

**32ND ANNUAL JUDICIAL CONFERENCE OF  
THE UNITED STATES COURT OF FEDERAL CLAIMS  
October 27, 2021  
Virtual via Zoom**

**Agenda**

<b>TIME (Eastern)</b>	<b>EVENT</b>
<b>9:30-9:35</b>	<b>Welcome Remarks</b> Allison Kidd-Miller, President, Court of Federal Claims Bar Association
<b>9:35-10:00</b>	<b>State of the Court</b> The Hon. Elaine D. Kaplan, Chief Judge, U.S. Court of Federal Claims Brian Corcoran, Chief Special Master, U.S. Court of Federal Claims Lisa Reyes, Clerk of Court, U.S. Court of Federal Claims
<b>10:00-11:00</b>	<b>Track A – Basic Concepts in Epidemiology for Vaccine Practitioners and Judges</b> Moderator: Brian Corcoran, Chief Special Master, U.S. Court of Federal Claims Speaker: David Celentano, Dr. Charles Armstrong Chair in Epidemiology Professor, Johns Hopkins University
	<b>Track B – Cultural, Logistical, and Other Challenges and Lessons from Indigenous Peoples Litigation</b> Moderator: The Hon. Kathryn Davis, Judge, U.S. Court of Federal Claims Speakers: Brian Gunn, Principal, Powers Pyles Sutter & Verville, Indian Tribal Governments Group Dondrae Maiden, Director, Indian Trust Litigation Office, Office of the Solicitor, U.S. Department of the Interior Melody McCoy, Staff Attorney, Native American Rights Fund Frank Singer, Senior Litigation Counsel, Natural Resources Section, Environment and Natural Resources Division, Department of Justice
	Indigenous peoples litigation poses a variety of challenges. Some are unique, while others apply broadly to litigation involving events or witnesses from decades or even a century or more in the past. Panelists will explore topics including: cultural perspectives in litigation, such as the importance of federal courts and federal attorneys visiting Indian Country and being aware of cultural protocol before and during court proceedings, negotiations, and meetings; the role of litigation in communities; how global efforts to protect Indigenous Traditional Knowledge are arising in domestic forums; how the Court and litigators can work collaboratively with each other, and how to most effectively obtain historical information in litigation.
<b>11:00-11:15</b>	<b>Break</b>
<b>11:15-12:45</b>	<b>Keynote Address – Easiest Catch: Don't Be Another Fish in the Dark 'Net</b> Moderator: The Hon. David A. Tapp, Judge, U.S. Court of Federal Claims Speaker: Mark Lanterman, Chief Technology Officer, Computer Forensic Services

You've read the headlines. Unfortunately, the question now is not if your information is going to be accessed or stolen, but when. To inform the attendees of current developments in the digital

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underground as well as provide realistic advice for cyber protection, Mark Lanterman will be discussing recent high-profile cybercrime events, including website breaches affecting a variety of organizations and sectors. Mr. Lanterman will discuss particularly dangerous types of threats that might affect individuals involving the Dark Web, the Internet of Things, phishing, and Wi-Fi attacks; additionally, Mr. Lanterman will demonstrate a live cyber-attack and discuss the value of leveraging digital evidence and ESI in the courtroom.

**12:45-1:15**

**Break**

**1:15-2:15**

**Ethical Developments in the Pandemic**

Speakers: Niki Irish, Outreach & Education Coordinator, Lawyer Assistance Program, D.C. Bar  
Bonnie Prober, Volunteer, Lawyer Assistance Program, D.C. Bar

Studies have identified several serious issues that plague the legal profession such as depression, anxiety, and substance use; the pandemic has only exacerbated these struggles. This informative session will focus on the issues seen during the pandemic, how to identify the signs and symptoms, and the resources available to address these problems. Furthermore, it will explore the professional responsibility component that members of the legal community must consider.

**2:15-3:15**

**Track A – Difficult Issues in Settlement**

Moderator: The Hon. Eric G. Bruggink, Senior Judge, U.S. Court of Federal Claims

Speakers: The Hon. Mary Ellen Coster Williams, Senior Judge, U.S. Court of Federal Claims  
Roger Marzulla, Partner, Marzulla Law

Patricia McCarthy, Assistant Director, National Court Section, Civil Division, Department of Justice

This panel will explore the obstacles and challenges to settlement of complex and multi-party cases in this Court from the perspectives of the trial judge, the government, the plaintiffs and the mediator. Issues discussed will include the government's criteria and process for settlement, the proper role of the trial judge, and how to organize a settlement team in cases with multiple plaintiffs' counsel.

**Track B – Evaluating Fraud Counterclaims**

Moderator: The Hon. Matthew A. Solomson, Judge, U.S. Court of Federal Claims

Speakers: Robert Chandler, Trial Attorney, Civil Fraud, Civil Division, Department of Justice  
David Robbins, Partner, Jenner & Block

This panel will discuss fraud counterclaim litigation and related issues, including: the most common categories of procurement fraud that DOJ pursues; the root causes of fraudulent activity and what should outside and in-house counsel be on the lookout for; pursuing CDA claims at the boards of contract appeals vs. the Court; negotiating settlements with DOJ counsel; the Federal Circuit's *Veridyne* decision; and government knowledge and the role of mandatory and voluntary disclosures.

**3:15-3:30**

**Break**

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**3:30-4:30**

**Track A – Takings**

Moderator: The Hon Charles F. Lettow, Senior Judge, U.S. Court of Federal Claims

Speakers: The Hon. Ryan T. Holte, Judge, U.S. Court of Federal Claims

David Harrington, Natural Resources Section, Environment and Natural Resources Division,  
Department of Justice

Nancie Marzulla, Partner, Marzulla Law

Takings cases comprise a significant part of the court's docket. Those cases tend to be complex and time-consuming for the parties and the Court. This panel will address significant developments, including recent decisions by the Court, the Federal Circuit, and the Supreme Court.

**Track B – Military Pay Cases: Perspective from the Boards**

Moderator: The Hon. Marian Blank Horn, Senior Judge, U.S. Court of Federal Claims

Speakers: Dennis Dingle, Director, Army Board for Correction of Military Records

Elizabeth Hill, Executive Director, Board for Corrections of Naval Records

Nicole Jackson, Executive Director, Air Force Board for Correction of Military Records

Douglas Mickle, Assistant Director, National Court Section, Civil Division, Department of Justice

Jeffrey Miller, Counsel to the Executive Director, Board for Correction of Naval Records

**4:30-5:30**

**Judges Panel**

Moderator: The Hon. Elaine D. Kaplan, Chief Judge, U.S. Court of Federal Claims

The Hon. Patricia E. Campbell-Smith, Judge, U.S. Court of Federal Claims

The Hon. Richard A. Hertling, Judge, U.S. Court of Federal Claims

The Hon. Ryan T. Holte, Judge, U.S. Court of Federal Claims

The Hon. David A. Tapp, Judge, U.S. Court of Federal Claims

The Hon. Matthew H. Solomson, Judge, U.S. Court of Federal Claims

The Hon. Eleni M. Roumel, Judge, U.S. Court of Federal Claims

The Hon. Edward H. Meyers, Judge, U.S. Court of Federal Claims

The Hon. Kathryn C. Davis, Judge, U.S. Court of Federal Claims

The Hon. Thompson M. Dietz, Judge, U.S. Court of Federal Claims

The Hon. Zachary N. Somers, Judge, U.S. Court of Federal Claims

The Hon. Stephen S. Schwartz, Judge, U.S. Court of Federal Claims

The Hon. Marian Blank Horn, Senior Judge, U.S. Court of Federal Claims

The Hon. Eric G. Bruggink, Senior Judge, U.S. Court of Federal Claims

The Hon. Victor J. Wolski, Senior Judge, U.S. Court of Federal Claims

The Hon. Margaret M. Sweeney, Senior Judge, U.S. Court of Federal Claims

Brian Corcoran, Chief Special Master, U.S. Court of Federal Claims

**6:00-8:00**

**Reception sponsored by the Court of Federal Claims Bar Association**

Downtown DC. Details and RSVP information sent to all bar association members and conference registrants via email.