



John Pachter

Senior Counsel
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PRACTICES Litigation, Government Contracts, Alternative Dispute Resolution, Bid Protests, Domestic Preference, Buy American Act, Cost Accounting and Cost Allowability, False Claims Act and Qui Tam and Defense, GSA Schedule and Commercial Item Contracts, Independent Monitorships, Requests for Equitable Adjustment, Claims, and Litigation, Small Business Issues, State and Local Procurement/Cooperative Purchasing, Suspension and Debarment, Terminations, Foreign Corrupt Practices Act (FCPA), Federal Assistance: Grants and Cooperative Agreements, White Collar and Investigations

A practitioner of government contract law for more than 50 years, John Pachter has engaged in substantial litigation before the Boards of Contract Appeals, the United States Court of Federal Claims, Federal District Courts, and the United States Court of Appeals for the Federal Circuit. He has prosecuted bid protests before the Government Accountability Office, the General Services Board of Contract Appeals, the United States Court of Federal Claims and Federal District Courts.

John's practice has involved dispute resolution in all areas of government contract law, including prime-subcontractor disputes, both in litigation and under alternative dispute resolution procedures.

In the bid protest area, John's practice has involved agency best value determinations, past performance, meaningful discussions, task order contracts, sample task issues, organizational and personal conflicts of interest, cost realism analyses, competitive range controversies, technical evaluations, bid mistakes, and other issues.

John has represented a number of clients in the debarment area and obtained the first reversal in federal court of a Service Contract Act debarment. *Federal Food Service, Inc. v. Donovan*, 658 F.2d 830 (D.C. Cir. 1981)

He has also represented and counseled clients on fraud and compliance investigations, audits, corporate governance and ethics, and defense of qui tam actions. Other work has included defective pricing, cost determination, requests for equitable adjustment, licensing of intellectual property, subcontractor performance issues, small and small disadvantaged business matters, terminations for default and convenience, GSA schedule contracts, task order contracting, multiple awards, commercial products and requests for government information.

In 2012, John was the first recipient of the Allan J. Joseph Excellence in Leadership Award, conferred by the ABA Section of Public Contract Law. The award recognizes "exceptional effort and accomplishments" as well as "extraordinary contributions" to the Section.

In October 2007, the Department of the Army appointed John to serve as Independent Monitor to supervise ITT Corporation's performance under an Administrative Compliance Agreement. Since then John has served as monitor in other matters. He has also served as an expert witness in several cases.

Chambers USA: America's Leading Lawyers for Business, Chambers and Partners, ranks John among Senior Statespeople in Government Contracts—USA Nationwide in 2022-2025. *Chambers USA* 2022 comments: "John Pachter has over five decades' experience in the field and is regarded as 'preeminent in the field'" by interviewees. He is also recognized by his peers in Virginia and Washington, D.C. *Super Lawyers*, Thomson Reuters, and by *Who's Who Legal* for his experience in government contracts.

QUALIFICATIONS

EDUCATION

- LL.M., Procurement Law, George Washington University Law School, 1970
- J.D., George Washington University Law School, 1966, with honors
- B.A., Tulane University, 1963

ADMISSIONS

- Virginia
- District of Columbia

COURT ADMISSIONS

- U.S. Court of Federal Claims
 - U.S. Court of Appeals for the Federal Circuit
 - U.S. District Court for the District of Columbia
 - U.S. District Court for the Eastern District of Virginia
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "The False Claims Act Year in Review – Part II," co-author, Pratt's Government Contracting Law Report, May 2025.
- "[The Doctrine Disfavoring Retroactive Cost Disallowance: Who Needs Estoppel Anyway](#)," co-author, *Public Contract Law Journal*, Volume 52, Number 4, Summer 2023.
- "[Guide to State Procurement: A 50-State Primer on Purchasing Laws, Processes, and Procedures](#)," co-author, Third Edition, Commonwealth of Virginia Chapter, American Bar Association Section of Public Contract Law, 2022.
- "[The Cambridge Handbook of Compliance](#)," co-author, Chapter 21, US Debarment: An Introduction. In B. Van Rooij & D. Sokol (Eds.), (Cambridge Law Handbooks, pp. 288-308). Cambridge: Cambridge University Press. doi:10.1017/9781108759458.021 (2021).
- "Kickbacks Result in Forfeiture of Claim," co-author, 106 Fed. Cont. Rep. (BNA) No. 13, at 377, Oct. 11, 2016.
- "When Does a Company 'Knowingly' Violate the Anti-Kickback Act?" co-author, 106 Fed. Cont. Rep. (BNA) No. 9, at 265, Sept. 13, 2016.
- "A Sensible Outcome for False Claims in Universal Health Services," co-author, 106 Fed. Cont. Rep. (BNA) No. 4, at 97, July 26, 2016.
- "A Look at False Claims Act Cases Through Scalia's Lens," co-author, 105 Fed. Cont. Rep. (BNA) No. 14, at 310, Apr. 12, 2016.

- "Encouraging Signs for False Claims Act Litigation: Recent Decisions Aligned to Guide Supreme Court Review," co-author, 105 Fed. Cont. Rep. (BNA) No. 3, at 67, Jan. 26, 2016.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Virginia State Bar
 - District of Columbia
 - Bar Federal Bar Association
 - American Bar Association, Chair, Section of Public Contract Law, 1991-1992; Section Delegate, ABA House of Delegates, 2005-2016
 - National Contract Management Association, Mid-Atlantic Regional Vice President, 1981-1983; President, Washington D.C. Chapter, 1979-1981; Editor, NCMA Journal, 1983-1988
 - Member, George Washington University Law School Dean's Advisory Council on Government Contracts
 - Professorial Lecturer in Law, George Washington University Law School
 - Guest lecturer, University of Virginia School of Law course in Government Contracts
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AWARDS AND RECOGNITIONS

- *Chambers USA: America's Leading Lawyers for Business*, Chambers and Partners, Government Contracts—USA Nationwide: Senior Statespeople, 2022-2025
- *Virginia Super Lawyers*, Thomson Reuters, Government Contracts, 2008-2021
- *Washington D.C. Super Lawyers*, Thomson Reuters, Government Contracts, 2008-2021
- *Who's Who Legal* in Government Contracts, 2005-2022
- *The Legal Times Leading Lawyer* in Government Contracts, 2004
- Martindale-Hubbell AV Preeminent Rating in area of Government Contracts