



Robert J. Wagman Jr.

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About Bob

Bob Wagman heads the firm's Government Contracts practice. For more than 20 years, Bob has been a trusted advisor to clients of all sizes in a broad range of industries in all facets of conducting business with the government including government contracts, grants and other federally-funded projects. His experience ranges from representing companies in litigation matters before courts and administrative tribunals to advising clients and corporate counsel in transactional matters and regulatory compliance.

Bob has deep transactional experience and regularly acts as co-counsel advising clients and transactional attorneys on the unique regulatory requirements and risks applicable to the federal marketplace. He regularly represents buyers, sellers and investors in corporate transactions involving government contractors, including conducting due diligence, advising on appropriate deal terms and addressing statutory and regulatory requirements related to transfers. Bob has also advised creditors and borrowers in financing and restructuring transactions. He has represented companies in several transactions involving classified contracts and advised on foreign acquisitions requiring foreign ownership, control or influence (FOCI) mitigation procedures. Additionally, he regularly counsels companies on day-to-day contract matters including government contract intellectual property issues and unique corporate compliance requirements.

On Government Contract litigation matters, Bob has represented numerous companies, academic institutions, and individuals in civil False Claims Act (*qui tam*) matters ranging from representing clients at the early stages of DOJ/Inspector General investigations, to securing dismissal of *qui tam* complaints, to defending firms in jury trials. He has conducted internal investigations on behalf of companies and boards of directors and advises regularly on self-disclosure obligations. Bob also has represented companies and individuals in suspension and debarment matters. He has experience in representing government contractors in criminal investigations involving alleged misconduct on government programs. In the bid protest arena, he has successfully represented both protesters and intervenors in bid protest matters at the GAO, the Court of Federal Claims and before agencies. He has prosecuted claims on behalf of companies and also represented companies in prime/sub disputes.

Recent Notable Matters

Cygnacom Solutions, Inc. — successfully represented a provider of Public Key Infrastructure (PKI) services to the government in litigation on a prime sub dispute related to a State Department program

Select Energy Services, Inc. — successfully represented an oil field services company in a proposed debarment action before the Environmental Protection Agency resulting from an acquired company's Clean Air Act violations

Pipeline company — successfully represented a pipeline company in a suspension and debarment action before the Environmental Protection Agency related to Clean Water Act violations

J&J Worldwide Services — represented sellers of federal contractor in sale of company to government agencies on private equity investors

Avon Rubber plc — served as regulatory co-counsel providing due diligence and advice on federal procurement issues in UK firm's acquisition of ballistics assets from 3M Company

Manufacturing company — successfully represented company in a DOJ investigation related to its subcontract on a DOE nuclear development program

Chrysler Corporation — Qui Tam case alleging intentional defective pricing by Chrysler's electronics subsidiary on a military contract. Case settled prior to trial.*

Aramark Corporation — Qui Tam case alleging overcharging Medicare and Medicaid patients on a hospital food-service contracts at Johns Hopkins hospital. Court granted motion to dismiss.*

Amerigroup Illinois, Inc. — Qui Tam case alleging state Medicaid HMO contractor was avoiding less healthy patients and pregnant women. Case tried to verdict and settled on appeal.*

Sodexo — Qui Tam case alleging fraudulent billing against multiple food service contractors on school lunch programs. Court granted motion to dismiss based on public disclosure bar.*

Cartwright International Van Lines — criminal price fixing conspiracy charges related to freight forwarding of U.S. military personnel household items. Negotiated settlement of criminal charges as well as parallel civil False Claims Act case. Also, negotiated an administrative settlement agreement with the Army to avoid debarment related to criminal plea.*

A publicly traded IT services firm — one of the several industry-wide False Claims Act cases claiming overcharging on government contracts related to travel rebates. After DOJ investigation, the government and relator voluntarily dismissed the case against our client before seal was lifted.*

Basic Contracting Services, Inc. — Qui Tam case alleging false certifications related to training and guard pay. Court granted motion to dismiss*

D.H.B Industries — industry-wide False Claims Act investigation into Zylon vests sold to federal and local law enforcement agencies. Case settled prior to complaint being filed.*

IT Services firm — internal investigation on a classified contract related to a whistleblower's claims concerning falsified time charging, resulting in the government electing not to pursue any charges.

A publicly traded company — successfully defended client in an eight-year grand jury investigation jointly conducted by DOJ and the Department of Defense Office of the Inspector General into alleged bid rigging related to US Air Force government contracts. Prosecutors closed the investigation without any charges being filed against the company or any individuals.*

A government contractor — defended client contractor in a grand jury investigation into alleged antitrust violations related to state human services contracts. DOJ Prosecutors closed the investigation without any charges being filed against the company or any individuals.*

A large public university system — successfully represented system in a National Science Foundation Office of the Inspector General investigation related to the university's federally funded research projects*

* Work completed prior to Bracewell

Publications and Speeches

"Expanding Into the Federal Marketplace – Compliance Issues for Doing Business with the Government," The Society of Corporate Compliance and Ethics, 2020.

"Navigating The Feds: The Risks and Rewards of Federal Contracting & Subcontracting in Cybersecurity," CyberTexas, 2019.

"The New Era of Transparent Internal Audits," *BoardMember.com*, June 2012.

"The Risks of Doing Business with the Government Are Getting Riskier," The Litigation Section of the State of Texas, *The Advocate*, Volume 47, 2009.

Education

American University, Washington College of Law, J.D.
1999

University of Maryland, B.S.
1992

Affiliations

Court of Federal Claims, Board of Governors

American Bar Association, Public Contracts Law Section, Government Contracts and Litigation Section

Bar Admissions

District of Columbia

Maryland