

William J. Cople, III

Partner

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William J. Cople, III represents government contractors, pharmaceutical and medical device firms, financial institutions, and commodity firms in complex litigation and trials, including product liability, financial fraud, class actions, antitrust and commercial and government contracts. He also represents government contractors and companies in a range of industries in defending False Claims Act and Anti-Kickback statute litigation, government investigations and prosecutions and federal agency enforcement and Congressional investigations involving product marketing.

For nearly four decades, Mr. Cople has represented government contractors and commercial companies in litigation involving contract disputes and claims, requests for equitable adjustments, bid protests and incurred contract costs in federal and states courts nationwide. He recently served as lead trial counsel for a major contractor in a five-week trial in Arkansas state court for complex engineering and construction claims arising from a billion dollar chemical plant. In an upcoming trial, he will again serve as lead trial counsel in a jury trial scheduled for eight weeks involving nearly \$400 million in alleged project delays and cost impact claims between the chemical plant owner and the Firm's engineering, procurement and construction (EPC) contractor client.

Mr. Cople represents pharmaceutical, medical device, defense contractor, and other companies in complex litigation and trials involving highly regulated products, including class actions involving radiation claims and medical devices. He also handles FDA regulation and enforcement and advises manufacturers on drugs, biologics, devices, vaccines, and food additives including product approval applications, clinical trials, pharmacovigilance, inspections and warning letters, as well as off-label promotion and marketing exclusivity claims. As lead trial counsel, Mr. Cople recently secured a defense verdict for the Firm's client, one of the largest U.S. and international pharmaceutical companies, in a pharmaceutical products liability case in federal court in Raleigh, North Carolina following a seven-day jury trial. *Earp v. Novartis Pharm. Corp.*, No. 5:11-cv-680-D (E.D.N.C. May 14, 2014).

Mr. Cople defends U.S. and international companies regarding federal grand jury investigations and subpoenas and in federal, civil and criminal investigations and prosecutions concerning government contracting, engineering and construction, healthcare, financial institutions, fraud, antitrust, Foreign Corrupt Practices Act and False

Litigation

Complex Litigation
Federal Claims
Financial Institutions
Government Contracts
Investigations
Pharmaceutical Products
Toxic Torts & Products Liability
White Collar Defense

Education

Washington & Lee University
(B.A., 1977)
St. John's University, School of
Law (J.D., 1980)
Georgetown University Law
Center (LL.M., 1986)
International & Comparative Law

Admissions

District of Columbia, New York,
and Virginia

United States Supreme Court

United States Courts of Appeals
for the Fourth, Sixth, Eleventh,
District of Columbia, and Federal
Circuits

United States District Courts for
the District of Columbia, the
District of Maryland, the Eastern
and Southern Districts of New
York, the Northern District of
Texas, and the Eastern District of
Virginia

United States Court of Appeals
for the Armed Forces

Claims Act and the Anti-Kickback statute.

United States Court of Federal
Claims

United States Court of
International Trade

Mr. Cople represents financial institutions in defending against commercial fraud litigation and has handled nationwide litigation and internal investigations of fraud claims and fraudulent practices allegations involving U.S. and international financial institutions, securities brokers, and investment banks under federal securities and banking laws. He handles federal antitrust litigation and advises senior management and Boards of Directors regarding antitrust liability, as well as corporate governance, compliance and due diligence. He also conducts corporate internal investigations and advises senior management and Boards of Directors concerning Foreign Corrupt Practices Act and international sanctions issues.

Mr. Cople works extensively on False Claims Act litigation, export control investigations, U.S. and European Union economic sanctions and financial institution transaction controls, and the defense of federal fraud prosecutions. He represents government contractors and pharmaceutical and medical device manufacturers regarding Congressional investigations, committee hearings, and pending legislation, and represents companies in FDA and USDA investigations.

Mr. Cople has broad experience defending companies against False Claims Act, Anti-Kickback statute and fraud litigation and investigations in a range of industries including defense contracting and healthcare. As lead counsel, he defended Second Chance Body Armor, Inc. in False Claims Act litigation by *qui tam* plaintiffs and the federal government alleging breach of warranty in the failure of bullet proof vests to meet specifications. He also defended government investigations by the U.S. Justice Department and U.S. Attorney's Offices for civil and criminal prosecutions and handled federal contract suspension and debarment investigations involving the body armor breach of warranty government contract, fraud and False Claims Act claims.

Mr. Cople extensively represents clients concerning government contracts and construction litigation. His experience includes contract claims, negotiations and litigation involving architect-engineers and construction, environmental remediation, telecommunications, computers, and defense contracting. He handles requests for equitable adjustment, bid protests, government audits, cost accounting standards, defective pricing, suspension and debarment, and international transactions, including infrastructure projects, export controls, international joint ventures and technology transfers. Mr. Cople represents U.S. and international firms on corporate mergers and acquisitions involving national security review by the Committee for Foreign Investment in the U.S. (CFIUS), U.S. Treasury and Defense Department, as well as military and dual use exports under the U.S. State Department International Traffic in Arms Regulation (ITAR) and U.S. Commerce Department export control licensing.

Mr. Cople lectures industry and government officials on government procurement and international contracting, and serves on the Legal Committee for the National Defense Industrial Association (NDIA). He speaks annually on False Claims Act litigation and government investigations and prosecutions. He also serves as a subcommittee co-chairman for the ABA Litigation Section, Class Actions and Derivative Suits Committee.

Mr. Cople served previously on active duty as a U.S. Army officer in the Office of the Secretary of Defense, serving as special counsel on technology exports and national security and as principal legal advisor to the U.S. Army Corps of Engineers. He also served as Chief Trial Counsel for the U.S. Army Engineer Center at Fort Belvoir, and as a federal prosecutor in the Eastern District of Virginia. He was an Editor of the *St. John's Law Review*.

For 2019, as in past consecutive years, Mr. Cople is once again recognized for government contracts in the Washington, DC edition of *Super Lawyers*.

