



PRACTICE FOCUS

James Dougherty is a principal attorney in Offit Kurman’s Governments Contracts practice group. He has extensive experience in counseling and representing technology companies and government contractors in a broad range of transactional and litigation environments. Mr. Dougherty’s experience in US government contracts law covers compliance counseling, transaction negotiation, rights in and protection of intellectual property, and *qui tam*, claims and bid protest litigation at both the federal and state level. He also has extensive experience with public sector technology transactions, commercial software, IP licensing and related transactions, and general corporate compliance.

His unique expertise and experience in technology and government contracts law, in conjunction with his experience as a general counsel in public and private companies, allows him to offer comprehensive counsel to both traditional and non-traditional government contractors, and commercial technology companies.

Mr. Dougherty has served as the general counsel of several public and private technology companies where he led all legal, compliance, and risk management functions. He has also served in other senior in-house roles with leading technology companies such as Cisco Systems and Intel, and as counsel with an AMLaw 50 law firm in both Washington, D.C. and San Francisco. He began his legal career as an officer in the U.S. Army Judge Advocate General’s Corps, where he served as a Commissioner on the Armed Services Board of Contract Appeals.

REPRESENTATIVE EXPERIENCE

- Prime and sub-contract, teaming agreement and joint venture agreement negotiation and counseling, including sole-source and emergency contracting actions
- Special federal procurement instruments negotiation and counseling, including OTA’s, Special License Rights, CRADAs and Cooperative Agreements
- General Services Administration (GSA) contracts commercial pricing and product sourcing negotiations and counseling
- Drafting and implementing corporate compliance programs – including public sector business ethics programs and policies
- Advising on contractor ethics issues, including Organizational Conflicts of Interest (OCI), hiring of former federal employees, and corporate gift and entertainment policies.
- Counseling on privacy and cybersecurity issues, and negotiation of related transactional issues
- Defending False Claims Act *qui tam* actions, including serving as the lead associate on the defense team in *S. ex. rel. Battaglia v. Texas Data Control*, No. 395-CV-550X (N.D. Tex.), which was named the “Defense Win of the Year” by the National Law Journal.
- Pre and post-award bid protests before the U.S. Government Accountability Office (GAO) and the Court of Federal Claims (CoFC)
- Contract claims before the CoFC, the Armed Services Board of Contract Appeals (ASBCA), and AAA Arbitration
- State and local procurement negotiation and counseling, including California, New York, Texas, Florida and the National Association of State Procurement Officers (NASPO) procurements

POINTS OF DISTINCTION

- Commissioner, Armed Services Board of Contract Appeals

EDUCATION

- New York University School of Law, J.D.
- The College of William & Mary, B.A.

ADMISSIONS

- District of Columbia
- California

JAMES DOUGHERTY

Principal, Tysons Corner

PRACTICE AREAS

- Business Law and Transactions
- Government Contracting