

▼ Jon W. Burd

Partner

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Jon is Managing Partner-Elect of Wiley, where he works closely with firm leadership to identify and implement strategic priorities, with a focus on client service, cross-practice collaboration, and disciplined growth aligned with the firm's strengths. He serves on the firm's Management Committee, recently led the Strategic Growth Committee, and served as Hiring Partner for many years.

Throughout his career, Jon has been widely regarded as a creative problem solver who counsels government contractors on a range of legal matters. He routinely handles complex government contracts disputes, sensitive investigations, and business transactions involving national security issues. Jon earns praise from clients for his ability to quickly assimilate challenging technical and programmatic issues involving weapons system, aerospace, and intelligence programs.

Jon's practice focuses on bid protests before the Government Accountability Office (GAO) and the Court of Federal Claims (COFC); internal investigations involving allegations of contractor fraud or abuse in connection with Department of Justice (DOJ) and Inspector General (IG) subpoenas, suspension and debarment proceedings, and employee whistleblower claims; helping clients develop and maintain internal compliance and training programs; and advising buyers and sellers in mergers, acquisitions and other due diligence activities unique to government contractors.

Jon serves as the Firm's Facility Security Officer and has unique experience advising government contractor and critical infrastructure clients on a range of cybersecurity and national security compliance issues and representing clients in investigations and litigation involving classified programs.

Practice Areas

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Government Contracts
Foreign Ownership, Control or Influence (FOCI)
Privacy, Cyber & Data Governance

Credentials

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Education
J.D., *magna cum laude*, George Mason University School of Law
B.A., The Johns Hopkins University

Clerkships
Law Clerk for the Honorable Lawrence J. Block, U.S. Court of Federal Claims (2004-2006)

Bar and Court Memberships
District of Columbia Bar
Maryland Bar
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Federal Claims
U.S. District Court for the District of Columbia

Representative Matters

- Successfully pursued and defended dozens of bid protests at GAO and COFC, including major programs involving the U.S. Air Force KC-46 aerial refueling tanker aircraft (*The Boeing Co.*, B-311344); the NASA Commercial Crew system (*Sierra Nevada Corp.*, B-410485); DOE nuclear waste disposal (*Carlsbad Operations Alliance, LLC* and *National TRU Solutions, LLC*, B-420913); and various classified programs.
- Defended an aerospace contractor against a wrongful termination claim in connection with a cleared former employee's suspension and subsequent debriefing from a Special Access Program. *Dubuque v. The Boeing Co.*, 325 F.R.D. 296 (E.D. Missouri, 2018) (dismissing amended complaint).
- Defended a national security services contractor against a claim for breach of a teaming agreement in connection with a classified program, where the S. Department of Justice intervened to assert the State Secrets privilege and dismiss the case. *Wever v. AECOM National Security Programs, Inc.*, No. 1:17-cv-00200, 2017 WL 5139263 (E.D. Virginia, 2017) (slip op.)
- Provided government contracts due diligence and advised on Defense Counterintelligence and Security Agency (DCSA) notifications and Foreign Ownership, Control and Influence (FOCI) approvals in connection with dozens of national security-related mergers and acquisitions, including strategic and private equity-financed transactions.
- Advised clients on compliance with all aspects of DFARS Clause 204-7012, Safeguarding Covered Defense Information, including the implementation of NIST 800-171 compliant information systems, mandatory cyber incident reporting and follow-up, and subcontractor flow-down obligations.
- Defended and successfully resolved whistleblower allegations and a government investigation regarding cybersecurity obligations for sensitive compartmented information systems under ICD 500 and DCID 6/3.
- Negotiated a contract termination and represented client in a parallel investigation by an agency's Office of Inspector General in connection with a national security intelligence.
- Successfully negotiated a \$375 million indemnification payment by the U.S. Department of Energy to two legacy DOE contractors in connection with the settlement of a class action lawsuit under the Price Anderson Nuclear Industries Indemnity Act involving historical nuclear contamination near the Rocky Flats plutonium processing.
- Supported a shipbuilder in developing and executing strategy to re-baseline a contract, valued at more than \$1 billion, to design and build national security vessels.
- Represented an aerospace contractor in connection with a defense agency's investigation into the alleged improper use and disclosure of classified information from a special access program in the contractor's proposal for another agency program.

Professional Experience

- Adjunct Professor, Government Contracts (2019-2021) and Commercial Paper (2005-2006), Antonin Scalia Law School at George Mason University

Affiliations

- Court of Federal Claims Bar Association
 - President (2021-2022)
 - President-Elect (2021) and Immediate Past President (2023)
 - Board of Governors (2014-2023)
- American Bar Association (ABA), Section of Public Contract Law

Recognitions

- Listed by *Chambers USA* in Government Contracts (2018-2025)
- Named by *The Legal 500 US* in Government Contracts (2017-2025)
- Named to *Law360*'s Aerospace & Defense Editorial Advisory Board (2020, 2021)