



Holly Emrick Svetz

Profile

Holly Emrick Svetz handles a wide range of matters involving agreements with the government. Her extensive experience includes:

- bid protests and claims litigation at the United States Court of Federal Claims, Armed Services Board of Contract Appeals, Civilian Board of Contract Appeals and its predecessors, Government Accountability Office, Small Business Administration Office of Hearings and Appeals, Virginia and District of Columbia state and federal courts
- government grant and contract compliance counseling and training
- solicitation and proposal review and advice
- counseling related to intellectual property, domestic preferences, such as the Buy American Act, Trade Agreements Act and Berry Amendment, the Service Contract Act, ethics requirements and training
- advice regarding qualification for Small Business Innovative Research agreements, Service Disabled Veteran-Owned Small Business set-asides or sole source awards, and other special programs for small businesses
- negotiation and disputes in connection with subcontracts, teaming agreements, and joint venture agreements

Taking advantage of her technical background, she has a special interest in issues associated with government agreements with a focus on technology, intellectual property, and innovative forms of research and development grants, contracts and other agreements, such as CRADAs, patent and software licensing, and other transactions.

In support of corporate transactions, Holly performs due diligence; negotiates commercial and government contracts, subcontracts, joint venture agreements, teaming agreements, reseller agreements, and licensing agreements; and counsels clients regarding grants, cooperative agreements, CRADAs, and other transactions.

Representative Matters

- Successful bid protest of \$16 billion Army multiple award contract for rapid response work with Army taking corrective action at the Government Accountability Office.
- Due diligence of over 90 government contracts for \$260 million acquisition by Fortune 50 transportation and logistics company.

Areas of Practice

Government Contracts

Contact Information

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- Successful U.S. Court of Federal Claims bid protest of Army multiple award contract for program management services.
- Investigated and prepared \$26 million claim and represented top three defense contractor in three week trial against the Navy in sonar system warranty dispute.
- Government contracts compliance training for several national information technology and telecommunications companies doing some government business.
- Successful bid protest of \$2.2 billion NASA contract for technical services to manage two space centers for Fortune 100 aerospace company at the Government Accountability Office.
- Successful legal presentation to Defense Supply Center Philadelphia showing commercial item company's products are compliant with Trade Agreements Act.
- Successfully negotiated contracts with Transportation Security Administration and Department of Homeland Security to protect intellectual property rights of small businesses providing chemical biological detectors, perimeter sensors, and surveillance systems.
- Successful Subcontract negotiation on behalf of major commercial communications company with large defense contractor to avoid impact on accounting systems and protect intellectual property.

Professional Activities

Named a Virginia Super Lawyer for 2006 and 2007 by *Law & Politics*.

Bar Associations:

- American Bar Association Section of Public Contract Law: Council Member (2005-2008); Vice Chair R&D and IP Committee; Vice Chair, Cybersecurity, Privacy and Data Protection Committee; Annual and Quarterly Program Co-chair; Long Range Planning Committee; Homeland Security Task Force.
- Board of Contract Appeals Bar Association: Board of Governors.

Professional Associations: National Contract Management Association; American Institute of Aeronautics and Astronautics.

Admitted to the bar, 1993, Virginia; 1994, District of Columbia. Admitted to U.S. Court of Federal Claims; U.S. Court of Appeals for the Federal Circuit; U.S.

District Courts for the District of Columbia and the Eastern District of Virginia; U.S. Court of Appeals for the Fourth Circuit.

Education

B.S., Aeronautical Engineering, 1980, United States Air Force Academy; M.S., Aeronautical Engineering, 1983, Air Force Institute of Technology; M.S., Systems Management, 1987, University of Southern California (extension); J.D., 1993, George Washington University Law School; *Journal of International Law and Economics*.

Prior Legal Experience

Of Counsel, Morrison & Foerster LLP, 2001-2006, Northern Virginia/Washington, DC; Associate, Piper & Marbury/Piper Marbury Rudnick & Wolfe, 1995-2001, Washington, DC; Associate, Pettit & Martin, 1993-1995, Washington, DC; Law Clerk, The Honorable Reginald W. Gibson, United States Court of Federal Claims; Law Clerk, Federal Commercialization Branch, Technology Administration, Department of Commerce, 1992.

Publications/Speaking Engagements

“The GCs Speak!” (moderator), Northern Virginia Technology Council panel discussion, November 2009.

“Special Nondisclosure Agreements with Department of Defense Support Contractors,” Aerospace Industries Association Intellectual Property Committee presentation, October 2009.

Presentation on “New Department of Defense Handbooks”, Integrated Dual-Use Commercial Companies (IDCC) presentation, October 2009.

“Oversight Challenges in Economic Stimulus Contracting,” “American Bar Association Annual Meeting (Chicago) panel discussion and teleconference, September 2009.

“A Rule Change a Day: Inside Counsel's Guide to Government Contracting Under the New Administration,” Washington Metro Area Corporate Counsel Association (WMACCA) Webcast, May 2009.

“The President's Memorandum -- Does It Really Change Government Contracting?” WCSR client alert, March 5, 2009.

“Executive Order To Reduce ‘Disruption’ of Service Contract Performance -- Is It De Facto Unionization?” WCSR client alert, February 6, 2009.

“Government Contracts Hot Topics,” Boston Area General Counsel Network presentation, January 2009.

“Bad News and Good News for Government Contractors: Mandatory Disclosures and COTS Exemptions,” WCSR client alert, January 22, 2009.

“Being a Government Contractor With Some of That Rescue Money - Information and Issues,” Potomac Techwire, October 9, 2008.

“M&A 101/102,” Panel discussion on mergers & acquisitions, Northern Virginia Technology Council, September 2008.

“Your Role in the Life of Government Funding Agreements,” Womble Carlyle three-part seminar in Cary, N.C., January-April 2008.

“Feds Inch Toward IPv6 Deadline: IPv6 Profile Draft 2 Released” WCSR client alert, January 27, 2008.

“Federal Government Contractors and Subcontractors Now Must Have Codes of Business Ethics and Conduct”, WCSR client alert, November 29, 2007.

IPv6 (Internet Protocol Version 6) Panel Discussion, D.C. Area Technology Council, August 2007.

“Winning Strategies for Expanding Your Government Contracts,” Business Alliance of George Mason University’s Boot Camp for Companies and Entrepreneurs, February 2007.

“Federal Government Planning and Policymaking Catching Up with Ambitious IPv6 Goals” WCSR client alert, February 12, 2007.

“New Small Business Administration Regulations Affect Size Reporting,” Southeast Techwire, December 1, 2006.

“SBIR: You Can Stay In the Program After You've Grown,” Southeast Techwire, September 19, 2006.

“Federal Government Mandate for IPv6 Conversion Approaches But Few Federal Agencies Are Ready: The federal government is taking the lead in the United States in conversion from IPv4 to IPv6” WCSR client alert, August 8, 2006.

“Proposed Federal Acquisition Regulation to Address IPv6,” WCSR client alert, August 24, 2006.

"How to Defend Patent Rights When Uncle Sam is Your Partner," American Bar Association teleconference CLE, May 2006.

"Government Right to Seize Title in Government Funded Inventions," California State Bar Intellectual Property Institute, November 2005.

"Protecting Trade Secrets Under FOIA Exemption 4," Aerospace Industries Association Intellectual Property Committee, September 2005.

"R&D Funding Agreements with the Federal Government: Focus on Intellectual Property," Seminars in San Diego, Palo Alto, and McLean, March/April 2005.

"Protecting IP in Government Contract Proposals," Aerospace Industries Association Intellectual Property Committee, April 2004.

"Industry Perspective on IP in Government Funded Agreements," Army JAG School, Government Intellectual Property Law Association, and Integrated Dual Use Commercial Companies, March 2004.

"Electronic Discovery," D.C. Bar CLE, March 2004.

Published Decisions

Polartec, LLC v. 180s, LLC, Slip Copy, 2009 WL 905609, D. Md., March 27, 2009 (No. CIV. CCB-07-2396).

Femme Com Inc., v. U.S., 83 Fed.Cl. 704 (2008).

eFedBudget Corporation, B-298627, 2006 CPD ¶ 159, 2006 WL 3347953, (Comp.Gen.).

Space Exploration Technologies Corp. v. U.S., 68 Fed.Cl. 1 (2005).

Northrop Grumman Corp., 05-2 BCA ¶ 32992, ASBCA Nos. 52785, 53699, 52784, 52178, 2005 WL 1385132, (A.S.B.C.A.).

American Bank Note Co., 05-1 BCA ¶ 32867, AGBCA No. 2004-146-1, 2005 WL 242664, (Ag.B.C.A.).

Experience, Inc., SBA No. SIZ-4668, 2004 WL 3623502, (S.B.A.).

Northrop Grumman Corp., 04-2 BCA ¶ 32804, ASBCA Nos. 53699, 52784, 52785, 52178, WL 2579743, (A.S.B.C.A.).

Specific Systems, Ltd., B-292087.3, 2004 CPD ¶ 119, 2004 WL 1432824, (Comp. Gen.).

Honeywell Technology Solutions, Inc.; Wyle Laboratories, Inc., B-292354, B-292388, 20905 CPD ¶ 107, 2003 WL 24107764, (Comp.Gen.).

Northrup Grumman Corp., 03-2 BCA ¶ 32278, ASBCA Nos. 52178, 52784, 53699, 52785, 2003 WL 21380406, (A.S.B.C.A.).

Northrup Grumman Corp., 03-2 BCA ¶ 32280, ASBCA Nos. 52785, 53699, 2003 WL 21356590, (A.S.B.C.A.).

Innovative Communications Technologies, Inc., B-291728.2, 2003 CPD ¶ 58, 2003 WL 1825158, (Comp.Gen.).

Rockwell Electronic Commerce Corporation, B-286201.6, 2001 CPD ¶ 162,2001 WL 1105137, (Comp.Gen.).

Rockwell Electronic Commerce Corporation, B-286201, B-286201.2, B-286201.3, 2001 CPD ¶ 65, 2000 WL 33252791, (Comp.Gen.).

Synetics, Inc., v. U.S., 45 Fed.Cl. 1, (1999).

KBM Group, Inc., B-281919, B281919.2, 1999 WL 449472, (Comp.Gen.).

Sun Microsystems Federal, Inc., v. Department of Army, 96-2 BCA ¶ 28507, GSBCA No, 13515-P, 1996 WL 490212, (G.S.B.C.A.).

AT&T Corporation, B-270841, B-270842, B-270843, 96-1 CPD ¶ 237, 1996, WL 276415, (Comp.Gen.).

AT&T Easycommerce Services v. Defense Information Systems Agency, GSBCA No, 13526-P, 1996 WL 48645, (G.S.B.C.A.).

GTE Government Systems Corp., 96-1 BCA ¶ 28056, ASBCA No. 47646, 1995 WL 669059, (A.S.B.C.A.).

Military Experience

United States Air Force Officer achieving rank of Captain: T-1A Simulator Program Manager, F-22 Weapons Integration Manager, Wright-Patterson AFB, OH; Assistant Professor of Astronautical Engineering, United States Air Force Academy, CO; Stability and Control Engineer, Wright-Patterson AFB, OH. Level III Certified Acquisition Program Manager.

Other

SECRET Security Clearance.