

MVP: Morrison Foerster's Kevin P. Mullen

By **Micah Danney**

Law360 (October 12, 2023, 1:23 PM EDT) -- Kevin P. Mullen of Morrison Foerster LLP's government contracts practice led the successful defense of Sig Sauer's \$4.5 billion weapons contract with the U.S. Army and headed the team that won Hanford Tank Disposition Alliance's protest of a \$45 billion award for nuclear waste cleanup, making him one of Law360's 2023 Government Contracts MVPs.

His biggest accomplishment over the past year:

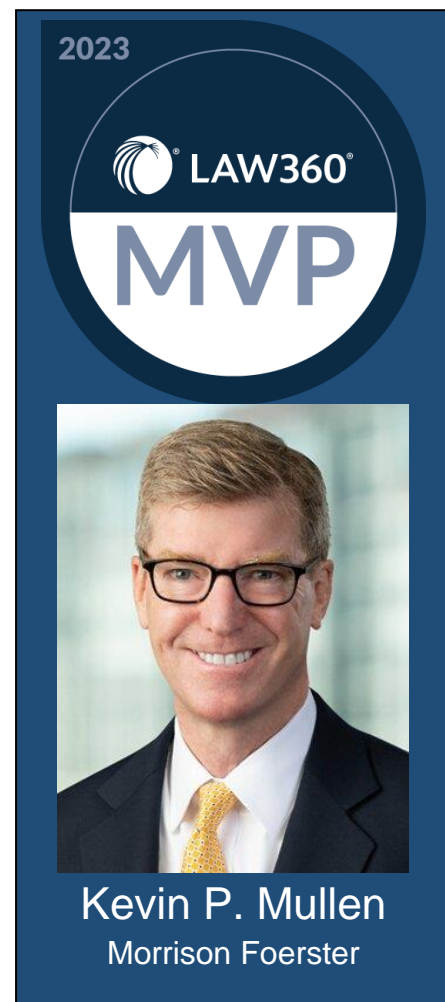
With more than 300 protests under his belt over his 35-year career, Mullen told Law360 that he continued an important aspect of his practice this year with his work on several cases involving high dollar amounts and a great degree of importance to the firm's clients.

He represented Sig Sauer in its defense of its selection for a \$4.5 billion award to produce new rifles for the Army's Next Generation Squad Weapon Program, addressing "novel questions of law" in an initial round of briefing, according to his firm. The protester, LoneStar Future Weapons, withdrew its protest and abandoned its case.

Mullen later successfully defended AECOM against two bid protests of its \$320 million contract to provide advisory services to the Federal Emergency Management Agency for the coordination of disaster and emergency responses and represented ManTech Advanced Systems International Inc. in a protest of a \$170 million deal by the Transportation Security Administration. ManTech and another bidder argued awardee Maximus Federal Services had an organizational conflict of interest, prompting the TSA to agree to take corrective action by examining the allegations.

Mullen also led his team to a win for HTDA — a limited liability company comprising Atkins Nuclear Secured, Jacobs Technology and Westinghouse Government Services — in its defense of a \$45 billion contract for the remediation of radioactive waste left behind after decades of nuclear weapons production at the decommissioned Hanford Nuclear Site in the state of Washington.

It takes time to earn the kind of confidence that allows C-suite clients to entrust an attorney to represent their companies in matters that may receive close coverage in the media or affect their stock



price, Mullen said. And spending enough time developing his expertise has expanded the role he plays, he explained.

"It allows me to play a role as the litigator, of course, but also to help with the more nuanced decision-making that goes on where legal and business issues come together," he said. "So serving as a trusted adviser for those major pieces of litigation and how they impact the client is something I really enjoy."

His proudest moment in the past year:

Mullen takes pride in his litigation successes, which are important to him and to his clients, he said, but helping his group promote a new partner this year was a standout experience.

"Where your professional and your personal life come together — when you're working with someone over many years and watching them do their very best in hard work — to accomplish a partnership at a major law firm is a very important accomplishment," he said. "And it's one that, to be a part of in some small way, that was my proudest moment."

Why he's a government contracts attorney:

Early in his career, Mullen interviewed with Pettit & Martin, a firm known at the time for its government contracts work. He was told during that process that the practice offered good opportunities for a young lawyer to litigate and do trial work, which is what he wanted to do, he said.

The sector also provided opportunities to counsel clients on aspects of litigation as well as issues beyond it, he was told.

"So that was an attractive combination," he said, although he worried the subject matter would be "dry, repetitive, replete with detailed regulations and minutia." But as he got into the practice, he was impressed by the breadth of things the government buys — "virtually everything," Mullen said.

"You're both in a niche practice [in which] you can develop a deep specialty and be marketable as a lawyer, but at the same time, have a broad variety in your daily work," he said.

What motivates him:

Mullen enjoys continuing to build his own practice, but he derives a special sense of satisfaction from working with his group to develop a "first-class, top-tier" government contracts practice that attracts the best clients, he told Law360.

It's a difficult, never-ending task, he said, but it's fulfilling.

"When you're in a group and there's group success, I think it's almost like team sports — there's an added satisfaction that I get from that," he said.

His advice for junior attorneys:

Young lawyers aren't told often enough to build their visibility outside their firms, Mullen said. They're encouraged to do so in their practices and outside their groups, he said, but he urges developing a personal brand using a variety of approaches.

"You can write articles, you can do public speaking, you can join the American Bar Association and get involved in the public contract law section, its various committees. There are trade associations that you can get involved in," he said. "Those are all good because they provide not only an avenue for networking with other lawyers and counsel and potential clients, but they're also an opportunity for

learning because those types of organizations are at the forefront of what's happening with legal developments."

Most importantly, young attorneys should choose activities they enjoy doing, he said.

"Because then you'll do it," Mullen said. "Then you'll go to those dinners and those lunches. And you'll think about getting in a leadership position and all those things."

Getting an early start with such things rather than diving in on the edge of being considered for partner provides a "much longer runway" and takes the urgency out of it, he said. It allows you to enjoy it, as long as you don't bite off more than you can chew, he added.

"If you do that for 30 years, you'll meet a lot of people, and it'll open a lot of doors," Mullen said.

--As told to Micah Danney.

Law360's MVPs of the Year are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals, and complex global matters. A team of Law360 editors selected the 2023 MVP winners after reviewing more than 900 submissions.