

## Litigation Support Experience

Written by Nick Sanders

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- For a bio-pharmaceutical developer (Project BioShield), led the effort to support Termination for Convenience settlement proposal, including reviewing subcontractor claims in an adversarial litigation environment.
- Assisted military airplane 1st tier subcontractor with preparation of a multi-million dollar Request for Equitable Adjustment associated with Prime Contractor delay and disruption.
- For a fully CAS-covered aerospace/defense manufacturer, successfully led the process to obtain Government approval for fifteen simultaneous organizational and cost accounting practice changes. The effort included assessing planned changes in coordination with external Counsel, developing indirect rates (both pre- and post-change), calculating cost impacts, and revising CASB Disclosure Statements.
- Participated in supporting investigations of alleged False Claims Act violations and defective pricing allegations. Primary liaison with DCAA and Naval Criminal Investigative Service (NCIS).
- Supported contract compliance-related hotline investigations under direction of internal Counsel for a multi-billion dollar Engineering/Construction contractor.
- Participated in litigation support to defense team in a commercial dispute that included forensic accounting analysis of three years' of corporate expenses (including personal transactions of shareholder) and expert testimony regarding reliance damages; also included critique of plaintiff's claim. Case dismissed with prejudice.
- Participated in a team providing expert testimony for the General Electric Company's CAS 413 pension case before the U.S. Court of Federal Claims, in which GE's position was upheld in the Court's decision and sustained in all particulars in the subsequent appellate Court decision. (Teledyne, 50 Fed. Cl. 155 (2001) and Allegheny Teledyne v. US, 316 F.3d 1366 (Fed. Cir. 2003)).
- Under direction of external counsel defended a small equipment manufacturer in a Federal criminal proceeding, developed alternate damage calculations, which were accepted by the local Assistant U.S. Attorney and judge, and used to establish sanctions under Federal Sentencing Guidelines.
- On behalf of PwC Assurance, monitored and supported SEC regulation "10(a)"

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investigation into potential returns and allowances manipulation by a US-based subsidiary of a foreign consumer products manufacturer.

- Under direction of external counsel, led an audit committee-sponsored investigation into potential gratuity acceptance and expense report fraud for a multi-billion dollar SEC-registrant (commercial retailer of consumer products).

- Under direction of external counsel, led the investigation into Government contract cost accounting practices and business controls of a \$150 million Navy equipment manufacturer, including review of alleged TINA violations and indirect rate calculation errors.

- Certified Government Financial Manager (CGFM), Association of Government Accountants.

- Provided expert testimony on Government cost accounting, contract administration and source evaluation issues, Orange County (California) Superior Court. ( Wireless Facilities, Inc. & WFI Government Services, Inc. (WFI) v. Celeris Systems, Inc. )

- Led outsourced internal audit teams at several aerospace & defense entities. Led team evaluating compliance and business practice compliance at the Federal business unit of a multi-billion dollar publicly traded entity. The resulting report, performed under privilege, identified several internal control gaps that exposed the entity to allegations of violation of the Trade Agreements Act and other statutory/regulatory requirements associated with its General Services Administration Multiple Award Contract. Briefed the final report to General Counsel and the Board of Directors.

- Document Retention in the Information Age – National Contract Management Association South Bay Chapter, September 2005

- Provided support to litigation team defending Allison Engines in a False Claims action, in which Allison's position was upheld in various rulings up to and included the Supreme Court of the United States. (Allison Engine Co. v. United States ex rel. Sanders, No. 07-214, June 2008.)