

Hilary S. Cairnie

Partner

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An experienced and sought-after strategist, Hilary counsels clients in nearly all types of government contracting matters.

OVERVIEW

Hilary's practice is diverse and encompasses virtually all manner of government contracting matters, including contract formation, performance, administration, protests, REAs, claims, and claim appeals; prime/sub disputes in federal and state court; APA cases, TROs, and injunctions; security clearance controversies and appeals; small business protests and appeals; corporate due diligence in support of mergers, acquisitions, and asset purchases; domestic preferences; Bayh-Dole, subject inventions, and IP matters; supply chain matters; small business set-aside programs; and cost audits and related controversies. He advises and represents clients in all manner of enforcement controversies including corporate inquiries and investigations, as well as criminal, civil, and administrative investigations and associated legal proceedings.

Hilary represents clients involved in aerospace, automotive, shipbuilding, transportation, software, medical and health care, engineering, life sciences, and research and development endeavors, among others. Hilary counsels clients in connection with security clearances and compliance questions associated with "subject inventions."

Hilary has been a frequent speaker on topics and new developments of interest to the government contracting community. He has regularly appeared before various local, regional, and national chapters of trade and bar associations.

REPRESENTATIVE MATTERS

- Advising and assisting a client to challenge adverse determination of failure to meet small business goal under New York State IT contract.
- Representing an individual manager in appeal proceedings before the DOHA in connection with revocation of interim security clearance and denial of TS/SCI clearance.
- Represent various clients in claim appeal proceedings before the Armed Services Board of Contract Appeals (ASBCA) and Civilian Board of Contract Appeals (CBCA).
- Obtained favorable rulings in connection with pre-award and post-award protests filed before the U.S. Government Accountability Office (GAO) and the U.S. Court of Federal Claims (COFC) on behalf of large and small businesses.

- Advised clients working in Iraq, Afghanistan, Pakistan, Jordan, Israel, and other Middle Eastern countries on projects with the Department of Defense (DOD), USAID, State Department, and other agencies.
- Conducted internal corporate investigations and represented clients in connection with “hotline” reports, as well as criminal, civil, and administrative investigations initiated by federal and state authorities, and the concomitant legal proceedings.
- Currently representing a Navy contractor in connection with federal civil, criminal, and administrative investigations of testing procedures.
- Represented nonprofit clients in connection with non-procurement programs and agreements.
- Represented companies and individuals before federal and state agency suspension and debarment officials on matters involving contractor responsibility.

AWARDS

- *Legal 500 United States* (2018)
- Recognized Practitioner, Chambers USA (2017)
- Rated AV Preeminent by *Martindale-Hubbell®* (2022)

TOP AREAS OF FOCUS

- Government + Regulatory
- Intellectual Property
- Litigation + Trial
- Privacy + Cyber
- White Collar Litigation + Investigations

ALL AREAS OF FOCUS

- Business Litigation
- Corporate Governance
- Government + Regulatory
- Government Contracts
- Intellectual Property
- Litigation + Trial
- Mergers + Acquisitions
- Privacy + Cyber
- Private Equity
- Regulatory Investigations, Strategy + Enforcement
- White Collar Litigation + Investigations

EDUCATION AND CERTIFICATIONS

EDUCATION

- The Catholic University of America, Columbus School of Law, J.D., 1989
- Massachusetts Institute of Technology, S.M., 1981, materials science engineering, Sigma Xi
- Purdue University, B.S., 1978, materials science engineering

BAR ADMISSIONS

- District of Columbia
- Virginia

COURT ADMISSIONS

- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Federal Claims
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia

PUBLICATIONS

- Co-author, "EO 14265: Navigating Defense Procurement Reforms," *Troutman Pepper Locke*, May 2, 2025.
- Co-author, "The Federal Contractors' Playbook: Managing Increased Costs From Tariffs and Domestic Material Demands," *Troutman Pepper Locke*, March 20, 2025.
- Co-author, "Emerging Trends: Federal Enforcement of Contract Cybersecurity Requirements," *Thomson Reuters Westlaw Today*, February 11, 2025.
- Co-author, "Federal Cybersecurity Requirements Ought Not Be Ignored by Contractors," *Troutman Pepper*, October 8, 2024.
- Co-author, "Contractor's Guide to the Revised Davis-Bacon Act Regulations," *Surety Bond Quarterly*, October 2024.
- Co-author, "Federal Contractors on Notice After DOJ Announces First Civil Cyber Fraud Initiative Settlement," *Troutman Pepper*, April 21, 2022.
- Co-author, "Biden Signs Executive Order Intended to Improve the Federal Government's Cybersecurity," *Troutman Pepper*, June 11, 2021.
- Cyber Café webinar series, featured speaker, presented in collaboration with Heather Engel of Strategic Cyber Partners, LLC, 2018-2020.