

J. William Eshelman

Senior Counsel



J. William Eshelman is Senior Counsel in the Government & Regulatory Affairs group in Clark Hill's Washington, DC office.

Bill's legal practice focuses on federal contracting and subcontracting under federal prime contracts, as well as acquisitions under grants and loans. It includes Teaming Agreements, and Joint Ventures, contract formation (Bid Protests), performance, administration, termination, and disputes, ADR, cost accounting-related issues in government contracts and grants, related commercial contracts and ethical (individual and Organizational Conflicts of Interest, Procurement Integrity), and False Claims Act (Civil and Criminal) litigation. He also works closely with the firm's legislative and executive department advocates.

Bill has represented clients before the Boards of Contract Appeals, the Court of Federal Claims, the United States Court of Appeals for the Federal Circuit, the United States Court of Appeals for the Fourth Circuit, various U.S. District Courts, state courts, administrative agencies and various quasi-judicial bodies.

He has done extensive work on proposals, warranty issues, exercise of options, negotiation of contracts and contract modifications involving defense, aerospace, and general federal, grant and loan-related contracting. Bill counsels on all aspects of Compliance Programs, as well as handling Internal Investigations and Voluntary Disclosure; Organizational Conflicts of Interest, Procurement Integrity, Foreign Military Sales, Foreign Military Financing, Trade Regulation and Export Administration; General; Business Ethics; and Civil Fraud Issues. He has extensive experience in arbitration and ADR.

Bill is retired from the U.S. Air Force Reserves where he served as a Lieutenant Colonel Judge Advocate.

Experience

- Full spectrum work with Federal agencies to resolve issues before they necessitate claims and litigation.
- Works with Congress and relevant Staff on legislative issues affecting government contractors.
- Assisted international companies doing business with the United States government and U.S. companies in dealings with foreign governments.
- Represented a major construction company in equitable adjustment claims before the Court of Federal Claims involving loss of efficiency and increased field overhead for construction of NASA Space Station Processing Facility.
- Represented systems integration contractor on Space Station Program in \$90 million bad faith termination for convenience claim against NASA.
- Represented defense contractor on USAF Joint STARS program to reverse deductions to target cost and price where Government had canceled certain line items of contract after work was performed.
- Represented precision welding equipment manufacturer in defective specification and changes claims on construction of electron beam particle vapor deposition machine for Penn State Naval Applied Research Laboratory.
- Represented computer software company in bid protest involving a major enterprise management system.
- Successfully represented disappointed bidder in bid protest involving a procurement under a Federal Transportation Administration (DOT) Grant.
- Represented companies in voluntary disclosures and internal investigations.
- Represented companies relative to Corporate Compliance Programs and related policies.
- Represented companies regarding Export Administration and Munitions matters including Technical Assistance Agreements.

Practices, Industries & Services

Administrative Law
Aerospace
Government & Regulatory Affairs

Areas of Emphasis

Administrative Law
Public Contracting

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Education

J.D., Samford University,
Birmingham, Alabama

LL.M., George Washington
University Law School, Washington
DC

A.B., The University of Alabama,
Tuscaloosa, Alabama

State Bar Licenses

District of Columbia
Virginia

Court Admissions

U.S. Court of Appeals, D.C. Circuit
U.S. District Ct., District of Columbia
U.S. Court of Appeals, Federal
Circuit
U.S. Supreme Court
U.S. Court of Federal Claims
U.S. Court of Appeals, 4th Circuit
Supreme Court of Alabama
U.S. Court of Appeals, 5th Circuit
U.S. Court of Appeals, 11th Circuit
Supreme Court of Virginia

Memberships

- Air Force Association
- Federalist Society
- Virginia Bar Association
- District of Columbia Bar Association
- Alabama Bar Association
- ABA Section of Public Contract Law
- Association of the US Army (AUSA)
- Military Officers Association of America (MOAA)
- National Contract Management Association

U.S. District Ct., S.D. of Texas

U.S. District Ct., E.D. of Virginia