

BLANKROME

David M. Nadler | Partner
Government Contracts

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CO-CHAIR, GOVERNMENT CONTRACTS PRACTICE GROUP

Dave Nadler focuses his practice on bid protests; government audits and investigations; the False Claims Act; contract claims, terminations and disputes; government cost, accounting, and pricing issues; suspension and debarment cases; the Foreign Corrupt Practices Act; and government compliance matters, including mandatory disclosure issues.

Dave is consistently rated by *Chambers USA* as one of the leading government contracts attorneys in the country. According to *Chambers*, “clients appreciate that he is ‘extremely responsive, very knowledgeable and provides common-sense advice. He understands how to advise businesses in a way that is practical from both a business and legal perspective.’” Seen as a “[t]rusted adviser,” clients also say that Dave “has great client relation skills, very deep experience and is able to anticipate issues, not just be reactive. He asks the right questions and this allows him to give the best advice.” Dave is recognized by sources as “a master of the subject matter.”

Dave was selected by *Law360* as a Government Contracts MVP for 2017, and is also a recipient of the Federal 100 award, which recognizes top executives from the government, academia, and the private sector for their contributions to the government contracts community. Dave was selected as a Top Lawyer, Government Contracts, by *Washingtonian Magazine* in 2018.

Government Contracts

Dave represents clients in all facets of federal, state, and local government

contracting, including contract formation and performance issues; contract claims, terminations, and disputes; the GSA Schedule; and government cost, accounting, and pricing issues.

His practice also focuses on government compliance matters, including mandatory disclosure requirements, improper business practices, and conflicts of interest. Dave frequently represents companies in bid protests before the Government Accountability Office (“GAO”) and the U.S. Court of Federal Claims, and his work in this area has resulted in or protected billions of dollars in contract awards for clients. He also regularly represents companies in contract claims and dispute litigation before the agency boards of contract appeals and the courts.

Government Investigations and the False Claims Act

Dave represents companies in False Claims Act and *qui tam* enforcement, including internal investigations, DCAA and other agency audits, and government investigations by agency Offices of Inspectors General and the Department of Justice.

He has handled False Claims Act cases for clients in various industries, including defense, aviation, logistics, information technology, and professional services. Dave also represents companies in suspension and debarment cases and anti-corruption matters, including sanctions proceedings before the World Bank and other development banks.

Dave co-authored the chapter “Threshold Defenses” in *The False Claims Act and Government Contracts: The Intersection of Federal Government Contracts, Administrative Law, and Civil Fraud* (ABA Book Publishing, 2017). He also co-authored a Briefing Paper on the Mandatory Disclosure Regulation (Thomson West, 2018).

Publications

- Mandatory Disclosure for Government Contractors
Briefing Papers (May 2018)
- Co-Author, *The False Claims Act and Government Contracts: The Intersection of Federal Contracts, Administrative Law, and Civil Fraud*
ABA Book Publishing (2017)
- Report to Congress Paints Difficult Landscape for DCAA
Law360 (July 31, 2017)
- It’s Full Steam Ahead for DCAA in 2017
Law360 (February 3, 2017)
- Critical GAO Bid Protest Deadlines and Timeline
Mainbrace (January 2017)
- Measuring DCAA’s Actual Progress on Incurred Cost Proposals
Law360 (November 17, 2016)
- World Bank Provides New Insights into Its Sanctions System
Law360 (June 28, 2016)

- A Glimmer of Hope in DCAA's FY 2015 Report to Congress
Law360 (June 17, 2016)
- Top Ten Bid Protest Considerations
Mainbrace (June 2016, No. 3)
- False Claims Act Penalties Will Substantially Increase under New Interim Final Rule
Government Contracts (May 2016, No. 2)
- Contractors Must Address Expanding Human Trafficking Laws
Law360 (February 17, 2016)

Speaking Engagements

- Beware of the Expanding Reach of the FCA: A Survey of New At-Risk Industries and Emerging Theories of Liability
American Conference Institute's 6th Advanced Forum on False Claims and *Qui Tam* Enforcement (January 29, 2019)
- Mandatory Disclosure
West's Government Contracts Year-in-Review Conference (February 23, 2018)
- What Will the Future Bring? New Theories, New Claims, New Cases
American Conference Institute's 5th Advanced Forum on False Claims and *Qui Tam* Enforcement (January 29, 2018)
- Claims, Disputes, and Terminations
PubKGroup 3rd Annual Year in Review (December 7, 2017)
- Mandatory Disclosure
West's Government Contracts Year-in-Review Conference (February 17, 2017)
- The Implied False Certification Theory Post-*Escobar*
American Conference Institute False Claims Act and *Qui Tam* Enforcement Conference (January 30, 2017)
- DCAA/DCMA Compliance: Cost, Pricing & Audits Forum
American Conference Institute (June 13, 2016)

Admissions

- District of Columbia
- U.S. District Court - District of Columbia
- United States Court of Appeals for the Federal Circuit
- United States Court of Federal Claims
- Virginia

Memberships

- American Bar Association
- Court of Federal Claims Bar Association
- District of Columbia Bar Association

Education

- Brooklyn College, BA
- Temple University Beasley School of Law, JD

Recognitions

- 2010–2019, Government Contracts Law, listed in *Chambers USA*
- 2018, Top Lawyers, Government Contracts, listed in *Washingtonian Magazine*
- 2015–2019, listed in *Legal 500*
- 2017, Government Contracts MVP, listed by *Law360*
- Federal 100 Award

Professional Activities

Dave previously was a senior attorney with the Department of the Navy, Naval Sea Systems Command (“NAVSEA”), and a trial attorney with the Navy Litigation Division in Washington, D.C.

Dave is a member of the advisory board of *The Government Contractor*, and serves as a vice chairman of the ABA Procurement Fraud Committee, and the ABA Accounting, Cost and Pricing Committee. He is a member of the *Law360* Government Contracts Editorial Advisory Board, and is past president of the Boards of Contract Appeals Bar Association.