



## Jayna Marie Rust

Partner

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### PRACTICES

- Government Contracts
- Transportation Regulatory
- Transit
- Higher Education
- HR Counseling

### EDUCATION

- The George Washington University Law School, J.D., With Honors, Notes Editor & Technology Editor, Public Contract Law Journal
- Loyola Marymount University, M.A.
- University of Missouri-Columbia, B.J., magna cum laude

### ADMISSIONS

- District of Columbia
- Virginia
- US Ct Appeals, Federal Circuit
- US Ct of Federal Claims
- US Supreme Ct
- Virginia USDC, Eastern District

Jayna advises companies, transportation authorities, educational institutions, and other entities regarding their rights and obligations when doing business with or receiving financial assistance from the Federal Government and in litigating against (or with) it on contract disputes.

She helps clients recover money owed under Federal contracts, challenge adverse agency actions, and protest problematic contract awards or defend against competitors' protests. In doing so, she represents them before agencies, the Government Accountability Office (GAO), the U.S. Small Business Administration, Boards of Contract Appeals, the U.S. Court of Federal Claims, and the U.S. Court of Appeals for the Federal Circuit, as necessary. She also represents contractors in prime/sub disputes before state courts or Federal district courts and in arbitration hearings.

Additionally, Jayna counsels and advises clients on contract- and grant-administration matters. This work includes analyzing and negotiating subcontractor and subrecipient agreements, following small-business requirements, and complying with domestic-preference policies, such as the Buy American Act, the Trade Agreements Act, and the Cargo Preference Acts. It also includes helping companies and grant recipients understand labor-and-employment obligations specific to their Federal funding, including those related to the Service Contract Act, Davis-Bacon Act, and Paid Sick Leave for Federal Contractors. Jayna works with clients to prepare for and complete mergers, acquisitions, conversions, name changes, and other corporate transactions when government contracts are involved. Combining her work in both contract- and grant-administration matters, she also advises clients on developing and applying policies and procedures that meet 2 C.F.R. Part 200 (Uniform Grant Guidance) requirements and in preparing for and responding to investigations, audits, and Federal Transit Administration triennial reviews related to those obligations.

She serves clients in a variety of industries, including defense, pharmaceuticals, logistics, information technology (IT) services, hardware and software, healthcare, construction, financial services, private equity, insurance, utilities, higher education, and manufacturing.

### RECOGNITIONS

- Listed in "Best Lawyers: Ones to Watch" (by BL Rankings) for Administrative / Regulatory Law, 2024
- 2021-22 Leadership Advancement Program, NAPABA
- Asian Pacific American Bar Association of D.C. Rising Star, 2018

### AFFILIATIONS

- American Bar Association, Public Contract Law Section
- U.S. Court of Federal Claims Bar Association
- National Contract Management Association
- National Grants Management Association
- National Asian Pacific American Bar Association
- Asian Pacific American Bar Association of D.C.

### EMPLOYMENT

- Thompson Coburn LLP, Partner (2023-Present), Counsel (2022), Associate (2013-2021), Summer Associate (2012)
- The George Washington University Law School, Professorial Lecturer in Law - Government Contracts Advocacy (Claims) (2021-Present), Professorial Lecturer in Law - Scholarly Writing, Public Contract Law Journal (2017-2020)

A former middle school teacher and current professor of Government Contracts Advocacy at The George Washington University Law School, Jayna has been praised by clients and peers for her ability to take complex legal issues and make them interesting and understandable to others.

### Presentations

- "New Employment Issues in Government Contracting," National HUBZone Conference, August 2023
- "Government Contracts for In-House Counsel: Getting FAR More Answers in Less Time," Association of Corporate Counsel (ACC) 5-Session Program, June-July 2023
- "Women in Government Contracting," Court of Federal Claims Bar Association, June 2023
- "Corporate Client Privilege: Protecting and Preserving Client Confidences in the Corporate Setting," Association of Corporate Counsel (ACC) (St. Louis) 2023 Corporate Counsel Institute (CCI), May 2023
- "10 Common Procurement Mistakes Under Federal Grants (and How to Avoid Them)," National Grants Management Association 2023 Annual Grants Training, April 2023
- "How to Access Federal Grants for Your Campus," Annual Meeting and Advocacy Day by the National Association of Independent Colleges and Universities (NAICU), February 2023
- "Built to Last: The Nonprofit Agencies of the Future (AbilityOne Track)," Melwood Inclusion Through Policy Innovation Conference December 2022
- "What Every Attorney Needs to Know About No-Poach Agreements," National Asian Pacific American Bar Association Webinar September 2022
- "Non-Traditional Matters at the Government Contracts Courts and Boards," American Bar Association Public Contract Law Section, Federal Procurement Institute, March 2022
- "Working with Other Companies as a Government Contractor Small Business," Pacific Northwest Defense Coalition, October 2021
- "Recent Labor & Employment Issues for Government Contractors," National Asian Pacific American Bar Association Webinar, November 2021
- "HEERF Audit Guide for Proprietary Institutions: Key Takeaways," McClintock & Associates Webinar, May 2021
- "COVID-19 Legal Update," American Bar Association Public Contract Law Section, March 2020
- "Anti-Trafficking Requirements: Recent Updates," Government Contracts Roundtable, October 2019
- "Talking About FAR 52.222-26 and EO 11246: What Government

Contracts Attorneys Need to Know about Bias," American Bar Association Public Contract Law Section Webinar, July 2019

- "SBA's All-Small Mentor Protégé Program: What Businesses Want to and Should Know," Missouri Procurement Technical Assistance Center, June 2018
- "Assigning Contracts with State Entities," American Bar Association Public Contract Law Section, State and Local Committee Meeting, June 2019
- "SBA's All-Small Mentor Protégé Program: What Businesses Want to and Should Know," AFCEA Scott AFB, June 2018
- "Contract Compliance and Dispute Avoidance," Javits-Wagner-O'Day Legal Symposium, October 2018
- "Ethics in Government Contracts," American Bar Association Public Contract Law Section Federal Procurement Institute, March 2018
- "Federal Appropriations/Fiscal Law: Fact or Fiction," American Bar Association Public Contract Law Section Annual Meeting, August 2018
- "Recent Small Business Developments," AFCEA Scott AFB, March 2017
- "Recent Small Business Developments," Missouri Procurement Technical Assistance Centers, April 2017
- "The 5 Differences Between Commercial and Government Contracts You Need to Know," November 2017
- "SBA's All-Small Mentor Protégé Program: What You Should Know Before Jumping In," Eastern Foundry, October 2017
- "Buy American!," July 2017
- "The Trade Agreements Act," June 2016, August 2016
- "Regulatory Update: How Will Select New Rules and Regulations Impact Our Business? Are Human Trafficking Regulations Really a Concern for Us?," Government Contracts Update (CLE), Thompson Coburn, May 2016
- "Formal Contract Changes, 'Constructive' Changes, and Requests for Equitable Adjustments," Eastern Foundry, February 2016
- Various Topics (Including Contract Types, Cargo Preference Act, Differing Site Conditions, Small Business Requirements, Anti-Trafficking Obligations, NAICS Codes, Minimum Wage for Federal Contractors) Public Contracting Institute, Ongoing

#### **Publications**

- Quoted, "The next big post-affirmative action legal ruling to drop targets billions in small business contracts" *CNBC*, October 25, 2023
- 3 Compliance Obligations You May Not Know You Have, *Law360*, December 2017

- Gift-Giving Policies: Seven Ethics Checks in Light of OGE's Updated Standards, *Public Contracting Institute Blog*, April 2017
- Government contractors must address domestic trafficking, *Law360*, January 2016
- Note, How to Win Friends and Influence Government Contracts Law: Improving the Use of Amicus Briefs at the Federal Circuit, *Public Contract Law Journal*, 2012