



## Scott M. McCaleb

Partner



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Scott represents clients on all aspects of procurement matters across all industries. He has repeatedly been named one of America's Leading Lawyers in Government Contracts by *Chambers USA*, *Super Lawyers*, *Acritas*, *Who's Who*, *Legal 500*, *Lawdragon*, and *Washingtonian*. He was named *Law360* MVP in Government Contracts in 2015, 2016, 2019, 2023 and 2024, and *Washingtonian* named him to its Lawyers' *Hall of Fame* in 2022.

### Representative Matters

- **Bid Protests:** Numerous successes before GAO, Court of Federal Claims and the Federal Circuit involving billions of dollars, including landmark decisions: the "Tanker" protest, *The Boeing Co.*, B-311344, June 18, 2008, 2008 CPD ¶ 114; *Turner Construction Co. v. U.S.*, 94 Fed. Cl. 561 (2010); and *Alabama Aircraft Industries v. U.S.*, 586 F.3d 1372 (Fed. Cir. 2009).
- **Appellate Litigation:** Extensive successful appellate experience for both parties and *amici curiae*, including: *The Boeing Co. v. U.S.*, 119 F.4th 17 (Fed. Cir. 2024); *The Boeing Co. v. Sec'y of the Air Force*, 983 F.3d 1321 (Fed. Cir. 2020); *CGI Fed. Inc. v. U.S.*, 779 F.3d 1346 (Fed. Cir. 2015); *Turner Construction Co. v. U.S.*, 645 F.3d 1377 (Fed. Cir. 2011); *U.S. ex rel. Totten v. Bombardier*, 380 F.3d 488 (D.C. Cir. 2004); and *General Electric Co. v. Delaney*, 251 F.3d 976 (Fed. Cir. 2001).
- **Commercial Litigation:** Broad experience successfully litigating disputes between competitors, prime and subcontractors, and putative class actions, involving claims of multiple billions of dollars based on allegations of trade secret misappropriation, racketeering, antitrust and TCPA violations, contract breach,

### Practice Areas

Government Contracts  
Litigation

### Credentials

#### Education

J.D., Georgetown University Law Center  
A.B., Brown University

#### Clerkships

Law Clerk for the Honorable Haldane Robert Mayer, U.S. Court of Appeals for the Federal Circuit

#### Bar and Court Memberships

District of Columbia Bar  
Maryland Bar  
U.S. Courts of Appeals for the Second, Fifth, Eighth, Ninth, Federal, and District of Columbia Circuits  
U.S. District Court for the District of Columbia  
U.S. Court of Federal Claims

and state secrets, such as *Lockheed Martin Co. v. The Boeing Co.*, 2005 WL 729685 (M.D. Fla. 2005), *Cunningham v. General Dynamics Information Tech.*, 2017 WL 1682534 (E.D. Va. 2017); and *Wever v. AECOM*, 2017 WL 5139263 (E.D. Va. 2017).

- *Termination and Claims Litigation*: Represented clients successfully in connection with numerous claims and contract terminations (default and convenience) involving billions of dollars and classified programs (e.g., the A-12 termination), with many resolved through negotiation while others required litigation. See, e.g., *The Dow Chem. Co.*, CBCA No. 5542, 2016 WL 7233226 (2016) (\$375M judgment).
- *Fraud Investigations and Litigation*: Represented numerous clients in connection with Government claims of contractor wrongdoing, including conducting internal investigations, engaging agency Suspension & Debarment Officials, and litigating fraud and false claims allegations.

## Professional Experience

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- Adjunct Professor for Government Contracts, George Mason University School of Law (1996-2002) and The George Washington University School of Law (2003-2005)
- Instructor, U.S. Army Judge Advocate General's School (1995-2000)
- Captain, U.S. Army Judge Advocate General's Corps, Assistant Counsel for Procurement and Information Technology (1992-1995)

## Affiliations

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- Advisory Council, U.S. Court of Appeals for the Federal Circuit, Co-Chair (2004-2010) and Member (2000-2020)
- Advisory Council, U.S. Court of Federal Claims (2002-Present)
- Federal Circuit Bar Association, President (2009), Board of Governors (2002-2010) and Member (1998-Present)
- Court of Federal Claims Bar Association, Board of Governors (2005-2008)
- American Bar Association, Section of Public Contract Law (1997-Present)

## Recognitions

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- As of 2024, only attorney named by *Law360* as a Government Contracts MVP five times (2014, 2015, 2019, 2023, and 2024)
- Named to *Washingtonian's* "Top Lawyers Hall of Fame" (2022) and consistently recognized on the magazine's biennial list of Washington's "Top Lawyers" (2009, 2015, 2017, 2018, 2022, 2024) and "Best Lawyers" (2011, 2013).

- Listed by *Chambers USA* as one of "America's Leading Lawyers for Business" in Government Contracts (2006-2025), and in Government Contracts: Bid Protests (2020-2025)
- Named by *Lawdragon* as one of "3000 Leading Lawyers in America" (2010-2011)
- Named one of DC's "Super Lawyers" for Government Contracts by *Super Lawyers* magazine (2013-2020, 2022-2023)
- Named by *The Legal 500 US* as a "Leading Lawyer" in Government Contracts (2017-2025)
- Included in the *International Who's Who of Public Procurement Lawyers* (2013-2014)
- *Who's Who Legal: Thought Leaders 2018* for Government Contracts
- Included in *The Best Lawyers in America* directory for Government Contracts (2025)
- Named an Thomson Reuters Stand-out Lawyer (formerly Acritas Star Lawyer) (2018)
- AV Peer Review Rating, Martindale-Hubbell's highest ranking by peers for general ethical standards and legal ability