



# **Alexandria Transit Company Board of Directors Legal Counsel Search Sub-Committee Meeting Agenda**

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The ATC legal counsel search committee will be reviewing the following potential candidates:

- I. Katelin Moomau (Family First Law Group),  
<https://www.familyfirstlawvirginia.com/katelin-moomau>
- II. Latane Montague (Morgan Lewis)  
<https://www.morganlewis.com/bios/latanemontague>
- III. Minturn Wright (Shannon Wright Law)  
<https://shannonwright.law/attorneys/minturn-wright/>
- IV. Jane Stark, Kathleen Kraft, Jayna Marie Rust (Thompson Coburn LLP)  
<https://www.thompsoncoburn.com/people/katie-kraft>  
<https://www.thompsoncoburn.com/people/janesutter-starke>  
<https://www.thompsoncoburn.com/people/jaynamarie-rust>



# Katelin Moomau

**PARTNER, Family First Law Group, PLLC**

## CONTACT



443-852-0957



kategetsajob@yahoo.com



<https://www.linkedin.com/in/katelin-moomau-8b77906/>



505 E Nelson Ave, Alexandria

## PROFESSIONAL SUMMARY

Successful entrepreneur in the legal industry, practicing family, trust and estate and business law, who has built a successful multi-employee law firm from the ground up, with excellent governance, communication and public speaking skills, and substantial experience in the Alexandria non-profit and marketing sector such as the ALX Chamber, Alexandria Stylebook and The Campagna Center.

## PROFESSIONAL/COMMUNITY EXPERIENCE

### Partner/Owner

Family First Law Group, PLLC / Alexandria, VA

2020-Present

Entrepreneur and litigator, practicing family, estate and business law in over 18 different courts, managing day to day operations of a five-employee firm in all aspects, including: marketing, advertising, budgeting, governance, financial accounting, and oversight of employees.

- Created a law firm from the ground up during the covid pandemic: developed a business plan, budgets, evaluated, negotiated lease terms of office space, built a website, developed a firm name and brand with an eye towards growth and SEO, created social media platforms, drafted operating agreements, secured business licenses, opened financial accounts, within 30 days to maintain stability for all clients and employees.
- Grew the business to a firm grossing over 1 million dollars in annual revenue by the second year of operation.
- Manage an average of 90 active cases, requiring: client management and communication, negotiation with opposing parties, consensus building, development of budgets, case goals, research, writing with an eye toward detail and accuracy and excellent public speaking skills in both formal and informal settings.
- Serve as a managing partner to include direct responsibility for: employee development and retention, distribution of case work, maintaining a positive and fulfilling workplace in a high stress industry, creating and communicating office procedures and policies, development of marketing and advertising plans and materials, maintenance of the website and other search engine platforms, review of financials and accounts.
- Maintain the highest of professional, ethical, and accounting standards to comply with rules of professional conduct, legal ethical requirements, confidentiality requirements, and maintenance of client trust and operating funds.
- Represent diverse clients of all races, ethnicities, religions and orientations, advocate and push for the rights of LGBTQ clients in Virginia policies, including in marriage rights, adoption, estate, and family law matters, writing articles and advocating with elected officials on needed changes.

## EDUCATION

### J.D.

Catholic University Columbus School of Law, Washington, D.C.

2005-2008

### B.S. Political Science/International Studies

McDaniel College, Westminster, MD

2001-2004

### Certification: Family Law Mediation Techniques

## SKILLS

Legal Analysis

Public Speaking

Leadership

Project Management

Team Building

Technical Analysis

Business Management

Stakeholder Engagement

Member Development

Business Development

Fundraising

Event Planning

## LANGUAGES

English (Native)

French (Reading/Writing)

## EXPERTISE

Square Space

Adobe Acrobat

Microsoft Office

Google Suite

Mail Chimp

## AWARDS

### 40 Under 40

The ALX Chamber

2020

### Barbara Pratt Lee Heart of Gold

The Campagna Center

2020

### Lawyer Referral Service: Attorney of the Year

The Alexandria Bar Association

2020

### Best Orator

Maryland Student Legislature

2004

## ASSOCIATIONS

Virginia State Bar

Alexandria Bar Association

Fairfax Bar Association

Diversity Conference: VSB

Del Ray Business Association

National Elder Law Association

ACT for Alexandria

The ALX Chamber

## PROFESSIONAL/COMMUNITY EXPERIENCE

### Board Secretary/Contributor

Alexandria Stylebook / Alexandria, VA

2021-Present

Management of Alexandria Stylebook, a 501(c)(3) which through its website, daily email updates and social media platforms promotes member business, events and organizations reaching 6,000 daily by email and having over 5,000 unique views per week.

- Recruited over 18% of the contributing businesses to Alexandria Stylebook, onboarding them and helping them to develop content.
- Evaluated and hired a new managing editor with a goal to grow the online presence, search engine optimization and partner with local affiliated organizations.
- Manage the budget, membership dues, accounts receivable and plan fundraising events, pitch on behalf of Alexandria Stylebook, and evaluate and apply for potential grant or other funding opportunities, by members, sponsors, potential contributors and community organizations.
- Write highly communicative and engaging articles to develop a brand, client referrals by explaining complicated legal questions in a conversational tone which engages readers. These articles are generally in the top three most read articles in the week posted.
- Develop travel guides for Alexandria Stylebook and previously maintained a travel blog.

### General Counsel

2023-Present

The ALX Chamber / Alexandria, VA

Acting General Counsel for the Alexandria Chamber of Commerce on call to consult and advise on any legal issue, including governance, contracts, procedure and rules of order. Review and revision of the bylaws, committee charters, and the ALX Chamber Foundation non-profit bylaws.

- Interpretation, review, negotiation and updating of contracts, bylaws with a view towards monitoring legal requirements, incorporating new technological standards for meetings and operational goals and adopting clear standard operating procedures.
- Attend executive, board and governance meetings to advise, monitor procedure and answer all legal questions, develop board questionnaires, advise on yearly board nomination and election proceedings.
- Promote membership in the ALX Chamber.
- Maintain and promote diversity, ethical and professional responsibility, transparency and fair dealing within the ALX Chamber.

### Partner

2009-2020

RRBMDK, LLP / Alexandria, VA

Partner of a medium size law firm with a general practice of law, specializing in family law, estate planning and administration, business law, general civil litigation and employment law overseeing approximately 60 active cases, collaborating with partners, associates and staff.

- Oversaw associate attorneys including: reviewing and editing work product, managing and tracking case deadlines, hiring and evaluating experts, preparation of pleadings and exhibits for discovery and litigation and maintaining ethical standards, confidences and professional responsibility in all matters.
- Extensive research in a variety of legal areas for various client issues and cases.
- For instance, in my role as business development manager, forged new relationships and created partnerships that, over a four-year period, increased revenue from \$5 million to \$25 million.
- Litigate cases in over 25 different courts, with a myriad of judges and viewpoints, with a need to understand judicial temperaments and expected requirements for successful litigation in each courtroom to effectively analyze potential client outcomes in each court.

## REFERENCES

### Joe Haggerty

CEO, ALX Chamber

T: 703-739-3808

E: [jhaggerty@thechamberalx.com](mailto:jhaggerty@thechamberalx.com)

### Brittany Patterson

President, Alexandria Stylebook

T: 703 517 0630

E: [Britt@pattersonrealestategroup.com](mailto:Britt@pattersonrealestategroup.com)

## PROFESSIONAL/COMMUNITY EXPERIENCE

### Junior Friends of the Campagna Center Board

The Campagna Center / Alexandria, VA

2010-2023

Management of a 150+ member volunteer organization to include building membership, organizing volunteers, public and member communications, and successful event fundraising for the Campagna Center, including Toast to Fashion, Bowties and Belles, The Scottish Christmas Walk Weekend and Bright Futures, with the total fundraising for special events approximating \$150,000 annually.

- Served on the Board as Events Donation Chair, Toast to Fashion Chair, Bowties and Belles Chair, Scottish Christmas Walk Weekend Chair, Secretary, Vice-Chair, Chair and Chair Ex-Officio, Bylaws Committee Chair.
- As Vice-Chair and Chair added an additional 60 members to the organization, to expand engagement and diversity in the organization.
- Worked with Campagna Center to facilitate all fundraising events including: manage budgets, scout venues, evaluate proposals for vendors, obtain in kind donations for necessary event features such as food and beverage options, gather volunteers, sell tickets, write and reach out to publications for event marketing and media attendees, develop social media campaigns for events, manage and maintain relationships with vendors and participants, communicate with volunteers and participants of events.
- Coordinated with the City of Alexandria on the Scottish Christmas Walk Parade for permitting, emergency services, street closures, farmer's market operations, stage building and other necessary services and processes.
- Worked with the State of Virginia for raffle approval and gaming procedure, liquor licensing and other state approvals for fundraising.
- Review, revise, advise on and implement the bylaws for the Junior Friends of the Campagna Center, including the drafting and passing of a diversity statements, oversight of the disciplinary process for an abusive member, changes to board composition and general maintenance of the bylaws.
- Yearly recruitment for service on the Board of the Junior Friends, including nominating the slate, and assisting the organization in the election process.
- Served on the Board of the Campagna Center, Development Committee and Communications Committee of the Campagna Center.
- Advised the CEO of the Campagna Center in a pro-bono capacity on all issues relating to family law and subpoena and protective order compliance.

## ADDITIONAL PROFESSIONAL EXPERIENCE

### Associate

*Lobel, Novins and Lamont, PLLC / Washington, DC*

Date : 2006-2008

### Legislative Assistant: Amendment Office

*Legislative Services: Maryland General Assembly / Annapolis, MD*

Date : 2004-2005

### Legislative Assistant to Del. Karen Montgomery

*Maryland General Assembly / Annapolis, MD*

Date : 2003-2004

### Legislative Assistant

*Maryland Independent College and University Association / Annapolis, MD*

Date : 2002-2003

*Resume*  
**Minturn Wright**

**Education**

Yale University	B.S. (Biology)
University of Southern California	M.S. (Biology), Ph.D. (Biology), J.D.

**Work History**

May 2019 to present	<b>Shannon &amp; Wright LLP</b> , 124 S. Royal Street, Alexandria, Virginia 571-620-1930 – Founding partner in law firm practicing in real estate transactions, real estate litigation, land use, business entities; taxation, estate planning, wills and trusts, and employment; negotiate and draft contracts, perform litigation through trial, counsel clients in litigation avoidance, undertake government relations efforts; teach classes in real estate title, transactions, real estate agency, etc.; serve on several non-profit and foundation boards.
June 2014 to April 2019	<b>Rich Rosenthal Brincefield Manitta Dzubin &amp; Kroeger, LLP</b> , 201 N. Union Street, Suite 230, Alexandria, Virginia– Worked for diverse law firm concentrating in real estate transactions and litigation, principally in discovery review, research, and drafting; served as the firm’s liaison in the District of Columbia.
August 2010 to December 2012	<b>McIntosh &amp; Associates, LLP</b> , 1230 31st Street, N.W., 2 <sup>nd</sup> Floor, Washington, D.C. 20007 – Served as general counsel to real estate tax consulting firm; in separate capacity, represented some of the firm’s clients in tax appeals and similar matters.
February 2004 to February 2010	<b>Brincefield, Hartnett &amp; Kahn, P.C.</b> , Alexandria, Virginia – attorney, etc., at real estate firm. Handled and oversaw real estate transactions, entity formation and organization, and related matters, including considerable litigation; negotiated, drafted, and documented purchases, sales, mortgages, easements, licensing agreements, construction, etc.; formed, organized, and managed all types of business entities in multiple jurisdictions; prepared, pursued, and oversaw litigation in various courts, serving as firm’s principal presence in the District of Columbia; reviewed title, security, and many other real estate documents; negotiated mortgage/foreclosure/refinance workouts; drafted documents.
July 2000 to September 2002	<b>USLaw.com, Inc.</b> , and subsidiaries, Silver Spring, Maryland – Negotiated and drafted licensing agreements and other contracts, real estate transfers, financing, settlements, etc.; developed, researched, and compiled books summarizing legal information for the public; participated in the online attorney “chats” that were the unique feature of this interactive Internet legal information site.

August 1998 to September 2000	<b>Mayer, Brown &amp; Platt</b> , 1999 K Street, N.W., Washington, D.C. – Handled commercial real estate transactions on behalf of buyers, sellers, borrowers, lenders, loan servicers, landlords, tenants, builders, and REITs; analyzed and reported on purchase and sale contracts, loan and mortgage documents, assumptions, surveys, construction contracts, and leases; reviewed and criticized title reports, title commitments, and title policies; supervised foreclosure actions; acted with and directed local counsel; researched and drafted civil complaints; analyzed discovery and related documents, with concentration on evidentiary privileges; made court appearances; participated in defense of highly-publicized criminal espionage case.
January 1992 to November 1993, continuing on intermittent basis to August 2000	<b>Law Firm of Roy Penuela</b> , Sylmar, Pasadena, and Burbank, California – associate in high-intensity civil litigation firm concentrating in insurance defense (including personal injury, property damage, uninsured motorist, wrongful death, and ERISA) and governmental liability and civil rights litigation in state and federal courts; extensive discovery and law and motion practice; handled all aspects of cases from complaint to trial to state Supreme Court petition.
February 1992 to November 1993	<b>Law Offices of Philip J. Halverson</b> , Beverly Hills and San Francisco, California – associate attorney in office of civil litigation and real estate firm concentrating in plaintiffs' cases, transactional fraud, contractual disputes, real estate transfers and title disputes, telecommunications, corporations, landlord-tenant, wrongful death, and equal employment opportunity matters. Lead attorney on multi-party real estate title trial.
January 1991 to present, intermittently	<b>Minturn Wright, Attorney at Law</b> – Run solo practice law firm; concentrating in real estate transactions and related matters, including litigation and tax matters. Negotiate and document purchases, sales, mortgages, easements, etc.; prepare lawsuits; examine title documents; represented important renter of shopping mall space; present and argue tax assessment and similar appeals. Perform a range of contract services for similar firms.



## Jane Sutter Starke

Partner

Washington, D.C.  
202 585 6924 direct  
202 585 6969 fax  
jstarke@thompsoncoburn.com

### PRACTICES

- Transportation
- Legislative
- Labor Protection
- Contracting

### EDUCATION

- Hofstra University School of Law, J.D., 1981
- Connecticut College, B.A., Biology, cum laude, 1978

### ADMISSIONS

- District of Columbia
- New York

### AFFILIATIONS

- American Public Transportation Association, Past Chair, Legal Affairs Committee, Member of Legislative Committee, Member of Policy and Planning Committee and Zero Emission Fleet Committee
- Member of Capital Investment Grants Working Group
- Member of WTS – DC Chapter

### EMPLOYMENT

- Thompson Coburn LLP Partner, 2001-Present
- Eckert Seamans Cherin & Mellott Partner, 1991-2001
- United States House of Representatives Energy & Commerce Committee Counsel, 1981-1987

Jane serves as counsel to transit agencies across the country on a range of issues including funding, project development, and procurement. She is co-chair of the Firm's national Public Transit practice.

An advisor to several transit authorities around the country, Jane counsels clients on procurement issues, such as contracting for transit operating and maintenance services, and the purchase of vehicles (including innovative technologies) and equipment, compliance with requirements of the Federal Transit Administration (FTA), including Buy America, and the development of and funding associated with capital investment projects, including bus rapid transit (BRT) projects. Jane's work also includes labor protection issues under section 13(c) of the Federal Transit Act; including claims, certification disputes before the Department of Labor and in arbitration, and labor issues associated with the contracting of transit services.

Finding available funding opportunities is key to the success of the Nation's mass transit systems. Having served as Counsel to the Committee on Energy and Commerce in the U.S. House of Representatives, Jane understands the congressional authorization and appropriations process and works with clients to develop effective approaches for funding and statutory changes. Jane's Hill experience enables her to effectively formulate and advocate positions on legislation, develop advocacy documents and legislative language, analyze legislation and advise clients on the legislative process as well as the implementation of enacted legislation by the Executive Branch. Jane closely monitored Congress' recent passage of the Infrastructure Investment and Jobs Act and is tracking the implementation of this new infrastructure legislation by FTA and DOT, and associated legislative appropriations measures.

Jane has helped transit agencies ensure compliance with Federal statutes and regulations, and navigate the FTA process and the programmatic requirements with which capital investment projects and contracting solicitations must comply.

In addition, Jane and members of the Firm's litigation group have successfully represented transit clients in environmental litigation, arbitration, and challenges to contracting actions and state legislation.

**Recognitions**

- Rated AV Preeminent® in Legal Ability & Ethical Standards in The American Registry, 2020 -2024, managed and monitored by Martindale Hubbell
- Listed among Top Rated Lawyers in Labor and Employment in 2019 by ALM Legal Leaders

**Publications**

- “Transit Labor Protection – A Guide to Section 13(c) of the Federal Transit Act”; *Co-author, Transportation Research Board*, June 1995
- “The Competitive Access Debate: A ‘Backdoor’ Approach to Rate Regulation”; *Co-author, Transportation Law Journal, Vol. XVI, No. 2*, 1988
- “Aftershocks of the Loss of the Legislative Veto: Severability and the Need for a Replacement Device”; *Co-author, Pace Law Review, Vol. 7, No. 3-4*, 1987





## Katie Kraft

Partner

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202 585 6966 direct  
202 585 6969 fax  
kkraft@thompsoncoburn.com

### PRACTICES

- Appellate
- Public Transit
- Transportation

### EDUCATION

- Saint Louis University School of Law, J.D., magna cum laude, 2006, Order of the Woolsack, 2006
- Saint Louis University, Honors B.A. (English), magna cum laude, 2003, Minor in Psychology, 2003, Recipient of the Helen Mandeville Prize in English, 2003, Recipient of the James D. Collins Award for Excellence in Student Academic Achievement in English, 2003

### ADMISSIONS

- District of Columbia
- District of Columbia USDC
- US Ct Appeals, 9th Circuit (AZ, CA, HI, ID, MT, NV, OR, WA, Guam, M. Isles)
- US Ct Appeals, DC Circuit
- US Supreme Ct

Katie advises public transit agencies around the country on a variety of regulatory and compliance issues, including public sector procurement, project delivery, Buy America compliance, safety oversight, Title VI, and Section 13(c) labor protection. She is the co-chair of Thompson Coburn's national Public Transit practice.

Clients appreciate Katie's conscientious, thoughtful manner and her ability to calmly handle stressful situations. She focuses on the business goals of her clients when providing guidance and tracks legal developments in the transportation industry to help clients understand their impact on transit operations, projects and activities.

Katie gained new insights on the inner workings of transit agencies while serving as Vice President and Deputy General Counsel of the Washington Metropolitan Area Transit Authority (WMATA), operator of the third largest heavy rail transit and sixth largest bus system in the United States. She played a direct role in managing daily legal operations for an agency with a \$4.7 billion budget, more than 12,000 employees, and a capital improvement program with 6-year investments totaling \$12.3 billion. Katie advised on legal issues in every area of the agency's activities, including procurement, capital project delivery, safety oversight, labor and employment, and ethics. She served as a key member of WMATA's senior management team responding to unprecedented operational, fiscal, health, and safety challenges raised by the COVID-19 pandemic.

Katie has guided clients in proceedings before federal courts, private arbitrators, and administrative bodies. She represented the State of California in its successful challenge to the U.S. Department of Labor's denial of Section 13(c) certification to California transit agencies based on the State's enactment of pension reform legislation. She also represented a cruise line association in testing local municipal passenger fees against the limits on such fees set by the Tonnage Clause of the U.S. Constitution. She has authored Supreme Court briefs on constitutional issues affecting transportation clients and tackled complex legal issues before a variety of decision makers.

**EMPLOYMENT**

- Thompson Coburn LLP Partner, 2022-Present
- Washington Metropolitan Area Transit Authority (WMATA) Vice President and Deputy General Counsel, 2019-2022
- Thompson Coburn LLP Partner, 2015-2019 Associate, 2006-2014 Summer Associate, 2005
- Saint Louis University, Office of the General Counsel Legal Extern, 2006
- Simon Passanante P.C. Law Clerk, 2004

**Recognitions**

- Included in "Washington D.C. Super Lawyers" Rising Stars list, 2014-2016

**Affiliations**

- Washington, D.C., Chapter of WTS International, Immediate Past President, 2024-2025, President, 2022-2023, Vice President, 2020-2021
- American Public Transportation Association
- Transportation Research Board, Chair, Standing Committee on Transit and Intermodal Transportation Law



## Jayna Marie Rust

Partner

Washington, D.C.  
202 585 6929 direct  
202 585 6969 fax  
[jrust@thompsoncoburn.com](mailto:jrust@thompsoncoburn.com)

### PRACTICES

- Government Contracts
- Transportation Regulatory
- Transit
- Higher Education
- HR Counseling

### EDUCATION

- The George Washington University Law School, J.D., With Honors, Notes Editor & Technology Editor, Public Contract Law Journal
- Loyola Marymount University, M.A.
- University of Missouri-Columbia, B.J., magna cum laude

### ADMISSIONS

- District of Columbia
- Virginia
- US Ct Appeals, Federal Circuit
- US Ct of Federal Claims
- US Supreme Ct
- Virginia USDC, Eastern District

Jayna advises companies, transportation authorities, educational institutions, and other entities regarding their rights and obligations when doing business with or receiving financial assistance from the Federal Government and in litigating against (or with) it on contract disputes.

She helps clients recover money owed under Federal contracts, challenge adverse agency actions, and protest problematic contract awards or defend against competitors' protests. In doing so, she represents them before agencies, the Government Accountability Office (GAO), the U.S. Small Business Administration, Boards of Contract Appeals, the U.S. Court of Federal Claims, and the U.S. Court of Appeals for the Federal Circuit, as necessary. She also represents contractors in prime/sub disputes before state courts or Federal district courts and in arbitration hearings.

Additionally, Jayna counsels and advises clients on contract- and grant-administration matters. This work includes analyzing and negotiating subcontractor and subrecipient agreements, following small-business requirements, and complying with domestic-preference policies, such as the Buy American Act, the Trade Agreements Act, and the Cargo Preference Acts. It also includes helping companies and grant recipients understand labor-and-employment obligations specific to their Federal funding, including those related to the Service Contract Act, Davis-Bacon Act, and Paid Sick Leave for Federal Contractors. Jayna works with clients to prepare for and complete mergers, acquisitions, conversions, name changes, and other corporate transactions when government contracts are involved. Combining her work in both contract- and grant-administration matters, she also advises clients on developing and applying policies and procedures that meet 2 C.F.R. Part 200 (Uniform Grant Guidance) requirements and in preparing for and responding to investigations, audits, and Federal Transit Administration triennial reviews related to those obligations.

She serves clients in a variety of industries, including defense, pharmaceuticals, logistics, information technology (IT) services, hardware and software, healthcare, construction, financial services, private equity, insurance, utilities, higher education, and manufacturing.

## RECOGNITIONS

- Listed in "Best Lawyers: Ones to Watch" (by BL Rankings) for Administrative / Regulatory Law, 2024
- 2021-22 Leadership Advancement Program, NAPABA
- Asian Pacific American Bar Association of D.C. Rising Star, 2018

## AFFILIATIONS

- American Bar Association, Public Contract Law Section
- U.S. Court of Federal Claims Bar Association
- National Contract Management Association
- National Grants Management Association
- National Asian Pacific American Bar Association
- Asian Pacific American Bar Association of D.C.

## EMPLOYMENT

- Thompson Coburn LLP, Partner (2023-Present), Counsel (2022), Associate (2013-2021), Summer Associate (2012)
- The George Washington University Law School, Professorial Lecturer in Law - Government Contracts Advocacy (Claims) (2021-Present), Professorial Lecturer in Law - Scholarly Writing, Public Contract Law Journal (2017-2020)

A former middle school teacher and current professor of Government Contracts Advocacy at The George Washington University Law School, Jayna has been praised by clients and peers for her ability to take complex legal issues and make them interesting and understandable to others.

## Presentations

- "New Employment Issues in Government Contracting," National HUBZone Conference, August 2023
- "Government Contracts for In-House Counsel: Getting FAR More Answers in Less Time," Association of Corporate Counsel (ACC) 5-Session Program, June-July 2023
- "Women in Government Contracting," Court of Federal Claims Bar Association, June 2023
- "Corporate Client Privilege: Protecting and Preserving Client Confidences in the Corporate Setting," Association of Corporate Counsel (ACC) (St. Louis) 2023 Corporate Counsel Institute (CCI), May 2023
- "10 Common Procurement Mistakes Under Federal Grants (and How to Avoid Them)," National Grants Management Association 2023 Annual Grants Training, April 2023
- "How to Access Federal Grants for Your Campus," Annual Meeting and Advocacy Day by the National Association of Independent Colleges and Universities (NAICU), February 2023
- "Built to Last: The Nonprofit Agencies of the Future (AbilityOne Track)," Melwood Inclusion Through Policy Innovation Conference December 2022
- "What Every Attorney Needs to Know About No-Poach Agreements," National Asian Pacific American Bar Association Webinar September 2022
- "Non-Traditional Matters at the Government Contracts Courts and Boards," American Bar Association Public Contract Law Section, Federal Procurement Institute, March 2022
- "Working with Other Companies as a Government Contractor Small Business," Pacific Northwest Defense Coalition, October 2021
- "Recent Labor & Employment Issues for Government Contractors," National Asian Pacific American Bar Association Webinar, November 2021
- "HEERF Audit Guide for Proprietary Institutions: Key Takeaways," McClintock & Associates Webinar, May 2021
- "COVID-19 Legal Update," American Bar Association Public Contract Law Section, March 2020
- "Anti-Trafficking Requirements: Recent Updates," Government Contracts Roundtable, October 2019
- "Talking About FAR 52.222-26 and EO 11246: What Government

Contracts Attorneys Need to Know about Bias," American Bar Association Public Contract Law Section Webinar, July 2019

- "SBA's All-Small Mentor Protégé Program: What Businesses Want to and Should Know," Missouri Procurement Technical Assistance Center, June 2018
- "Assigning Contracts with State Entities," American Bar Association Public Contract Law Section, State and Local Committee Meeting, June 2019
- "SBA's All-Small Mentor Protégé Program: What Businesses Want to and Should Know," AFCEA Scott AFB, June 2018
- "Contract Compliance and Dispute Avoidance," Javits-Wagner-O'Day Legal Symposium, October 2018
- "Ethics in Government Contracts," American Bar Association Public Contract Law Section Federal Procurement Institute, March 2018
- "Federal Appropriations/Fiscal Law: Fact or Fiction," American Bar Association Public Contract Law Section Annual Meeting, August 2018
- "Recent Small Business Developments," AFCEA Scott AFB, March 2017
- "Recent Small Business Developments," Missouri Procurement Technical Assistance Centers, April 2017
- "The 5 Differences Between Commercial and Government Contracts You Need to Know," November 2017
- "SBA's All-Small Mentor Protégé Program: What You Should Know Before Jumping In," Eastern Foundry, October 2017
- "Buy American!," July 2017
- "The Trade Agreements Act," June 2016, August 2016
- "Regulatory Update: How Will Select New Rules and Regulations Impact Our Business? Are Human Trafficking Regulations Really a Concern for Us?," Government Contracts Update (CLE), Thompson Coburn, May 2016
- "Formal Contract Changes, 'Constructive' Changes, and Requests for Equitable Adjustments," Eastern Foundry, February 2016
- Various Topics (Including Contract Types, Cargo Preference Act, Differing Site Conditions, Small Business Requirements, Anti-Trafficking Obligations, NAICS Codes, Minimum Wage for Federal Contractors) Public Contracting Institute, Ongoing

#### **Publications**

- Quoted, "The next big post-affirmative action legal ruling to drop targets billions in small business contracts" *CNBC*, October 25, 2023
- 3 Compliance Obligations You May Not Know You Have, *Law360*, December 2017

- Gift-Giving Policies: Seven Ethics Checks in Light of OGE's Updated Standards, *Public Contracting Institute Blog*, April 2017
- Government contractors must address domestic trafficking, *Law360*, January 2016
- Note, How to Win Friends and Influence Government Contracts Law: Improving the Use of Amicus Briefs at the Federal Circuit, *Public Contract Law Journal*, 2012

# PUBLIC TRANSIT OVERVIEW





# Total Commitment® to Public Transit

Thompson Coburn's public transit group is a nationally-recognized and highly experienced team representing public transit agencies, city, county and state governments, transit suppliers and transit consulting firms. We are committed to the transit industry, having represented public transit clients in the nation's largest metropolitan areas. Our team advises transit authorities on a wide variety of legal matters including procurement, section 13(c) and labor issues, appropriations, contracting for services, major capital projects, transit operations, Buy America compliance, ADA, DBE, civil rights issues, finance and grant matters, environmental matters, intellectual property, insurance issues, real estate, and litigation. We represent clients before the U.S. Department of Transportation (DOT), the U.S. Department of Labor (DOL), the Internal Revenue Service (IRS), Congress, various state departments and agencies, in state and federal courts, and in arbitration.

We are committed to partnering with our public transit clients. Our transit team provides clients with valuable insight by leveraging the depth of its experience with the support of our Firm's more than 400 attorneys practicing in 50 areas of law. Our collaborative culture and team mind set enables us to handle a broad range of matters for our public transit clients efficiently and effectively.

We welcome the opportunity to show you the difference that Thompson Coburn's Total Commitment® can make for your transit project, funding, dispute, or compliance matter.

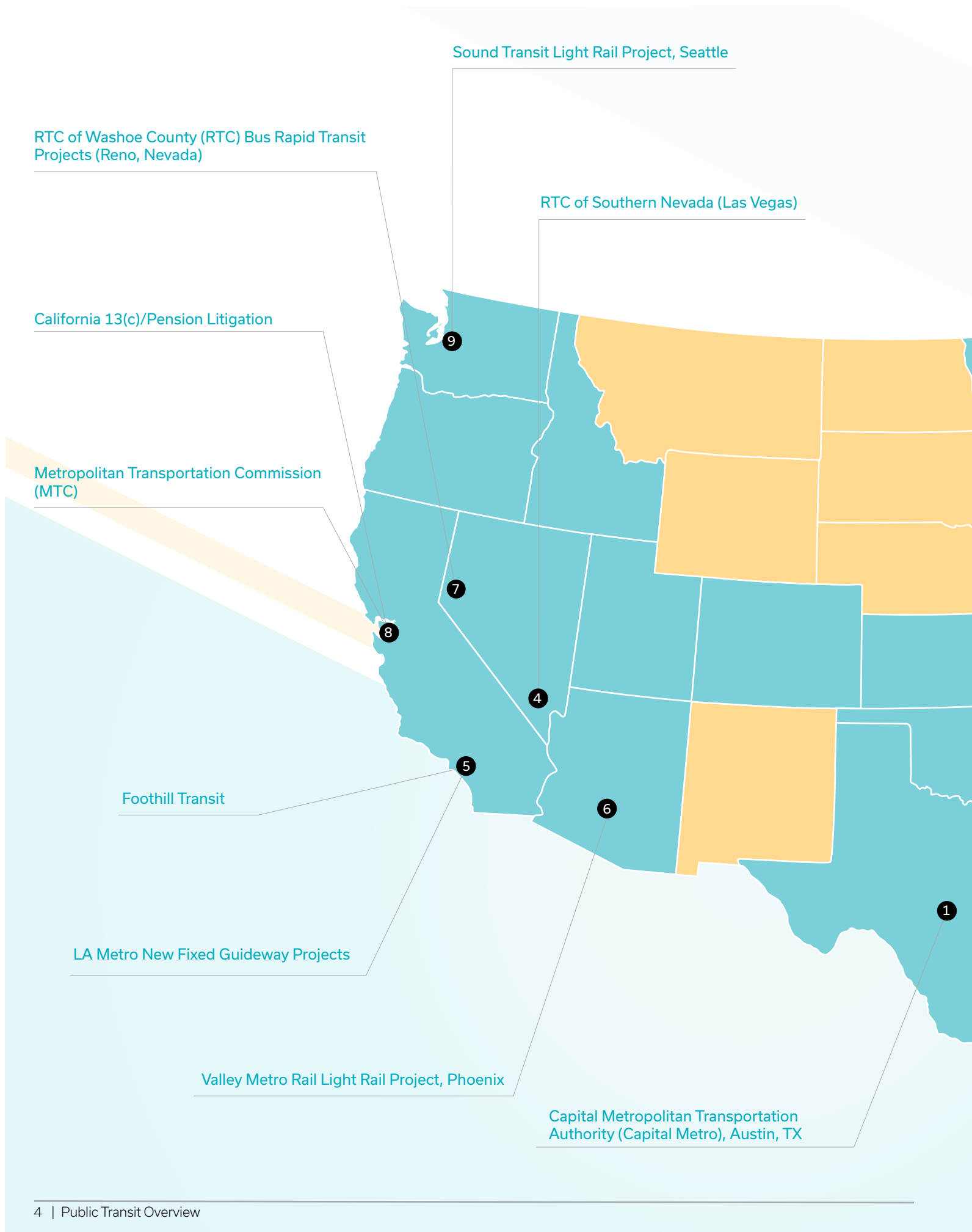




# Public Transit Legal Services Include:

- ▶ Americans with Disabilities Act (ADA)
- ▶ Buy America compliance
- ▶ Construction contract administration and claims
- ▶ Design-build and CMAR (Construction Manager at Risk) projects
- ▶ Disadvantaged Business Enterprise (DBE) regulations
- ▶ Federal grant requirements
- ▶ Federal procurement and contracting issues
- ▶ Federal Transit Administration (FTA) audits and oversight
- ▶ Financing of major capital projects
- ▶ International rolling stock acquisitions
- ▶ Major capital investment projects
- ▶ New Starts and Small Starts and CIG process
- ▶ Operations and maintenance contracts
- ▶ Real estate acquisitions
- ▶ Section 13(c) labor protections
- ▶ Title VI compliance





Sound Transit Light Rail Project, Seattle

RTC of Washoe County (RTC) Bus Rapid Transit Projects (Reno, Nevada)

RTC of Southern Nevada (Las Vegas)

California 13(c)/Pension Litigation

Metropolitan Transportation Commission (MTC)

Foothill Transit

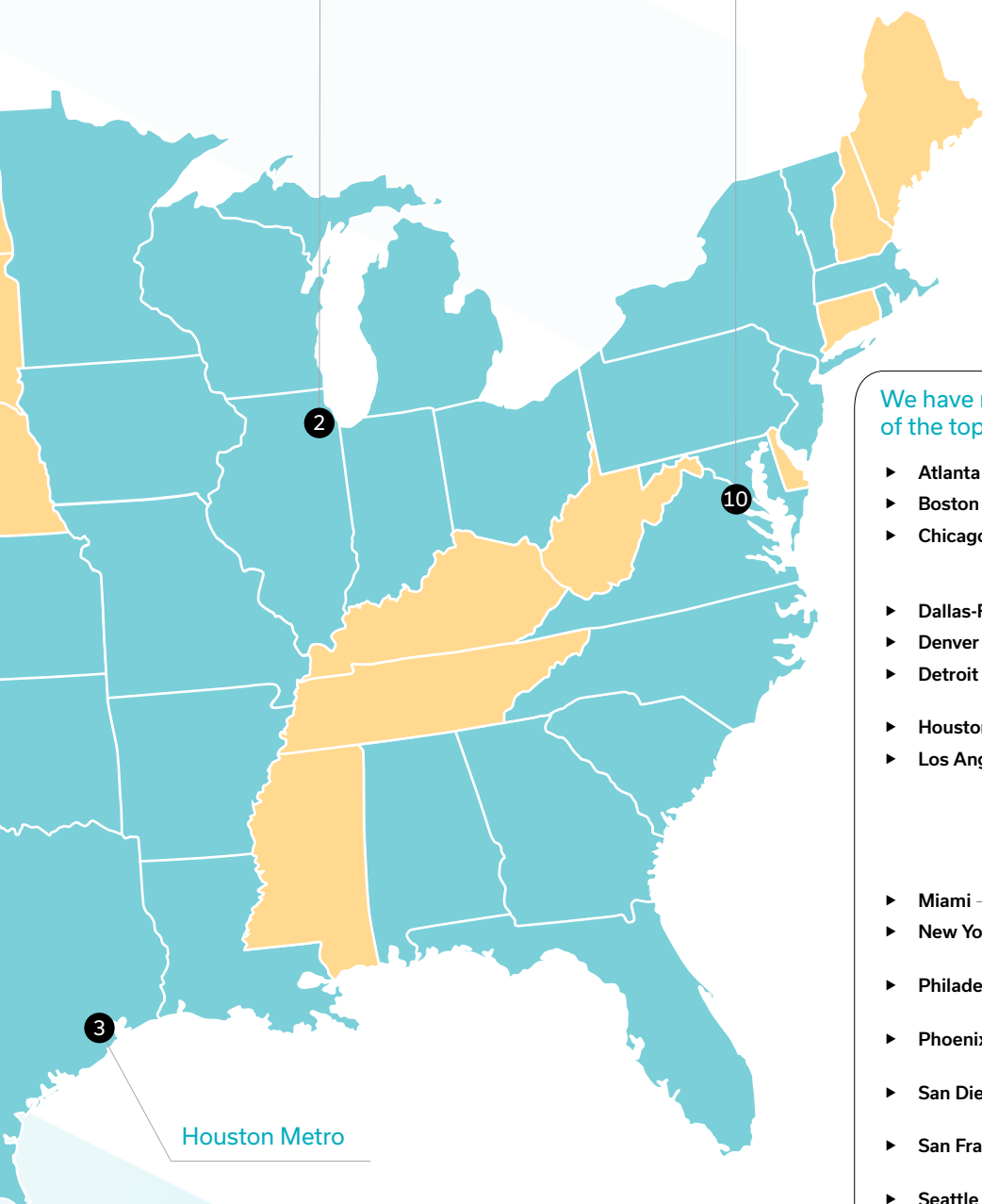
LA Metro New Fixed Guideway Projects

Valley Metro Rail Light Rail Project, Phoenix

Capital Metropolitan Transportation Authority (Capital Metro), Austin, TX

## Chicago Transit Authority Railcar Procurement

## Contracting Out Assistance, Washington, D.C.



We have represented public transit clients in 18 of the top 20 largest metropolitan statistical areas:

- ▶ **Atlanta** – Metropolitan Atlanta Rapid Transit Authority
- ▶ **Boston** – Massachusetts Bay Transportation Authority
- ▶ **Chicago** – Chicago Transit Authority  
Chicago Regional Transportation Authority  
Pace Suburban Bus
- ▶ **Dallas-Fort Worth** – Dallas Area Rapid Transit
- ▶ **Denver** – Regional Transportation District
- ▶ **Detroit** – Suburban Mobility Authority for  
Regional Transportation
- ▶ **Houston** – Metropolitan Transit Authority of Harris County, TX
- ▶ **Los Angeles** – Los Angeles County Metropolitan  
Transportation Authority  
Foothill Transit  
Orange County Transportation Authority  
Antelope Valley Transit Authority  
Exposition Metro Line Construction Authority
- ▶ **Miami** – South Florida Regional Transportation Authority
- ▶ **New York** – New York Metropolitan Transportation Authority  
New York City Department of Transportation
- ▶ **Philadelphia** – Southeastern Pennsylvania  
Transportation Authority
- ▶ **Phoenix** – Valley Metro  
City of Phoenix
- ▶ **San Diego** – San Diego Metropolitan Transit System  
North County Transit District
- ▶ **San Francisco** – Bay Area Rapid Transit District  
Metropolitan Transportation Commission
- ▶ **Seattle** – Sound Transit
- ▶ **St. Louis** – Bi-State Development Agency
- ▶ **Tampa** – Hillsborough Area Regional Transit (HART)
- ▶ **Washington D.C.** – Washington Metropolitan Area  
Transportation Authority (WMATA)

**States in which we have represented transit agencies**

**1 Capital Metropolitan Transportation Authority (Capital Metro), Austin, TX**

Thompson Coburn assisted Capital Metro with the outsourcing of transit operations and maintenance services formerly run by StarTran. This transition was mandated by the Texas Legislature and opposed by the local union. Capital Metro took the dispute to arbitration over contracting and 13(c) labor protection issues, including carryover rights (pension benefits and others) alleged by the union. The arbitrator issued a decision in favor of Capital Metro, which was a resounding win for the agency.

**2 Chicago Transit Authority Railcar Procurement**

Thompson Coburn assisted CTA in connection with procurement issues related to the purchase of \$1.3 billion in railcars through a "best value" procurement after a disappointed proposer filed a proposal protest. The firm guided CTA through the end stages of the procurement process, and the award, and post-award activities. Ultimately, an independent decisionmaker rendered a decision in favor of CTA.

**3 Houston Metro**

We assisted METRO in addressing closeout and funding issues in connection with its FFGAs with FTA and advising on various federal regulatory issues including NEPA compliance, capital investment projects, and the upcoming transit and highway reauthorization legislation. We have also assisted METRO with its light rail vehicle (LRV) procurement process and the development of terms and conditions for the LRV contract.

**4 RTC of Southern Nevada (Las Vegas)**

Thompson Coburn has assisted RTCNV in addressing various issues including compliance with the six service criteria of ADA comparability, eligibility processes and disputes, path of travel issues, procurement of service contractors, performance of those contractors, ADA issues arising through triennial and ADA specific reviews conducted for FTA, and training of appeals hearing officers and eligibility staff.

**5 Foothill Transit**

Thompson Coburn assists Foothill Transit on a wide range of procurement and contracting issues, including large transit operations & maintenance contracts, development and construction of facilities, fleet vehicle purchases including electric vehicle technology, labor and 13(c) labor protection issues, triennial reviews by FTA, civil rights and DBE issues, and real estate purchases and leases.

**5 LA Metro New Fixed Guideway Projects**

We assisted LA Metro in developing and implementing the project delivery and procurement strategy for five major new fixed guideway projects in Los Angeles County: the Crenshaw/LAX Transit Corridor Project, the Regional Connector Project, and Section 1, Section 2, and Section 3 of the Westside Purple Line Extension Project. These projects together have an estimated capital cost of approximately \$12 billion, one of the largest transit infrastructure investments in U.S. history. Our work included advising on all aspects of the FTA CIG process and regulatory requirements and assisting in the design-build procurement process.

**6 Valley Metro Rail Light Rail Project, Phoenix**

We assisted Valley Metro in the development of a light rail project that runs through Phoenix, Tempe and Mesa. Our responsibilities included coordinating approval of all appropriate actions in the project's development with FTA. We also helped develop Cooperative Agreements and Property Use Agreements between Valley Metro Rail and the three cities through which the line runs.

**7 RTC of Washoe County (RTC) Bus Rapid Transit Projects (Reno, Nevada)**

Thompson Coburn assisted the Regional Transportation Commission of Washoe County (RTC) in Reno, Nevada with the development of two Bus Rapid Transit (BRT) Small Starts projects under the CIG Program, including the purchase of electric buses. This work involved assisting in the development of materials for FTA to enter into the project development phase, project budget and funding issues, compliance with CIG program requirements, FTA rating issues, associated FTA appropriations issues, project definition and scope issues, and working to obtain letters of no prejudice. We have also worked on the solicitation and contracting process for construction contracts for the CIG projects, one of which utilized a Construction Manager at Risk procurement.

**8 California 13(c)/Pension Litigation**

Thompson Coburn represented the State of California in litigation against the Department of Labor (DOL) over DOL's determination that state pension reform legislation (PEPRA) conflicted with 13(c) requirements, which resulted in the cut off of over \$2 billion in FTA grant funds in the state. The court found that the DOL determination was arbitrary and capricious in violation of the APA and remanded the matter to DOL. On remand, DOL again found that PEPRA prevented compliance with 13(c), prompting the State to bring a second action challenging that determination. The court ruled in favor of the State again in the second case, and in June 2019, DOL issued a determination consistent with the court's analysis and findings. Thompson Coburn now serves as co-counsel with the California Attorney General in litigation filed by the Amalgamated Transit Union (ATU). Originally, the ATU litigation challenged DOL's June 2019 determination. In October 2021, however, DOL revisited the June 2019 determination and issued a reconsideration finding that no California transit agency subject to PEPRA could comply with 13(c)'s requirement to continue collective bargaining rights for transit workers. The firm secured a preliminary injunction, ensuring that federal transit funds would flow to California transit agencies pending resolution of the case.

**8 Metropolitan Transportation Commission (MTC), San Francisco**

Thompson Coburn assisted MTC in its effort to develop and select a system integrator for the next generation of the smart system used for fare payment through a design, build, operate and maintain procurement. MTC is the metropolitan planning organization (MPO) for the San Francisco Bay metropolitan area region and is responsible for coordinating among the region's twenty-two public transit operators serving the region.

**9 Sound Transit Light Rail Project, Seattle**

The firm assisted Sound Transit in the development of a federal funding for the agency's initial light rail transit project. We developed and negotiated a FFGA for the construction of the project and advised Sound Transit in the development of alternative federal funding scenarios to address future construction. Our attorneys also assisted in interacting with FTA, the Department of Transportation (DOT), the DOT Inspector General and Congress in revising the scope of funding of the project to respond to concerns raised by these entities.

**10 Contracting Out Assistance, Washington, D.C.**

We represented the Washington Metropolitan Area Transportation Authority (WMATA) in an arbitration initiated under Section 13(c) labor protection provisions by a union following the transit agency's decision to contract out bus services from a newly constructed facility.



## Our Team

Thompson Coburn is committed to creating and fostering a diverse and inclusive workplace culture that recognizes individuals' contributions from varied backgrounds and the experience they bring to our clients and our Firm. Our diverse Public Transit practice offers industry and regulatory experience, with partners having served as federal administrative and congressional counsel and in-house at a major metropolitan area transit agency.

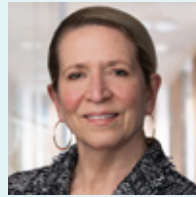


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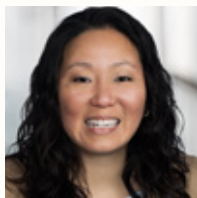


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## Our Firm

Thompson Coburn provides the high-caliber legal services and counsel our clients demand to achieve their most critical business goals. We are guided by a philosophy of giving our clients straightforward, practical and economical solutions to their legal and business challenges, no matter how complex. This philosophy is utilized every day, for every client – whether a multinational corporation, public entity, or private individual.



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April 2024