

End of an Era

Written by Nick Sanders
Thursday, 07 May 2015 00:00

We weren't there, but we are reliably informed that the modern era of Government Contract-related law started in 1958, when Gilbert A. Cuneo, Vice Chair of the Armed Services Board of Contract Appeals (ASBCA) joined the law firm of Cummings & Sellers, establishing "the modern day practice of government contracts law."

Mr. Cuneo must have done something right, because the firm eventually became known as Sellers, Conner & Cuneo. In 1980, that firm merged with McKenna & Fitting to become McKenna, Conner & Cuneo. Ten years later the firm was known as McKenna & Cuneo.

In 2002, McKenna & Cuneo merged with Long, Aldridge & Norman to form McKenna, Long & Aldridge LLP. By 2008 the MLA Government Contracts practice billed itself as "the largest" such practice in the United States. Besides the traditional Washington, D.C., location, MLA government contract attorneys could be found in Denver and Los Angeles, New York and San Diego. By 2015 there were 70 attorneys associated with the government contract practice.

On April 8, 2015, MLA merged with Dentons to become the world's largest law firm.

But not everybody was happy with the merger. In particular, it seems that a number of MLA's Washington, D.C., government contract attorneys thought the merger was unhappy news.

According to [this](#) news story –

It now appears that McKenna will face a string of high-profile departures: In addition to Tosta, Big Law Business has learned from multiple sources that a group of up to 20 government contract, white collar defense and other lawyers primarily from its Washington, D.C. office plan to join Covington & Burling, and the former managing partner of the Los Angeles office, whose practice is focused on entertainment, plans to join Pillsbury Winthrop Shaw Pittman.

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The lawyers joining Covington & Burling include Fred Levy, McKenna Long's recent government contracts chairman, and Michael Scheininger, head of the firm's white collar practice. A handful of the lawyers who are joining had voice messages that acknowledged their move to Covington, including Scheininger, and Ray Biagini, the head of McKenna's product liability defense practice.

A [press release](#) on the Covington & Burlington website has this to say on the matter –

Covington is significantly expanding its government contracts practice with 20 lawyers from one of the nation's top government contracts groups, including its former chair and leaders in contractor tort liability, bid protests, procurement fraud, trade secrets and employment.

The group of five partners and 15 other lawyers from McKenna, Long & Aldridge expands and deepens Covington's capabilities across a range of government contracts matters. Frederic Levy, until recently the chair of McKenna's government contracts practice, will serve as co-chair of Covington's government contracts group with [Alan Pemberton](#) and [Jennifer Plitsch](#).

These additions double the size of Covington's government contracts group and place it among the nation's largest. The work of the new lawyers runs the gamut from contract formation to bid protests to claims and internal investigations to tort litigation to False Claims Act litigation. *Chambers* has consistently ranked McKenna's government contracts practice in its highest band, and the group that joined Covington includes most of that firm's *Chambers*-rated lawyers in government contracts.

In addition to the other attorneys named, the press release noted that Herb Fenster, who had been with MLA (and predecessor firms) for 55 years, was moving to Covington. Moreover, Sandy Hoe will be moving as well. In many ways, these names represent the heart and soul of the practice that Gil Cuneo created in 1958. That's not to say the remaining MLA government contract attorneys (which include, e.g., the illustrious Tom Lemmer in Denver and James Gallagher in Los Angeles) won't carry on the proud tradition; but we suspect it won't be the same.

We wish those attorneys moving to Covington well, of course. Still there is some sadness as well. It may well be the end of an era, an era where expertise in public contract law could

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jumpstart a large law firm and keep it going through difficult times.