of government contracting.

"Feel My Pain"—Why Serving as Contractor In-House Counsel or Government Agency Counsel Requires More Skill Than Ever

Much space and time in legal publications are devoted to lawyers who practice inside the mega-firms or the front government offices that garner headlines when big-stakes government contracts cases are tried. Seldom, however, are we offered glimpses into the lives of those who grease the legal skids that allow the largest procurement system in the world to function – in-house contractor lawyers and agency counsel. Our panel of highly experienced in-house and agency lawyers will tell us how things really work from where they sit, where they see the greatest challenges for government contracts lawyers, and what they appreciate, and do not appreciate, about those who are charged with assisting them.

- What are the most pressing legal demands faced by in-house and agency counsel in their jobs today?
- In the next 5 years, what will be the greatest legal challenges facing in-house and agency counsel?
- What are the most pressing substantive issues facing in-house and agency counsel today?
- What do in-house counsel like and dislike about service provided by outside counsel? What are the likes and dislikes of agency counsel about interaction with contractor counsel?

Gail D. Zirkelbach, *Moderator* McKenna Long & Aldridge LLP Denver CO

Lorrine Romero

General Counsel Thales Raytheon Systems Fullerton, CA

Maureen T. Kelly

Senior Counsel Northrop Grumman Information Systems McLean, VA

Todd J. Canni

Associate General Counsel Department of the Air Force Washington, DC

Kathryn T. Szymanski

Chief Counsel
U.S. Army Sustainment Command
Rock Island Arsenal, IL

Cybersecurity—Legal Frontiers and Cyber Pioneers in the Information Security Realm

As two Senate leaders on cybersecurity stated, "the time to combat cyber terror was yesterday." Skyrocketing cyber attacks by organized crime, foreign enemies, and other hackers have wreaked havoc on both the public and private sectors—up to \$1 trillion in damages and lost secrets, over 500 million personal records compromised in security breaches, and national security secrets spilled—with the threat of a digital Pearl Harbor as the ultimate nightmare. The coming year will be pivotal as both the public and private sectors confront escalating cyber threats, navigate tougher cybersecurity laws and rules, and answer to expanding oversight.

- What legal exposure do agencies and contractors have for security breaches, cyber technology failures, and unauthorized information access and sharing—and what legislative fixes are needed?
- Will the drive for tighter information security jeopardize privacy, transparency, and basic civil liberties?
- Do due-process protections and administrative remedies exist for contractors unfairly unplugged from federal networks or otherwise denied opportunities in the burgeoning federal marketplace?
- What are the top cybersecurity priorities—legislative, executive, and private sector—for the coming year?

David Z. Bodenheimer, *Moderator* Crowell & Moring LLP Washington, DC

Jessica R. Herrera-Flanigan

Monument Policy Group, LLC Washington, DC

Jeffrey E. Greene

Senior Counsel, Senate Homeland Security and Governmental Affairs Committee Washington, DC

Jacob Olcott

Counsel, Senate Commerce, Science, and Transportation Committee Washington, DC

12:00 noon to 2:00 p.m.

21st Annual Margaret Brent Women Lawyers of Achievement Awards Luncheon

Metro Toronto Convention Centre

2:00 p.m. to 5:00 p.m.

CLE Program: Government Contracting Opportunities Abroad—Rewards Await for Those Who Are Diligent Dominion Ballroom North, 2nd Floor

"Hear Ye! Hear Ye! Appropriations for U.S. government procurement to be slashed! Read all about it!" The headlines ring out with a less than optimistic sound for U.S. government contractors. Attractive opportunities beckon from our neighbor to the North, Canada. At the same time, the international procurement community in developed countries is working hard to install the type of vehicles for transparency that define the U.S. procurement system, such as the bid protest. Our group of specialists will share much to assist those who will listen.

Canadian Government Contracting Issues

Canadian public procurement is big business. Over CDN \$100 billion is spent annually by all levels of government departments and agencies in Canada. Many U.S. corporations see countries like Canada as fertile selling grounds for the myriad of goods and services they offer. Despite the many linkages and similarities in our economy and government purchasing practices, some important differences do exist. This panel of distinguished experts will help navigate some of the treacherous waters presented by cross-border commercial activity.

- Bidding and contracting in a foreign country: Issues to consider, legal pitfalls to avoid
- ◆ The role of the Canadian Commercial Corporation in U.S. government contracting—Overview, issues and opportunities; Canadian public procurement—What U.S. lawyers should know when their clients venture north of the 49th parallel to bid on government contracts
- When foreign companies come looking to buy U.S. companies involved in defence or national security contracting activities: Impact of the Exon-Florio legislation, recent examples and best practices when providing legal advice to companies

Gerry H. Stobo, *Moderator* Borden Ladner Gervais LLP Ottawa, Canada

James W. Stephenson

Assistant General Counsel Northrop Grumman Corporation Linthicum, MD

Barbara McIsaac, Q.C. Borden Ladner Gervais LLP Ottawa, Canada

Jacques Greffe

Vice President—Defence Procurement Canadian Commercial Corporation Ottawa, Canada

James D. Rosener

Pepper Hamilton LLP New York, NY

International Public Procurement: A Worldwide Update

We are in the midst of an era in which national procurement systems continue to evolve and at the same time harmonize. This session will assess key legal developments in the U.S., Canadian, Chinese and European procurement systems, as well as multilateral developments relating to the WTO GPA and UNCITRAL. In addition to providing background regarding each system, the panelists will also focus on legal issues contractors face when competing for work under systems other than their own. Specific topics will include:

- How to best "learn the system" and compete outside your home turf
- Opportunities and legal challenges created by increased harmonization
- The growth of transparency: the evolution of the bid protest mechanism in various countries
- Teaming and subcontracting across borders
- Managing ethical and corruption risks across various legal jurisdictions

Andrew D. Irwin, Moderator Steptoe & Johnson LLP Washington DC

Johannes Schnitzer

Wolf Theiss Vienna, Austria

Brenda C. Swick

McCarthy Tetrault LLP Ottawa, Canada

Christopher R. Yukins

Associate Professor of Government Contracts Law Co-Director, Government Procurement Law Program George Washington University Law School Washington DC

Yong Zhao

Visiting Scholar, George Washington University Law School and Associate Professor, University of International Relations Beijing China

Monday, August 8

7:00 a.m. to 7:30 a.m.

Construction Program Continental Breakfast

Dominion Ballroom South, 2nd Floor

This continental breakfast is included in the ABA All-Access CLE Badge or CLE Program Ticket used for the program that follows:

7:30 a.m. to 9:00 a.m.

CLE Program: Over There, Over There—Construction Contracting with the Federal Government Overseas Dominion Ballroom South, 2nd Floor

This 90-minute CLE program and 7:00-7:30 a.m. continental breakfast are made possible by our Gold Sponsors—FTI Consulting and The Kenrich Group LLC—and our Silver Sponsors—Smith, Currie & Hancock LLP and Smith Pachter McWhorter PLC—whose contributions have helped to defray its expenses.

The Department of Defense (DoD) and the Department of State (DoS) have been the biggest customers of U.S. construction contractors for significant overseas construction projects as a consequence of "winning the peace" in Iraq and Afghanistan. Panelists will address such important legal issues as the consequences and claims arising from the high degree of changes due to demands by "end users;" the high risk of termination for default or convenience due to political considerations and/or changing objectives and their legal effect; the law applicable to contingency and emergency construction; the mitigation of special war risks; and what constitutes an event of force majeure in a war zone.

- Legal and practical issues commonly affecting contract administration and performance
- Inside and outside perspectives for the U.S.-based contractor
- Risk analysis and legal consequences for the private contractor
- Transition from MILCON/DOS contracts to AID
- Special legal and other issues with respect to limitations on contingency and MILCON funding
- Department of Defense construction statutory and other legal authorities

John S. Vento, Moderator

Trenam Kemker Tampa, FL

Scott D. Gray

Navigant Consulting, Inc. Miami, FL

Jerry Alfonso Miles

Shulman Rogers LLP Potomac, MD

James F. Butler III

Smith, Currie & Hancock LLP Atlanta, GA

W. Darrell Phillips

Associate Chief, Operations and International Law Division The Judge Advocate General's School Maxwell AFB, AL

9:00 a.m. to 12:00 noon

CLE Program: Compliance for Contractors—Enhanced Exposures That Require Redoubled Efforts

Dominion Ballroom North, 2nd Floor

Two of the most effective fraud prevention and enforcement tools continue to evolve, and with their evolution comes greater exposure for those who contract with the U.S. Government and governments abroad. Enforcement actions under the Foreign Corrupt Practices Act ("FCPA") have grown enormously in recent years; the FCPA has become the "tool of choice" for many enforcement officials. Meanwhile, the civil False Claims Act ("FCA") continues to morph through legislation and judicial fertilization into a more vivid landscape for redress. What's next?

The Expanded Reach of the Ubiquitous Foreign Corrupt Practices Act

Anti-corruption enforcement is growing worldwide and companies conducting business internationally need to be concerned about more than just the FCPA. Enforcement actions by the United States DOJ and SEC and the resulting penalties have increased exponentially. Canada and the United Kingdom are ramping up their enforcement efforts. Companies are focused on enhancing and finding effective ways to manage the risks of corruption and are struggling to control activities of agents, representatives, distributors and contractors in their ever expanding global markets.

- What are the priorities and considerations of government enforcement officials?
- How are Canada and the U.K. ramping up their efforts?
- What are the key issues under the U.S., Canadian, and U.K. laws and enforcement regimes?
- What are the considerations when dealing with State-owned entities?
- How do companies meet the challenge of controlling activities of agents, representatives, distributors and contractors in the ever expanding global markets of the companies?
- How can past cases help companies identify and manage risk?

Stanley R. Soya, *Moderator* Pepper Hamilton LLP Washington DC

Inspector Gord C. Drayton

OIC Sensitive Investigations and International Corruption Royal Canadian Mounted Police Gendarmerie Royale du Canada Ontario, Canada

James Gormley

Northrop Grumman Corporation Baltimore, MD

Kathleen Harris

Head of Fraud Business Group Serious Fraud Office London, U.K.

Mark Mendelsohn

Paul Weiss Former Deputy Chief, Fraud Section U.S. Department of Justice, Criminal Division Washington, DC

The False Claims Act—A Changed Landscape

In three separate pieces of legislation since 2009, Congress has either "clarified" or "changed" several important provisions of the False Claims Act. The statutory modifications affect several of the substantive liability provisions, putting to rest debates over whether the Act included a "presentment" requirement and the appropriate standard of "materiality," legislatively overruling the Supreme Court's *Allison Engine* decision, and broadening the scope of the "reverse false claims" provision. In addition, Congress enacted changes to the "public disclosure" bar, broadened the Act's anti-retaliation provision, and modified several other important procedural provisions.

- How significant are changes to the "reverse false claims" provision, especially when considered with the FAR's mandatory disclosure requirements?
- What will be the effect of the expansion of DOJ's authority to issue Civil Investigative Demands?
- What are some innovative approaches DOJ has been using to investigate FCA cases?
- Can we expect increased use of the FCA against companies performing U.S. Government contracts outside the United States?

Robert L. Vogel, *Moderator* Vogel Slade & Goldstein LLP Washington DC

Michael D. Granston

Deputy Director, Commercial Litigation Branch U.S. Department of Justice, Civil Division Washington DC

Joan Hartman

Assistant U.S. Attorney Detroit, MI

Susan Strawn

President Taxpayers Against Fraud Washington DC

David M. Nadler

Dickstein Shapiro LLP Washington DC 12:00 noon to 2:00 p.m.

9th Annual Ruth C. Burg Luncheon
for Women in Public Contract Law
360 Restaurant atop the CN Tower
301 Front Street West



Because of security requirements, all luncheon attendees are required to show a state photo I.D. along with their ABA Annual Meeting badge and/or luncheon ticket at the special Registration Desk in the lobby for this event and pass through security scanning equipment similar to that at airports.

This year's Luncheon is made possible through the generosity of the following Sponsors who have contributed to defray its expenses:

Ruth C. Burg Luncheon Sponsors

Arent Fox LLP Arnold & Porter LLP Barnes & Thornburg LLP Buchanan Ingersoll & Rooney PC Chess Consulting LLC Cooley LLP Crowell & Moring LLP Dickstein Shapiro LLP DLA Piper US LLP Fried, Frank, Harris, Shriver & Jacobson LLP Gibson, Dunn & Crutcher LLP **Holland & Knight LLP Jackson Kelly PLLC** Jenner & Block LLP The Kenrich Group LLC **Lockheed Martin Corporation Maver Brown LLP McGlinchey Stafford PLLC** McKenna Long & Aldridge LLP Miles & Stockbridge, P.C. **Morrison & Foerster LLP Northrop Grumman Corporation** Peckar & Abramson, P.C. **Pepper Hamilton LLP Reed Smith LLP** Rogers Joseph O'Donnell **Seyfarth Shaw LLP Smith, Currie & Hancock LLP Smith Pachter McWhorter, PLC Steptoe & Johnson LLP Teledyne Technologies Incorporated** Venable LLP **Wiley Rein LLP** Wittie, Letsche & Waldo, LLP **Womble Carlyle Sandridge & Rice PLLC**

Important Meeting Information

CROSSING THE BORDER

You must have a current and valid passport or alternate approved travel documents to enter or depart from the United States *by air*.

If you are a U.S. citizen traveling to Canada and your passport expires PRIOR TO FEBRUARY 10, 2012, you need to renew. See the ABA Annual Meeting link below for further information on Passports/Immigration.

ROOM RESERVATIONS AND REGISTRATION

Room reservations and registration for the Annual Meeting must be processed through the ABA Official Registrar, CDS/ Travel Planners. For more information on registration and housing, visit the ABA website at http://www2.americanbar.org/annual/pages/default.aspx or call Travel Planners directly at 800-221-3531.

You may also register online for the meeting and request hotel accommodations online at: https://www.xpressreg.net/register/abaa081/lookup.asp

CLE PRICING OPTIONS

You must register for the Annual Meeting to attend any of the CLE programs. Attendees can purchase an All-Access CLE Badge for \$545* that will gain them admission to non-CLE programs and ALL CLE programs at the Annual Meeting, including the Presidential CLE Centre and satellite hotels.

Members whose primary focus at the Annual Meeting is governance, and who may only be able to attend a few CLE programs, can register for the Annual Meeting for the \$195* fee that includes admittance to all governance and non-CLE programs, and purchase individual CLE program tickets for \$90 each. Discounted CLE program tickets will be available to registered government lawyers and judges and solos for only \$35 each. Admittance to each CLE program will require one individual program ticket OR the All-Access CLE Badge.

Please note that ALL of the Section's CLE programs will require either a CLE program ticket or the ABA All-Access CLE Badge.

You may purchase your individual CLE program tickets online or by completing the Advance Ticket/CLE Program Ticket Order Form on the last panel of this brochure and returning it directly to CDS/TP with your payment.

If you register for the ALL-ACCESS CLE BADGE, do not purchase individual CLE program tickets, too.

For admittance to any CLE program, registrants must wear their ABA 2011 Annual Meeting badge and present either their one individual CLE program ticket OR the All-Access CLE Badge.

- * Increases by \$100 after May 31, 2011.
- * Increases by \$125 beginning August 4.

Publications and Deskbooks

Guide to State Procurement: A 50-State Guide on Purchasing Laws, Processes and Procedures

Contains a summary of purchasing laws and processes for all 50 States, written by individuals knowledgeable in each state's' laws and processes, and includes:

- a listing of purchasing laws and regulations
- descriptions of purchasing methods
- an explanation of
 - bid protest procedures
 - contract claims processes, and
 - administrative and judicial review

Those involved in state procurement—government officials, contract administrators, attorneys, and contractors—will find the information in this Guide to be invaluable.

PC 5390284 — paperback — 600 pages — 2011 Section Members: \$65.00—Non-Members: \$75.00 Available June 2011

Guide to the Mandatory Disclosure Rule: Issues, Guidelines and Best Practices

The Mandatory Disclosure Rule represents a "sea change" in the way that government contractors must do business. This Guide is the first publication devoted to the Mandatory Disclosure Rule and provides crucial guidance to all government contractors, lawyers, and compliance personnel. The Guide was assembled by participants from Government as well as industry, and provides key insights into Government expectations concerning application of the Rule. The Guide will provide guidance concerning:

- What kinds of misconduct must be reported
- What kind of evidence qualifies as "credible evidence"
- How to deal with subcontractors
- How quickly disclosures must be made
- ◆ The mechanics of making a disclosure
- What kind of "full cooperation" the Government expects
- ♦ How to preserve confidentiality and privileges when making a disclosure
- How to structure company compliance programs and internal controls
- What effect will disclosures have on past performance evaluations

In short, this Guide is an indispensable resource and should be on the bookshelves of:

- Government contract lawyers in private practice
- Compliance personnel, lawyers, and other personnel working in-house for Government contractors
- Federal Grant recipients
- Government personnel at the Department of Justice and federal agencies
- Accountants
- Academics

PC 5390276 — paperback —400 pages — 2010 Section Members: \$45.00—Non-Members: \$55.00

Best Practices in the Acquisition of a Government Contractor

This Manual is an essential source for anyone working on an acquisition of a company that performs government contracts. Written by a diverse group of experts who have participated in a large number of government contractor sales and purchases, the Manual examines the full range of issues in the acquisition process, including: the due diligence process and the recommended scope of government contracts review; cost issues peculiar to government contracts; claims, disputes and bid protests; adequacy of the Target's government contracts compliance program; Antitrust reviews and approvals; Exon-Florio approvals and the requirements of classified contracts; and anti-assignment statutes, novations, guarantees of performance and restructuring.

The 275 page Manual provides practical answers to the questions that frequently arise in these acquisitions, including more than 90 Best Practice Tips that the expert authors have developed from their wideranging experience on many transactions. The Manual also contains exemplars of important acquisition documents, such as due diligence checklists, representations and certifications, performance guarantees and novation agreements.

PC 5390275 — paperback —275 pages — 2010 Section Members: \$40.00—Non-Members: \$50.00

Call the ABA Service Center at 800-285-2221 to order by phone or click on *www.ababooks.org* and enter the PC for that publication.

Coming Attractions

NOVEMBER 3-5, 2011

Fall Educational Program and Open Council Meeting Hotel Albuquerque, Albuquerque, NM

MARCH 22-24, 2012

18th Annual Federal Procurement Institute and Open Midyear Council Meeting Loews Annapolis Hotel, Annapolis, MD

AUGUST 3-6, 2012

Annual Educational Programs and Open Council Meeting
Hotel InterContinental, Chicago, IL

ABA-CLE Public Contract Law Teleconference CDs

A number of highly-successful 90-minute teleconferences have been held during the past 18 months on a variety of topics related to public contract law. If you couldn't participate in person, you can still benefit from the speakers' presentations and materials.

As a Section member, you'll be able to purchase the CDs of these teleconferences at a reduced rate. Full descriptions of these 90-minute sessions are available by visiting the following link: http://www.ababooks.org/pcl/

- Rising to New Heights: Trends and Lessons Learned in State and Local Bid Protests
- ◆ The Most Important Government Contracts Related Decisions of 2010
- Outsourcing: The Good, the Bad and the Ugly
- Public Private Partnerships
- Cloud Computing: Will It Reduce IT Costs?
- The Brave New World of OCI: Are You Ready?
- Ethics and Business Conduct—Can Your Program Withstand Government Scrutiny?
- Ethics in the Corporate World: Changing Times, Changing Demands
- Bid Protests at GAO: Cases and Controversy
- Past Performance and Responsibility
- Thorny Issues in Government Contract Costs
- IP Disputes—What's Mine?
- Software in the Sandbox
- ABCs of Grants and Contracts Merge under ARRA
- Going to Protest? The Evolving Process at GAO
- There's No Such Thing as a Free Lunch: The Obligations That Come With ARRA Funds
- Back to the Future Technology and the New Decade of State and Local Procurement
- State and Local False Claims Acts: Identifying, Prosecuting, and Defending Procurement Fraud Claims
- In the Wake of Tecom: Is it Possible to Recover the Cost of Third-Party Litigation Settlements?
- Hot Topics for 2010 and Beyond: Emerging Issues in Federal Procurement
- Contractor Challenges, Best Practices, and Recent Developments
- Get it Right—Ethics of Alternative Dispute Resolution on Government Contracts
- State and Local Public Contract Law: Year in Review 2009
- The Winds of Change: Lessons Learned From Oversight of Disaster Contracting After Hurricanes Katrina and Rita
- Practical Tips for Preparing and Pursuing Government Contract Claims

An Invitation to All Members of the Section of Public Contract Law to the

2011 Annual Cocktail Reception—Toronto

on

Saturday, August 6 6:30 p.m. to 8:30 p.m. The National Club, 303 Bay Street between Adelaide and King on Bay Street

WHO MAY RECEIVE TICKETS

Each Section member registered for the ABA Annual Meeting may order ONE free ticket for the Reception. You MUST ORDER your free ticket. It is NOT AUTOMATICALLY INCLUDED as part of your registration. Additional tickets may be purchased for \$50.00 each for adult guests and \$25.00 each for guests under 18.

WHERE TO SEND TICKET REQUESTS

All requests for Reception tickets must be received by July 15. A form for ordering tickets is on page 18. Please complete this ticket order form without delay and return it to: ABA/CDS/Travel Planners, Toronto 2011, 107 Waterhouse Road, Bourne, MA 02532, or by fax to: 508-743-9602 for credit card orders only.

Do not send your ticket order to any address other than CDS/TP, or it will not be processed.

WHERE TO PICK UP EVENT AND CLE PROGRAM TICKETS

All pre-ordered All-Access Badges or CLE Program tickets and tickets to the Reception and other Section events will be available at the ABA Registration Center in Exhibit Hall E, 800 Level, South Building, Metro Toronto Convention Centre. Registration hours are 8:00 a.m. to 6:00 p.m. from Thursday, August 4, through Saturday, August 6, and 8:00 a.m. to 5:00 p.m. from Sunday, August 7, through Tuesday, August 9. You must be registered for the Annual Meeting to order CLE Program tickets or tickets to any Section events.

TICKETS ARE ABSOLUTELY REQUIRED

No requests for Reception tickets can be honored by CDS/TP after July 15, and payment for tickets must be received by that date. Admittance to the Reception will be by ticket only.

ABA Section of Public Contract Law 2011 Annual Meeting Advance Event/CLE Program Ticket Order Form

Date	Code	Event	Qty	Price	Ext.
8/6	PCL1	Council Meeting and Agenda Book		n/c	
	CLE1	CLE Program Ticket		\$ 75	
	CLE1	CLE Program Ticket for Judges and Government Employees and Solos		\$ 35	
8/6	PCL2	Annual Section Luncheon		\$ 60	
8/6	PCL3	Reception (Limit 1 for registered member) Admittance by ticket only. Ticket MUST BE ORDERED in adv	vance.	n/c	
8/6	PCL4	Reception (Adult Guest)		\$ 50	
8/6	PCL5	Reception (Guest under 18)		\$ 25	
8/8	PCL6	Ruth C. Burg Luncheon for Women in Public Contract Law		\$ 45	
Total Event and CLE Program Ticket Order \$					
Above prices are in U.S. dollars. Deadline for Receipt of Ticket Order: July 15, 2011					
Payment: ☐ Check ☐ AmEx ☐ MasterCard ☐ Visa					
Credit Card #					
Exp. Date:					
Signature:					
No refunds within 72 hours preceding the function or after it has taken place.					
Checks and money orders must be drawn on a U.S. bank and in U.S. dollars and be made payable to ABA/CDS.					
Please return this order form promptly to CDS/TP at the address below:					
ABA/CDS/Travel Planners Toronto 2011 107 Waterhouse Road Bourne, MA 02532 FAX: 508-743-9602 (Credit card orders only)					
Name:					
ABA Member No.:					
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Address:					
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Section of Public Contract Law 321 North Clark Street Chicago, Illinois 60654



Dated Matter

Register by Tuesday, May 31, 2011, to qualify for the ABA Early Bird Registration discount.
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See page 18 of this brochure to order tickets for the Saturday, August 6, Section Reception at The National Club and other Section ticketed events and CLE programs. Act now!

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