



Michael A. Gatje

PARTNER

Mike is a litigator with more than 25 years' experience whose practice focuses on construction, government contracts and commercial business disputes. His construction practice is national in scope, with his clients being engaged in a broad range of industries, including environmental remediation, transportation and infrastructure, civil construction, biotechnology and engineering services. Mike represents a wide range of government contractors as well, including contractors providing products, personnel, technical services and construction and design services to various federal and state agencies. Although much of Mike's practice focuses on construction and public contracts, he is also an experienced commercial litigator in state and federal courts in the District of Columbia, Virginia and Maryland, and he has extensive experience pursuing and defending claims in alternative dispute resolution proceedings. Mike also has significant appellate experience.

Mike joined Husch Blackwell as a Partner in 2010. Prior to joining the firm, Mike was a shareholder with Akerman Senterfitt.

Mike is a former Captain in the U.S. Judge Advocate General's Corps.

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Practices

Construction & Design

Government Contracts

Business Litigation

Appellate

Labor & Employment

Representative Experience

Construction/Infrastructure

- Represented a rail transit owner in defense of a contractor's claim for delay and acceleration costs relating to the construction of an extension of a rail transit project in Maryland
- Represented a bridge foundation contractor on a claim asserted against the Missouri Department of Transportation
- Defended a rail transit owner from a contractor's claim for additional compensation relating to a static frequency converter station in New York
- Represented a contractor in pursuit of a claim for additional costs resulting from changes and interference on an earthwork contract in Virginia
- Defended a surety from a payment bond claim on a convent in Maryland
- Represented a major petroleum company owner in arbitration involving disputes relating to the construction of a gas-fired, combined-cycle cogeneration facility in Texas
- Represented the prime contractor for a telecommunications upgrade project at Ft. Rucker, Ala., in a dispute with a terminated subcontractor
- Represented a state transit authority in a professional malpractice action against an engineering firm
- Represented an engineering firm in connection with a dispute regarding the design of dropshafts and related facilities for a wastewater treatment project in Wisconsin
- Represented the prime contractor on a wastewater treatment project on a claim seeking additional costs incurred as a result of additional and changed work

Government Contracts

- Represented a prime contractor in the litigation of a differing site conditions claim before the Armed Services Board of Contract Appeals
- Represented a government contractor in bid protests relating to the award of an administrative and management service and support contract by the Defense Contracting Command
- Defended a service-disabled, veteran-owned small business in an SBA size protest and in protests challenging the contractor's service-disabled status
- Advised and assisted various government contractors with internal investigations
- Represented an offeror on a procurement for a Navy flight training human centrifuge in a bid protest action
- Represented a postal contractor in connection with claims seeking compensation for changes and for breach of contract damages
- Advised a Multiple Award Schedule contractor regarding cost and pricing issues
- Represented earthwork subcontractors in connection with disputes with prime contractors on Corps of Engineers projects in Georgia, Florida, and Mississippi

Commercial Litigation

- Represented the holder of a purchase money security interest in defense of a priority claim asserted by a general secured creditor
- Represented a Maryland corporation in defense of claims of tortious interference with contract and negligent misrepresentation
- Represented an engineering firm in connection with a dispute regarding the adequacy of a land survey
- Represented on appeal a manufacturer of ruggedized computer equipment in a contract dispute with a buyer of such equipment
- Represented a minority shareholder in a closely held corporation in a suit seeking dissolution of the company and other relief
- Represented a receivables financing company in a dispute with a creditor of a financed party
- Represented the purchasers of stock in a securities fraud action against the majority shareholder and seller of the shares
- Represented an individual defendant in lawsuits arising out of an airplane crash

Professional Associations & Memberships

- American Bar Association, Litigation, Construction Industry and Public Contract Law sections
- American Public Transportation Association
 - Procurement Standards Committee, Contract Risk Allocation Working Group, Chair sub-bullet
 - Legal Affairs Committee, Capital Projects Committee, Rail Transit Committee and Procurement Committee
- District of Columbia Bar, Government Contracts, Litigation, and Administrative Law and Agency Practice sections
- Maryland Bar Association
- National Contract Management Association
- National Security Industrial Association, Legal Subcommittee
- Virginia Bar Association, Litigation, Government Law and Construction sections

Civic Involvement

- Committee for Dulles
- Greater Reston Chamber of Commerce, Board of Directors; Government Affairs Committee; President's Award Recipient

Admissions

- District of Columbia, 1988
- Maryland, 1993
- Virginia, 1986
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- Maryland Court of Appeals
- Virginia Supreme Court
- U.S. Bankruptcy Court, Eastern District of Virginia
- U.S. Court of Federal Claims

Education

- J.D., William and Mary Law School, 1986
- B.S., International Economics, Vanderbilt University, *cum laude*, 1983

Publications & Presentations

- Author, "Recovering Home Office Overhead on Delay Claims," *Journal of Construction Accounting & Taxation*, Vol. 3, No.3
- Author, "Civil Remedies for Fraud," Construction Briefings (Federal Publications, Inc.)
- Speaker, "Construction Claims Overview," American Public Transportation Association Legal Affairs Conference
- Speaker, "RFPs: Requests for Protest? or for Partnerships?" American Public Transportation Association Procurement Materials Management Workshop
- Speaker, "Transportation Law: Litigation and Regulatory Update," American Public Transportation Association Legal Affairs Conference
- Speaker, "Transit Procurement Standards," American Public Transportation Association Legal Affairs Conference