



**A. Ari Ghosal**  
COUNSEL

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## BIOGRAPHY

Mr. Ghosal has a diversified business practice. In addition to his extensive employment experience, Mr. Ghosal serves as a problem-solving lawyer on all facets of business-related issues. He serves as general counsel on the full range of corporate and employment issues for government contractors, architects and engineers, technology professionals and various other businesses and represents corporate and individual clients in a variety of legal disputes and in all phases of civil litigation before state and federal courts. Mr. Ghosal is admitted to practice in both D.C. and Maryland. He was named a “Power Player” Finalist by Washington SmartCEO Magazine in 2014 and 2015, and he made the 2013 “Hot List” in Lawyers of Color. Recently, Mr. Ghosal accepted an invitation from Judge Charles Day (US District Court for the District of MD, Greenbelt, MD) to serve on the Diversity Committee of the Bar Foundation of Montgomery County.

## RECOGNITION

- Montgomery County Bar Foundation's Andrew L. Sonner Excellence in Diversity Award (2017)
- Named a CPA & ESQ Awards Finalist by Washington SmartCEO Magazine
- Named a "Power Player" Finalist by Washington SmartCEO Magazine (2014,

## PRACTICES & INDUSTRIES

**Business and Corporate**  
**Business Litigation**  
**Government Contracts**  
**Audits and Investigations**  
**Compliance and Ethics Counseling**  
**Contracts Claims**  
**Corporate Transactions/Government Contracts**  
**False Claims Act**  
**Government Contract Preparation and Negotiation**  
**Government Contracts Alternative Dispute Resolution**  
**Security Clearance Issues**  
**Small and Disadvantaged Business Concerns**  
**Suspensions and Debarments**  
**Teaming Agreements, Joint Ventures and Strategic Alliances**

2015)

- 2013 "Hot List," Lawyers of Color (2013)

## **MEMBERSHIPS & ACTIVITIES**

- Member: Maryland State Bar Association
- Member: American Bar Association
- Member: Bar Association of Montgomery County, Diversity Committee
- Member: Bar Association of Baltimore City
- Member: South Asian Bar Association, DC
- Board Member: Bethesda Green
- Board Member: WHEELS Global Foundation
- Member: Montgomery County Family Justice Center Foundation, Montgomery County, MD
- Board Member: Montgomery County Family Justice Center Foundation
- Member: Peer Review Committee of the Attorney Grievance Commission of Maryland, March 2010-Present
- Board Member: Asian-Pacific American Bar Association (APABA-MD), Co-Chair Judicial Selections Committee, June 2012-Present
- Member: Legislation and Business Law Committee of Bar Association of Baltimore City, 2009-Present
- Certified: 5th Annual Drug Enforcement Administration Citizen's Academy

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## **BUSINESS & CORPORATE LAW**

- Serves as outside general corporate counsel to government contractors, engineers, architects, technology companies, and various businesses on broad range of business issues including contract matters, employment matters, payment matters, corporate governance matters, compliance programs and regulatory concerns
- Counsel start-ups to mature businesses on choice of entity decisions, partnerships, limited liability companies, joint ventures, corporate formation, sale of business, due diligence, audits and related corporate agreements
- Represented client/buyer in connection with acquisition pursuant to an asset purchase agreement including novation of contracts among other transactional documents
- Advise, counsel and draft various corporate agreements including shareholder

### **Labor & Employment**

#### **Unemployment Law**

#### **Wage and Hour / Wage Payment Law**

#### **Labor and Employment Litigation**

#### **EEO/Discrimination Claim Representation**

#### **Construction**

#### **International**

#### **Non-Competition Litigation and Counsel**

#### **Life Sciences**

#### **Intellectual Property & Technology**

#### **Nonprofit Organizations and Associations**

#### **Restaurant and Hospitality**

#### **Alternative Dispute Resolution**

## **EDUCATION**

Catholic University of America, Columbus School of Law, 2003, J.D.

American University, 1998, M.A.

University of Maryland, 1995, B.S.

## **ADMISSIONS**

District of Columbia

Maryland

U.S. District Court: District of Columbia

U.S. District Court: District of Maryland

U.S. Court of Federal Claims

agreements, partnerships, joint ventures, teaming, subcontractor, among others

## **BUSINESS LITIGATION**

- Representing companies, small businesses and individuals in business litigation involving breach of contract, payment disputes, misappropriation of trade secrets, covenants not to compete, and business torts
- Represented contractor in breach of contract, quantum meruit and declaratory judgment action; case settled
- Represented software company in breach of contract claim; case settled
- Represented client against restaurateur in breach of contract, fraud and misrepresentation of facts; client awarded damages
- Represented 50% member owners of company against the other members in declaratory judgment, breach of contract, fiduciary duty, fraud, misrepresentation, conversion among other claims; case settled

## **GOVERNMENT CONTRACTS**

- Advise, counsel and represent clients in the administration of government contract life-cycling, bid and proposal document preparation, award protests, terminations, suspensions and debarments, contract claims, contract negotiation and joint venture teaming agreements and advises clients about U.S. Small Business Administration regulations and programs, making sense out of myriad issues arising out of the Code of Federal Regulations, advanced acquisitions process, Federal Acquisitions Regulation, Minority Business Enterprises and Small Disadvantaged Business Enterprise programs and, in particular, counsels small businesses under various government set-aside programs including 8(a), HUBZONE, and the Small Disadvantaged Veteran-Owned Business (SDVOB)
- Represented small businesses and individuals in connection with matters involving 8(a) certification
- Represented small businesses and individuals in connection with matters involving HUBZONE certification
- Represented government contractors in bid protests and contract disputes at the local, state and federal level including GAO protest, entry as intervenor and arbitration
- Represented client in Civil False Claims Act investigation by the US Justice Department

- Represented client in suspension and debarment investigation by the US Small Business Administration
- Advise clients on compliance matters, contractor responsibility, internal investigations, disclosure requirements, ethics compliance, recordkeeping, and reporting procedures
- Represented client in connection with novation of 8(a) contracts
- Review, draft, analyze, and negotiate all contract formation and administration documents, including subcontracts, teaming and joint venture agreements, mentor-protégé agreements, non-disclosure agreements, and cure plans

## **MINORITY, WOMEN AND VETERAN-OWNED BUSINESS ENTERPRISES**

- Represent minority, women and veteran-owned contractors in all aspects of government contracts including compliance, governance, contracts and various other legal documents, and litigation

## **LABOR & EMPLOYMENT**

- Advise/counsel clients on state and federal laws in connection with employer and employee relationship
- Advise/counsel clients on compliance with state and federal statutes and regulations
- Draft, analyze and advise various employment related documents including employment agreements, restrictive covenants, consulting agreements, separation/severance agreements, employee handbooks
- Advise/counsel clients on hiring employees, evaluating independent contractor agreements
- Negotiate employment, compensation, consulting and separation agreements
- Advise/counsel clients on trade secrets, non-disclosure agreements, non-compete agreements, non-solicitation agreements, and other employment related agreements
- Advise/counsel clients on avoidance of unemployment, discrimination and harassment claims
- Advise/counsel clients in connection with wrongful termination, employment discrimination, retaliation and other termination claims
- Advise/counsel clients over wage, hour and payment collections claims

## **LABOR & EMPLOYMENT LITIGATION, INCLUDING EEO/DISCRIMINATION CLAIMS AND NON-COMPETITION LITIGATION**

- Represented client in breach of contract and wage payment collections claims; case settled
- Represented client in breach of contract and separation agreement claims; case settled
- Represented client in employment discrimination action against the U.S. Department of Defense; case settled; client awarded damages and attorneys' fees
- Represented client in employment discrimination and reasonable accommodations action against the Naval Facilities Engineering Command (NAVFAC) Wash, DC; case settled by way of administrative agreement
- Represented client against former employee; case dismissed against client
- Represented client against former employee in unemployment claims; case dismissed against client
- Represented a senior executive in navigating enforcement of competitive (restrictive) employment agreements by life sciences employer

## **CONSTRUCTION LAW**

- Corporate counsel for minority-owned design-build firm providing engineering, construction, construction management and related services to public sector clients
- Advise and counsel contractors, subcontractors on contracts, AIA documents, bonds and bonding, guarantees and sureties, liens, construction claims and related consultancy contracts
- Advise engineers, builders, designers, construction managers on contract performance from project inception through contract completion
- Advise design builders on solicitations and review owner requirements
- Draft and negotiate contracts, contractor agreements and subcontractor agreements, advise on project meetings and site surveys

## **INTERNATIONAL PRACTICE**

- Represent US companies engaged in business overseas specifically in India
- In conjunction with local counsel in India, represent US companies with

corporate compliance, formation and regulatory issues in connection with Indian statutes and regulations

## **LIFE SCIENCES**

- Conducted research at Walter Reed Army Medical Center Division of Medicine, tested the effects of blast overpressure on cardiac and pulmonary tissue of rat, rabbit and sheep cell lines. Data used in research abstract
- Advised life sciences companies on start-up matters including funding, agreements, and business/employment issues
- Advised life sciences client on cooperative research agreement with university and research facility in connection with commercialization channel for resultant product

## **ALTERNATIVE DISPUTE RESOLUTION**

- Counsel to clients in arbitration and mediation proceedings in state and federal courts and before the American Arbitration Association

## **INTELLECTUAL PROPERTY & TECHNOLOGY**

- Represented client on computer and internet law matters including web site audit, domain name and ecommerce issues
- Represented start-up on various business, contract, copyright and trademark issues

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## **PRESENTATIONS & PUBLICATIONS**

"Culture/Personnel/Generational Issues – Employee Engagement for Companies," The Annual Presidents' Forum of Metro-Washington (TEI), November 12, 2015

"Ethics, Compliance and Mandatory Disclosure in a Time of Increased Government Scrutiny - What every contractor needs to know," L2 Federal Resources, June 12, 2014

"Wage and Hour Law: An Introduction for RAM Members," Avoiding Costly

Labor Law Violations/Wage & Hour Seminar, Restaurant Association of Maryland, January 20, 2014

"New Laws Impacting Construction/Contracting Industry," WTP/Cohn Reznick Construction Industry Update Seminar, January 16, 2014

Montgomery County Maryland Summer Scholar's Pipeline Program, GWU Law School, 2013

Practical Solutions to Complex Problems: Navigating the ADA, FMLA and Workers' Compensation Maze, 2013