



Managing Member  
eamorosi@smithpachter.com

8000 Towers Crescent Drive, Suite 900  
Tysons Corner, VA 22182  
P: (703) 847-6300  
F: (703) 847-6312

## Edmund M. Amorosi

Mr. Amorosi represents clients in the government contracts and construction industries, and private property owners in takings cases against the U.S. Government. He has appeared in federal and state courts, before administrative agencies and boards, and in alternative dispute resolution settings including mediation and arbitration, both domestic and international.

Mr. Amorosi's government contracts practice includes procurement, regulatory, and litigation matters for government contractors in a variety of industries. Mr. Amorosi has served as an interim in-house counsel for a leading private security firm working for the United States Government in a contingency contracting environment. Mr. Amorosi has experience in bid protests, audits, investigations into whistleblower allegations, overseas construction contracting, preparation of requests for equitable adjustments and contract claims and disputes, small business issues (including size protests and appeals), resolution of prime-subcontract disputes, contract appeals before Boards of Contract Appeals, alternative dispute resolution, review of prime contracts and subcontracts, False Claims Act matters, contractor responsibility and integrity issues, terminations for default and terminations for convenience, debarment and suspension, task order contracting, commercial products, and schedule contracts. Mr. Amorosi has represented contractors in bid protests and contract disputes before the Government Accountability Office, the U.S. Court of Federal Claims, and various federal and state courts. Mr. Amorosi has also served as an expert witness in government contract law.

Mr. Amorosi's construction practice includes the representation of owners, general contractors, subcontractors, and suppliers in litigation matters on public and private projects, including acceleration, delay and disruption claims; payment and performance bond disputes including Miller Act claims; and contract formation, negotiation and administration. Mr. Amorosi has prepared requests for equitable adjustments and claims, reviewed prime contracts and subcontracts, and litigated prime-subcontract disputes in court and through alternative dispute resolution.

Mr. Amorosi's practice also includes commercial litigation and counseling relating to the government contracts and construction industries, including disputes between prime contractors and subcontractors, teaming and confidentiality agreements, joint ventures, and non-compete and non-disclosure agreements.

Mr. Amorosi also represents private property owners in disputes with the United States in takings litigation under the Fifth Amendment to the U.S. Constitution. He is currently involved in takings litigation before the U.S. Court of Federal Claims.

## Practice Areas

- Construction
- Construction Litigation
- Government Contracts

## Education

George Mason University School of Law, J.D., 2001  
University of Colorado, B.A., International Affairs, 1987

## Prior Legal Experience

Law Clerk, The Honorable Loren A. Smith, Senior Judge, U.S. Court of Federal Claims, 2001-2002

## Prior Government Experience

Director of Communications, U.S. Senator Judd Gregg  
Director of Communications/Press Secretary, U.S. House of Representatives' Committee on Government Reform and Oversight  
Legislative Assistant, U.S. Congressman William F. Clinger, Jr.

## Representative Matters

International Chamber of Commerce's International Court of Arbitration proceeding related to the construction of a 105MW power plant located in a contingency contracting environment.

*Shee Atika Languages, LLC et al. v. Global Linguist Solutions, LLC*, 2014 WL 3810289, (E.D. Va., August 1, 2014) (defended prime contractor from subcontractor's action seeking \$25 million in damages for breach of contract and unjust enrichment; summary judgment entered for defendant prime contractor).

*R.E. Daffan, Inc. v. County of Arlington, Va. and County Board of Arlington*, Circuit Court of Arlington, Virginia (represented general contractor on public project to construct a maintenance facility; case involved schedule, delay, contract interpretation, and technical issues) (settled).

*Mallick Plumbing & Heating, Inc. v. R.E. Daffan, Inc. and The Hartford Fire Insurance Company*, Circuit Court of Arlington County, Virginia (defended general contractor and surety from breach of contract and payment bond action asserted by subcontractor (settled).

*T&B Electric Co. v. R.E. Daffan, Inc. and The Hartford Fire Insurance Company*, Circuit Court of Prince William County, Virginia (defended general contractor and surety from breach of contract and payment bond action asserted by subcontractor) (settled).

*United Sheet Metal v. R.E. Daffan, Inc. and The Hartford Fire Insurance Company*, Circuit Court of Arlington County, Virginia (defended general contractor and surety from sub-subcontractor's payment bond claim) (settled).

*Variq Corp.*, B-407193, November 27, 2012, 2013 CPD ¶ 233 (successful defense of contract award to intervenor).

International Chamber of Commerce's International Court of Arbitration proceeding related to the design and operation of an explosives manufacturing facility.

Interim in-house counsel for leading private security firm working in a contingency contracting environment.

Expert witness in matter relating to the enforcement of a non-compete agreement in the government contracts law context.

Co-counsel in internal investigation prompted by allegations of overbilling by whistleblower; conducted employee interviews and drafted investigative report.

Prosecution of claims against the United States in federal court arising from oil and gas property rights and related breach of contract claims.

Claims (including delay, disruption, and acceleration) against a state transportation agency in state court arising out of the construction of a light rail transit system.

Drafted contracts and advised owner on claims arising out of the construction of an agricultural processing facility.

Defended general contractor against subcontractor's Miller Act bond claim in federal court arising out of the construction of the Olmsted lock on the Ohio River under a U.S. Army Corps of Engineers contract.

Defended general contractor against subcontractor's mechanic's lien and contract claims in federal and state courts arising out of the construction of an information technology data warehouse.

Defended general contractor against false claims act allegations arising out of the

performance of a U.S.-funded construction contract for a wastewater system in the Middle East.

Defended general contractor against subcontractor's breach of contract claim in federal court seeking damages for lost profits.

Bid protests and injunctive relief actions involving international security contracts, information technology contracts, weather information and broadcasting, and health care contracts, among others.

## Bar Admissions

Commonwealth of Virginia, 2002

New Jersey, 2003

District of Columbia, 2003

## Court Admissions

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the District of Columbia Circuit

U.S. Court of Federal Claims

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Western District of Virginia

U.S. District Court for the District of Columbia

Supreme Court of Virginia

D.C. Court of Appeals

Supreme Court of New Jersey

## Professional Memberships

### Legal

American Bar Association - Section of Public Contract Law (Vice-Chair of the Construction Division); Forum on the Construction Industry; Section on Litigation

Federal Bar Association – Government Contracts Section

U.S. Court of Federal Claims Bar Association

Board of Contract Appeals Bar Association

Virginia State Bar Association, Section on Construction and Public Contracts

Virginia Bar Association, Section on Construction and Public Contracts Law, Chair, 2020;

Council Member, 2013 - 2019

District of Columbia Bar Association

George Mason University School of Law Alumni Association Board of Directors, 2001-2005

### Industry Groups

Associated General Contractors – Member, International Construction Committee; Project Delivery Forum

Associated Builders and Contractors

National Contract Management Association, Member, Tysons Corner Chapter

National Defense Industrial Association – Member, Legal Committee

Professional Services Council

## Publications

Co-Author, Edmund M. Amorosi, Stephen D. Knight, Jonathan D. Shaffer, Daniel H. Ramish, [Avenues For Fast-Tracking Gov't Procurement In Emergency](#), Law360 Expert Analysis, April 20, 2020.

Co-Author, Edmund M. Amorosi and Daniel H. Ramish, *Suspension and Debarment in Virginia Public Procurement*, Virginia Bar Association Journal, Vol. XLVI, No. 2, Fall 2019.

Edmund M. Amorosi, *Food Marketing Institute v. Argus Leader Media: FOIA Case at Supreme Court Has Implications for Government Contractors*, Law360 Expert Analysis,

March 29, 2019.

Co-author, *Federal Construction Contracting*, Chapter 8, *Virginia Construction Law Deskbook*, © Virginia Law Foundation (2019).

Co-author, *Alternative Dispute Resolution*, Chapter 23, *Virginia Construction Law Deskbook*, © Virginia Law Foundation (2019).

Co-author, *The Arbitration Hearing*, Chapter 10, *Construction ADR*, ABA Forum on the Construction Industry © 2014 American Bar Association.

Editor, *Arbitration Road Map for Virginia*, © Virginia Law Foundation (2011).

Co-Author, *Overseas Construction Under USAID Regulations: Not Business As Usual*, (*The Procurement Lawyer*, Fall 2007, No. 43, Vol. 1), © The American Bar Association.

Author, *Arbitrators, Not Courts, Decide Procedural Issues in Arbitration*, (*Conflict Management*, Fall 2007, Vol. 12, Issue 1), © The American Bar Association.

## Speaking Engagements

Panelist, "Freedom of Information Act: What Government Contractors Need to Know," Client Webinar, June 18, 2019

Instructor, "*The Masters Institute in Government Contracts*," Federal Publications Seminars, La Jolla, California, May 6, 2019

Panelist, *Conflicts of Interest in Federal Contracting*, Department of Energy Contract Attorneys Association, Spring 2019 Conference, May 2, 2019, Washington, D.C.

Instructor, "*The Masters Institute in Government Contracts*," Federal Publications Seminars, La Jolla, California, May 6, 2019

Instructor, "*Ethics and Compliance in Government Contracting*," Federal Publications Seminars, La Jolla, California, May 10-11, 2018

Instructor, *Audits and Investigations*, District of Columbia Bar, Continuing Legal Education, October 18, 2017, Washington, D.C.

Panelist, *Arbitration of Prime-Sub Disputes*, American Bar Association, Section of Public Contract Law, Contract Claims and Disputes Resolution Committee, September 27, 2017, Washington, D.C.

Instructor, *Formation of Government Contracts and Protests*, District of Columbia Bar, Continuing Legal Education, July 19, 2017, Washington, D.C.

Presenter, *Developments in Arbitration Law* on panel entitled *State and Federal Court Practice Update: Evidence, Arbitration, Jurisdiction and Venue*, Virginia Bar Association's 123rd Annual Meeting, January 24-26, 2013, Williamsburg, Virginia.

Presenter, *Protecting Contractor Information: Demand for Public Access Puts Commercially Sensitive Information At Risk*, National Contract Management Association's Greater Iowa Chapter's 30th Anniversary Winter Seminar, April 19, 2011, Des Moines, Iowa.

Presenter, *Industry Summit on DOD Contracting: Government Contract Costs and Contract Terminations*, American Conference Institute, June 21, 2010, Rosslyn, Virginia.

Co-Presenter, *Contract Risk Management*, Associated General Contractors, Northern Virginia Chapter, May 13, 2008, Manassas, Virginia.

Co-Presenter, *Protecting Your Right to Timely Payment on Public and Private Projects*, Associated General Contractors, Northern Virginia Chapter, February 14, 2008, Manassas, Virginia.

