

## CYNTHIA J. ROBERTSON, Partner

*Cynthia “Cindy” Robertson is a partner in Jenner & Block’s Washington DC office. For the last two decades she has provided government contract counseling and litigation/investigations management to top aerospace and defense contractors. She is a trusted counselor on FAR/DFARS regulations, internal investigations, False Claims Act, bid protests, claims, labor/employment, and a wide range of government contracting issues. Ms. Robertson also monitors and shapes government contracts policy through routine submissions of public comment on behalf of clients and industry associations in FAR and DFARS rulemakings.*

Ms. Robertson advises clients on a host of issues facing government contractors, including FAR/DFARS regulatory compliance and claims, including claims that can arise from subcontractor/prime contractor disputes. Ms. Robertson has also drafted and reviewed compliance policies for public procurement divisions of larger commercial corporations, and for aerospace and defense giants. Ms. Robertson has tailored anti-trafficking compliance plans for foreign subcontractors and routinely counsels on anti-trafficking regulations and reporting obligations. She has also counseled on counterfeit parts, cybersecurity, IP, commercial items, lobbying/election law restrictions, procurement integrity, and labor and employment issues such as Service Contract Act, wage statement, and meal-break compliance.

Ms. Robertson conducts both large and small investigations for government contractors. She has conducted a nationwide FCA investigation of alleged bribery for a client’s public procurement division, and evaluated allegations of mischarges and improper pricing. As part of this effort, she conducted a nationwide survey of state procurement bribery laws. She has also directed FCA investigations of alleged product failures, where lead scientists and quality assurance personnel played a critical role. Ms. Robertson has been the lead negotiator with DOJ regarding Civil Investigative Demands and subpoenas. She has also represented corporate officers and employees in connection with government investigations of potential wrongdoing. She advocated for entry into DOD’s voluntary disclosure program before existing mandatory disclosure rules.

Ms. Robertson draws upon a broad litigation background. She began her career defending an aerospace and defense contractor against a termination for default of a stealth aircraft. Ms. Robertson has been involved in complex trial preparation and appellate briefing before the Court of Federal Claims and the Federal Circuit Court of Appeals. She has also prepared other cases for trial on behalf of utility clients suing for disposal of spent nuclear fuel. Ms. Robertson has conducted all phases of electronic discovery, and has briefed billion-dollar protests and appeared before the GAO during bid protest hearings.

Ms. Robertson routinely presents on government contracting issues for clients and industry associations. She will be moderating a panel on “Breaking Developments in Federal Government Contracting” at the annual ABA Public Contract Law meeting in Chicago, on August 3, 2018.

Ms. Robertson has an active pro bono practice in which she represents



## CYNTHIA J. ROBERTSON Partner

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### PRACTICE GROUPS

Government Contracts  
Investigations, Compliance and Defense  
Litigation

### EDUCATION

University of Illinois College of Law, J.D.,  
1998; *magna cum laude*; Order of the Coif;  
Rickert Award for Excellence in Legal  
Publications; Editor-in-Chief, *Elder Law  
Journal*

Vanderbilt University, B.A. (Philosophy and  
Political Science), 1990; Pi Sigma Alpha

### ADMISSIONS

District of Columbia, 2001

survivors of human trafficking and those with disabilities.

## Educational

- Thurgood Marshall Academy  
Tutor, 2001-2003

## Industry Organization

- National Defense Industrial Association

## Service To The Bar

- American Bar Association
  - ABA Fellow since 2017The Fellows is a global honorary society of attorneys, judges, law faculty, and legal scholars whose public and private careers have demonstrated outstanding dedication to the highest principles of the legal profession and to the welfare of their communities. Membership in the Fellows is limited to one percent of lawyers licensed to practice in each jurisdiction.
  - Public Contract Law SectionVice Chair of the Acquisition Reform and Emerging Issues Committee, 2012
- Women's Bar Association

## Publications

- Co-Author, Client Alert: DOJ Releases Guidelines on Awarding Cooperation Credit in False Claims Act Matters, May 16, 2019
- Co-Author, *DOJ Releases Guidelines on Awarding Cooperation Credit in False Claims Act Matters*, May 7, 2019
- Client Alert: Recent Cybersecurity Developments Impacting Federal Contractors, June 8, 2017
- Client Alert: New Cybersecurity Executive Order Affects Critical Infrastructure Industry Sectors, Including Communications, Electricity and Defense, May 16, 2017
- Co-Author, "Defense Department Imposes New Cyberobligations on Contractors," Thomson Reuters' *Westlaw Journal*, December 7, 2015
- Client Alert: Mandatory Disclosure Internal Investigations May Be Found to Be Non- Privileged if Legal Function Not Sufficiently Involved, March 19, 2014
- Client Alert: The FY 2014 National Defense Authorization Act and the Budget Act: Modest Reforms And Lowered Comp Cap, January 13, 2014
- Jenner & Block Guide Examines FCPA Enforcement in 2012, April 2, 2013
- Client Alert: What Contractors Should Know About The FY 2013 National Defense Authorization Act, January 7, 2013
- Client Alert: ISS Marine: A Contractor's Failed Attempt To Shield An Internal Audit With Attorney-Client Or Work Product Protections, December 6, 2012
- Client Alert: Executive Order Creates New Anti-Trafficking Obligations for Contractors, October 9, 2012
- Client Alert: Loss of Meaningful Review and Approval Process Results in Deluge of DCAA Fraud Referrals to DoD IG, September 4, 2012

- Jenner & Block Guide Examines FCPA Enforcement in 2011, March 2012
- Monitoring Compliance With Human Trafficking Rules," Law360, December 2, 2011
- Client Advisory: DoD Issues Final Rule Requiring Surveillance of Contractor Compliance with Trafficking in Persons Regulations, November 21, 2011
- Client Advisory: FAR Releases Final Rule Regarding Identifying and Preventing Personal Conflicts of Interest By Contractor Acquisition Employees, November 10, 2011
- "Renewed Focus on Small and Mid-Size Government Contractors Yields Series of Reforms," BNA Federal Contracts Report, November 8, 2011
- Client Advisory: Renewed Focus on Small and Mid-Size Government Contractors Yields Series of Reforms, October 18, 2011
- "Schindler Elevator Resolves That *Qui Tam* False Claims Act Cases May Not Proceed If Based on Written FOIA Responses," *Financial Fraud Law Report*, Autumn 2011
- Client Advisory: Government Contracts Practice Advisory - Schindler Elevator Resolves That *Qui Tam* False Claims Act Cases May Not Proceed If Based on Written FOIA Responses, May 17, 2011
- Client Advisory: Proposed FAR OCI Rule Provides An Alternative To DoD's Approach, May 4, 2011
- Client Advisory: Encouraging Internal Reporting May Be More Difficult With Proposed Rule Requiring DoD Hotline Posters, March 14, 2011
- Client Alert: Proposed Public Posting Of Contracts Withdrawn By Regulators, February 10, 2011
- Client Advisory: DoD To Limit Organizational Conflicts of Interest Regulation to Major Defense Acquisition Programs and Technical Assistance Contracting, February 4, 2011
- Client Advisory: Fifth Circuit Holds That OECD Does Not Bar Prosecution of Same Offense in Multiple Countries, Fall 2010
- Client Advisory: Recent Opinion Releases from DOJ Provide Guidance with Respect to Due Diligence and Anti-Corruption Controls for Third-Party Relationships, October 12, 2010
- Jenner & Block FCPA Mid-Year Update Reviews Seven Months of Enforcement Activity and Key Legal Developments, 2010
- "Honest Services after *Skilling*: Judicial, Prosecutorial, and Legislative Responses," *Criminal Litigation*, Vol. 11, No. 1, American Bar Association Section of Litigation, Fall 2010
- Client Advisory: Supreme Court Pares Back Reach of "Honest Services" Fraud Statute, June 25, 2010
- Client Advisory: U.K. Enacts Bribery Act 2010 As A Major Foreign Bribery Legislative Reform, May 20, 2010
- Client Advisory: Proposed Rule Disallows Costs Associated With Persuading Employees Whether Or Not To Join A Union, April 19, 2010
- Client Advisory: Industry Groups Oppose DoD's Proposed Business Systems DFARS Rule, March 22, 2010

## Speaking Engagements

- 2018 ABA Public Contract Law Annual Meeting, August 03, 2018
- “Hot Topics in Ethics and Compliance,” Defense Industry Initiative Webinar, December 08, 2010