

## MVP: Blank Rome's Justin Chiarodo

By Daniel Wilson

*Law360 (October 5, 2020, 5:07 PM EDT)* -- Blank Rome LLP's Justin Chiarodo led a team that helped Oshkosh Defense successfully defend its long-held position as a supplier of U.S. Army tactical vehicles in a complicated bid protest, earning him a spot among Law360's 2020 Government Contracts MVPs.

### ***HIS BIGGEST ACCOMPLISHMENT THIS YEAR:***

Chiarodo, co-chair of Blank Rome's government contracts practice, worked on important bid protests and mergers and acquisitions this year, including successfully protesting Mission1st Group Inc.'s exclusion from a \$7.5 billion multi-award Defense Information Systems Agency contract, and then helping to defend DISA's award decision from a subsequent challenge.

But his biggest accomplishment was his work as co-lead on the firm's successful representation of Oshkosh in a challenge to a Family of Medium Tactical Vehicles deal with the Army, which he described as "an advanced class in big protests" involving issues that had arisen in the course of a decade-long major defense procurement program.

Oshkosh has picked up billions of dollars in FMTV-related awards since 2009, but Navistar Defense LLC challenged \$320 million in new orders placed by the Army in 2019, arguing that Oshkosh had been the beneficiary of unlawful sole-source extensions to a contract that should have ended years ago. The Court of Federal Claims denied the protest in January.

The challenge Chiarodo and his team faced was "taking a very complex procurement history and trying to tell a very simple story," while working with the government to bring all the relevant context together for the judge, he said.

"There were allegations the Army didn't follow the Competition in Contracting Act; you had motions to supplement the administrative record and motions to strike — really a bushel basket of litigation activity in that matter," he said. "And then substantively touching on a number of really key issues in federal



procurement, including the use of sole sourcing requirements contracts and the cardinal change doctrine."

#### ***HIS BIGGEST CHALLENGE THIS YEAR:***

The disruptions caused by COVID-19 and the questions it raised regarding how to keep working effectively were the biggest challenge this year, Chiarodo said.

"How do we continue to work with our teams in a new operating environment?" he said. "How can you continue to use technology and new tools to stay connected with our clients, lawyers and support staff to continue to be that trusted adviser?"

Fortunately, Blank Rome's "really superb" information technology department had been able to make the transition to working outside the office effectively seamless, Chiarodo said.

#### ***HIS PROUDEST MOMENT THIS YEAR:***

Chiarodo co-sponsored Blank Rome's efforts to support the American Bar Association's 21-Day Racial Equity Habit Building Challenge, a program meant to promote and increase diversity both within the government contracts bar and the legal industry more broadly.

The program was first raised by another government contracts partner at the firm, Dominique Casimir, and was "absolutely a no-brainer to get behind," especially as part of its broader efforts to increase diversity and inclusion, Chiarodo said.

"Being able to take on something like that, an incredibly challenging issue in the wake of George Floyd's [death], and see a level of engagement within our law firm, within our practice area and with our clients. It was very powerful for me personally, to see that interest and the change that you can generate," he said.

"Being in a culture that really supports these types of initiatives and gets behind it is wonderful, and essential to success," Chiarodo added. "I'm one of many hands that made light work in this, but incredibly proud of it."

#### ***WHAT MOTIVATES HIM:***

The commitment government contractors have to their customers — federal agencies — is "palpable," and helps motivate him, Chiarodo said.

"The fact that we're supporting the public policies of the United States and the government's missions is something that you feel in every encounter you have with our clients," he said. "Being able to get behind that and help them solve problems, and capitalize on opportunities in this field, is really a great motivator."

#### ***HIS ADVICE TO JUNIOR ATTORNEYS:***

Helping his more junior colleagues develop and grow as a lawyer is another great motivator, as their success is also contributes to their team's success, according to Chiarodo.

"Frankly, I wouldn't be here without their creativity and initiative and passion," he said.

Chiarodo said that for junior attorneys looking to further their career in government contracts law, it's important to carve out time to push outside of their comfort zone, with the support of a mentor.

"Whether that's diving in to learn about the business impacts of regulations, or seeking out an opportunity for public speaking, or joining a trade organization, I'm strongly of the view that to be the best advocate and counselor, you've got to constantly stay abreast of developments and invest," he said. "And it's not just the law — it's keeping on top of technology and innovation and how we can use all of those things to better serve."

— *As told to Daniel Wilson.*

*Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2020 MVP winners after reviewing more than 900 submissions.*