

Rising Star: Jenner & Block's Carla Weiss

By Daniel Wilson

Law360 (June 11, 2021, 8:59 PM EDT) -- Carla Weiss of Jenner & Block LLP played a significant role in a case reshaping the contracting landscape for veteran-owned companies before helping a veteran-owned firm secure a major contract win, earning her a spot among the government contracts attorneys under age 40 honored by Law360 Rising Stars.

WHY SHE'S A GOVERNMENT CONTRACTS ATTORNEY:

Like many attorneys in the field, working on government contracts was not something on Weiss' radar in law school, but something she fell into "purely by accident," she said.

Shortly before she was scheduled to begin her work in private practice as a litigator, a position she said she wasn't particularly excited about, Weiss was offered an opportunity to work in WilmerHale's defense, national security and government contracts practice, a more appealing opportunity.

"And then I started on my first day, and they said, 'Here's a government contract matter,' " she said. "And I thought, well, that sounds like the least sexy part of defense, national security and government contracts."

But working on the case, involving a claim at the Armed Services Board of Contract Appeals, was "so much fun" and helped to foster an enduring love for the practice, according to Weiss.

"There's so many things you can do within the umbrella," she said. 'I look at colleagues who've been working on the same litigation matter for years, and I think, well, in that time I've billed untold number of clients, [from] regulatory counseling, to protests, to claims or internal investigations, and it's such a fun, varied practice."

HER PROUDEST MOMENT AS AN ATTORNEY:

The first time she signed and filed a protest herself as an associate at



Carla Weiss
Jenner & Block

Age: 39
 Home base: Washington, D.C.
 Position: Special counsel
 Law school: University of Chicago Law School
 First job after law school: Associate at WilmerHale

Jenner & Block after having worked in subordinate roles on other cases was a particularly gratifying moment, Weiss said, showing that her team had "a lot of faith in me" as a young female lawyer.

"Working with people who have no ego, who are willing to say, 'Yep, you did this, this is really your work product, you should be the one signing it,' is a testament to my colleagues, a testament to the firm, and I'd like to think a testament to the training I have that made it such that I could do it," she said.

That also dovetails with one of the key reasons that Weiss came to love being a government contracts attorney, as a practice area where legal teams tend to be smaller and young lawyers often get to take on high levels of responsibility early in their careers, she said, encouraging other young attorneys to also consider doing government contracts work.

"It's actually a remarkable way to do a lot of really high-quality work, really quickly, that's going to be incredibly gratifying, versus doing untold document review for the first several years of your [working] life," Weiss said.

THE MOST IMPORTANT CASE SHE'S HELPED HANDLE:

Weiss was part of the team who represented Kingdomware Technologies Inc. in a prominent dispute at the Federal Circuit over the U.S. Department of Veterans Affairs' failure to use the "rule of two," drafting the company's legal brief at the circuit court — a rare opportunity for a government contracts lawyer to do "cutting-edge appellate work," she said.

That disputed statutory requirement directs the VA to give preference to service-disabled veteran-owned small businesses and veteran-owned small businesses in its procurements, as long as at least two such companies can do the work at a "fair and reasonable" price.

The VA had long argued that the requirement was optional as long as it was at least meeting its minimum goals for the percentage of its contracts that were awarded to small businesses, and the Federal Circuit sided with the agency in a split decision.

But the U.S. Supreme Court in June 2016 unanimously backed Kingdomware's arguments about how the underlying law should be interpreted, ruling that the contracting preference for both categories of veteran-owned businesses was mandatory and applied to all VA contracts and orders, giving those companies preferential access to billions of dollars in contract opportunities.

The Kingdomware ruling continues to be frequently discussed and written about in legal literature, Weiss noted, saying it was "always fun" to see the case mentioned.

"You can say, 'Hey, I've worked on that; I've met them; I've sat with them and listened to their struggles and how these rules really affect their business, and I was part of changing that,' " she said. "And I was just so pleased that I got to be involved in that effort."

HER MOST INTERESTING RECENT CASES:

Weiss has been involved in a number of high-profile and high-value recent cases, including helping to keep SRA International Inc., an IT services company, eligible for a slot on a multi-award, \$4.5 billion U.S. Department of Justice information technology contract after its eligibility was challenged by three rivals.

But following on from her work on Kingdomware, a particular personal highlight has been her recent work for Medical Place Inc., a service-disabled veteran-owned small business, she said. Weiss has

worked closely with the company for several years, first advising it on a VA solicitation for positive airway pressure (PAP) devices and equipment.

She then led it through subsequent pre- and post-award protests that variously led the VA to amend its solicitation and give the family-owned company a bigger share of the multiple-award contract, before helping to successfully defend its place on the deal after protests from rivals.

Those disputes were resolved in late May, and the company received its first order under the contract, which it followed by sending an "effusive" email to Weiss about the role she and her team had played in helping the company, she said.

"I love working with my big clients with their massive projects in national security, but working with this family-owned business has been especially gratifying, because you get to know these individuals and ... you recognize that it's not just tanks and ships, but getting medical devices to veterans," she said. "And it's been such a great experience working with them and knowing that we helped their family business thrive."

— *As told to Daniel Wilson*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2021 Rising Stars winners after reviewing more than 1,400 submissions. Attorneys had to be under 40 as of April 30, 2021, to be eligible for this year's award. This interview has been edited and condensed.