Kevin R. Pinkney

Chair, Government Contracts

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vCard

Kevin Pinkney has 25 years of experience advising government contractors and grant recipients on the full range of contracting, funding, and corporate matters that arise when doing business with the government. His practice combines deep knowledge of federal procurement law and regulatory compliance with transactional experience, helping clients protect their intellectual property and contract rights and grow their government business.

Kevin also advises on government investigations and enforcement matters, helping clients address issues arising from their interactions with federal agencies. His experience spans technology, biotechnology, pharmaceuticals, aerospace, and renewable energy, giving him insight into the challenges facing companies in highly regulated, innovation-driven industries.

Kevin brings a business-oriented perspective to his practice, informed by his prior experience co-founding and serving as general counsel of a biotechnology company. Having worked from both the outside and inside of a business, he understands the practical considerations involved in managing legal risk, negotiating commercial relationships, and advancing business objectives.

Notable Work

Government Contracts and Federal Funding:

- Advised a contractor on the allowability and allocability of costs associated with a class action settlement brought by firefighters who worked on military bases in Iraq, resulting in the recovery of more than $35 million.
- Represented a manufacturer of nuclear detection equipment in a Cost Accounting Standards (CAS) 401 compliance matter, demonstrating compliance and recovering more than $3 million.
- Represented a contractor in a Defense Contract Audit Agency (DCAA) cost disallowance matter involving change orders under

Areas of Experience

Government Contracts
Corporate
Technology Transactions
M&A and Private Equity
Federal Appropriations and Government Funding
White Collar Crime and Government Investigations

Education

J.D., Harvard Law School, 2002
B.S., Brigham Young University, 1997, magna cum laude

Admissions

Bars

District of Columbia
Virginia

Courts

U.S. Court of Federal Claims
U.S. Court of Appeals, Federal Circuit

an aircraft carrier repair contract, successfully persuading the Assistant U.S. Attorney that the disputed costs were allowable.

Corporate and Commercial Transactions:

- Negotiated more than a dozen agreements under the Defense Production Act involving over $1.9 billion in federal funding to establish domestic industrial capacity.
- Negotiated an Unlimited License Agreement with Oracle that resolved six lawsuits arising from Oracle's work on a state's Affordable Care Act website.
- Conducted an internal investigation for a multinational company with more than 400 locations concerning potential indirect use of software, developed a licensing strategy, and negotiated licensing terms permitting continued use without additional costs.

Technology and Intellectual Property:

- Litigated and resolved software license disputes and audits involving claims in excess of $3.2 billion against Oracle, SAP, IBM, Adobe, others.
- Represented a client in a patent infringement action involving ScanEagle unmanned aerial vehicles (UAVs) against the United States and Boeing before the U.S. Court of Federal Claims.

Related Professional Experience

- Spirus Labs LLC, Co-Founder and General Counsel, 2007–2008
- Law Clerk to the Honorable Edith Brown Clement, U.S. Court of Appeals for the Fifth Circuit, 2002–2003