



June 19, 2018

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW., Suite 504
Washington, DC 20012

Dear Chairman Mendelson:

Thanks for your notification dated June 15, 2018, regarding the Committee of the Whole's (COW) scheduled public roundtable on my reappointment as Chairperson of the D.C. Contract Appeals Board ("Board"). Please find enclosed my responses to questions submitted by the COW in preparation for the June 28, 2018, hearing. I look forward to appearing before the COW on **Thursday, June 28th at 10:30 a.m.** Please do not hesitate to contact me at 202-727-6597.

1. Please provide a copy of the Financial Disclosure Statement you filed with the Office of Campaign Finance or the Board of Ethics and Government Accountability. If you have not filed a Financial Disclosure Statement, please provide answers to questions 2-8 in lieu of that statement.

ANS: Please see the attached Financial Disclosure Statement (FDS). **Because I filed the FDS, I will skip the original questions 2-8, and re-number questions 9-15.**

2. Please list any other boards (e.g. Board of Directors of a non-profit) on which you are a member.

ANS: I am not a member of any other Boards.

3. Do you have any outstanding liability for taxes, fees, or other payments to the District, federal, or other state or local governments, either contested or uncontested? If so, please explain or provide documentation of attempts to pay the amount owed or to resolve the disputed claim.

ANS: I do not have any outstanding liability for taxes, fees, or other payments to the District, federal, or other state or local governments, either contested or uncontested.

4. Do you or any member of your immediate family have any interest, financial or otherwise, that may directly or indirectly pose a conflict of interest for you in performance of your duties as a member of the Board?

ANS: N/A.

5. Please describe any local political activity (i.e. District of Columbia local elections or campaigns) that you have engaged in over the past five years, including any campaign contributions to a local candidate or political action committee.

ANS: N/A.

6. Are you registered with any local, state, or federal government to lobby? If so, list the jurisdiction(s) in which you are registered.

ANS: N/A.

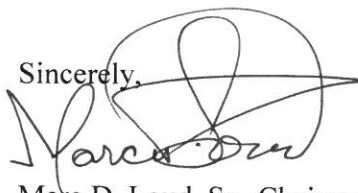
7. Why have you agreed to continue to serve, and how do you plan to help the Board fulfill its role and mission during your time on the Board over the next four years?

ANS: I have agreed to serve because public service is an opportunity to give back to the city (and country) that have given me tremendous opportunities for professional advancement. I plan to help the Board fulfill its role and mission over the next four years by ensuring that we have the needed resources at all times to fulfill our mission; prioritizing timely, accurate case closure through rigorous case-management; remaining current with technology trends, and providing the overall leadership and relationship-building that supports high-performance.

8. Please discuss any past and present experiences not already mentioned that you believe are relevant to support your appointment as a member of the Board.

ANS: I have served as the CAB Chairperson/Chief Judge since August 3, 2010. During that time, I have presided over the elimination of the Board's historic case backlog (along with my colleagues, Judges Monica C. Parchment and Maxine E. McBean); created five much needed FTE positions to fill longstanding staffing gaps (i.e., Receptionist, Clerk of Court, and three Attorney Advisor positions), provided training opportunities for all CAB personnel, and served as a leader on the CAB, and within several leading government contract/administrative law organizations (i.e., the Board of Contract Appeals Judges Association, the Board of Contract Appeals Bar Association, and the D.C. chapter of the National Association for Administrative Law Judges). Since August 3, 2010, I have also presided over dozens of Contract Appeals Board trials, and written dozens of Board opinions. In addition, I have attached my resume for further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc D. Loud, Sr.", written over a circular scribble.

Marc D. Loud, Sr., Chairman
D.C. Contract Appeals Board

FDS Filing Details for 2017

Name: Marc Loud

Date of Appointment or Employment: 8/3/2010

Final Date of Service:

Position: Chief Administrative Law Judge

Agency: Contract Appeals Board

Position Held with the District Government During the Prior calendar year (If Not The Same As Above)

Position:

Final Date in Position:

Agency:

Non District Employment/Business

1) Did you have any non-District employment or engage in any outside business during the previous calendar year for which you received compensation of \$200 or more?

No

2) Was your spouse, registered domestic partner, or dependent child(ren) employed by a private entity or did they engage in any business endeavors during the previous calendar year for which they received compensation of \$200 or more?

Position / Title	Name of Employer	Description of Work	Start Date	End Date	Client Name
Attorney	Self Employed	General Civil Practice	01/02/2017		Miscellaneous

3) Did you serve in any unpaid position (without compensation) as an officer, director, partner, consultant, contractor, volunteer, member or any other fiduciary capacity of a non-government board or other outside entity during the previous calendar year?

No

4) Did your spouse, registered domestic partner, or dependent child(ren) serve in any unpaid position (without compensation) as an officer, director, partner, consultant, contractor, volunteer, member or any other fiduciary capacity of a non-government board or other outside entity during the previous calendar year?

Position / Title	Name of Entity	Start Date	End Date
Board Member	Emory Beacon of Light Non Profit Corporation	01/02/2017	

5) During the previous calendar year, did you have any agreements with a former or current employer, other than with the District of Columbia, for future payments or benefits (such as separation pay, partnership buyouts, or pension or retirement pay) or for future employment or for a leave of absence?

No

6) During the previous calendar year, did your spouse, registered domestic partner, or dependent child(ren) have any agreements with a former or current employer, other than with the District of Columbia, for future payments or benefits (such as separation pay, partnership buyouts, or pension or retirement pay) or for future employment or for a leave of absence?

No

Securities, Holdings and Investments

7) Did you have a beneficial interest in or hold any security ("security" means stocks (any class), bonds (including savings bonds and tax exempt bonds), stock options, warrants, debentures, obligations, notes (not mortgage notes), mortgages (not on one's home), investment interests in limited partnerships, REITs, and such other evidences of indebtedness and certificates of interest or participation in any profit-sharing agreement as are usually referred to as securities) at the close of the previous calendar year that exceeded in the aggregate \$1,000 or that produced income of \$200 or more?

List each security and/or beneficial interest you held below	Total Value of Beneficial Interests or Securities at the close of 2017
American Funds	\$100,001 - \$250,000

8) Did your spouse, registered domestic partner, or dependent child(ren) have a beneficial interest or hold any security ("security" means stocks (any class), bonds (including savings bonds and tax exempt bonds), stock options, warrants, debentures, obligations, notes (not mortgage notes), mortgages (not on one's home), investment interests in limited partnerships, REITs, and such other evidences of indebtedness and certificates of interest or participation in any profit-sharing agreement as are usually referred to as securities) at the close of the previous calendar year that exceeded in the aggregate \$1,000 or that produced income of \$200 or more?

List each security and/or beneficial interest you held below	Total Value of Beneficial Interests or Securities at the close of 2017
American Funds	\$100,001 - \$250,000

9) Did you owe any entity or person (other than a member of your immediate family) \$1,000 or more, (excluding: mortgages on your personal residence, student loans, automobile loans, credit card accounts or other revolving credit, and other loans from a federal or state insured or regulated financial institution), during the previous calendar year?

No

10) Did your spouse, domestic partner or dependent child(ren) owe any entity or person (other than a member of their immediate family) \$1,000 or more, (excluding: mortgages on personal residences, student loans, automobile loans, credit card accounts or other revolving credit, and other loans from a federal or state insured or regulated financial institution), during the previous calendar year?

No

11) Did you have an interest in any real property located in the District during the previous calendar year aside from your primary personal residence, where your interest had a fair market value of more than \$1,000, or where the property produced income of \$200 or more?

No

12) Did your spouse, domestic partner, or dependent child(ren) have an interest in any real property located in the District during the previous calendar year, aside from their primary personal residence, where their interest had a fair market value of more than \$1,000, or where the property produced income of \$200 or more?

No

Regulated Professions

13) Do you hold any professional or occupational licenses issued by the District of Columbia government (i.e., are you licensed to practice law in the District of Columbia, or are you licensed by the District's Department of Health, the District's Department of Consumer and Regulatory Affairs, the District's Department of Mental Health, the District's Department of Insurance Securities and Banking, the Metropolitan Police Department, the District's Occupational and Professional Licensing Administration, etc.)?

Type of License Issued	Issuing Entity
Attorney	DC Bar

14) Does your spouse, domestic partner, or dependent child(ren) hold any professional or occupational licenses issued by the District of Columbia government (i.e., are they licensed to practice law in the District of Columbia, or are they licensed by the District's Department of Health, the District's Department of Consumer and Regulatory Affairs, the District's Department of Mental Health, the District's Department of Insurance Securities and Banking, the Metropolitan Police Department, or the District's Occupational and Professional Licensing Administration, etc.)?

Type of License Issued	Issuing Entity
Attorney	DC Bar

Gifts

15) Did you receive any gift(s) (Gift is defined as a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, unless consideration of equal or greater value is received) from any person that has or is seeking to do business with the District, conducts operations or activities that are regulated by the District, or has an interest that may be favorably affected by the performance or nonperformance of your duties in the total amount or with a total value of \$100 or more during the previous calendar year?

No

Additional Comments

n/a

Supporting Documents

I certify that I have:

- Not caused title to property to be placed in another person or entity for the purpose of avoiding the disclosure requirements on the preceding form;
- Filed and paid my income and property taxes;
- Diligently safeguarded the assets of the taxpayers and the District;
- Reported known illegal activity, including attempted bribes, to the appropriate authorities;
- Not been offered or accepted any bribes;
- Not directly or indirectly received government funds through illegal or improper means;
- Not raised or received funds in violation of federal or District law; and
- Not received or been given anything of value, including a gift, favor, service, loan gratuity, discount, hospitality, political contribution, or promise of future employment, based on any understanding that my official actions or judgment or vote would be influenced.

I understand that:

- Submission of this report means that I have completed the report with all applicable schedules and that the report is ready for filing with BEGA.
- Once this report is submitted, it cannot be edited. All modifications thereafter can only be done by filing an amendment.

Additional Comments

Marc D. Loud, Sr.

(Office) 202-727-6597

marc.loud@dc.gov

PROFESSIONAL EXPERIENCE

Chief Administrative Law Judge D.C. Contract Appeals Board

August '10 to present
www.cab.dc.gov

Chief Judge of administrative law court that decides contested government contract disputes, protests, debarments/suspensions, and Quick Payment Act Claims under the D.C. Procurement Practices Reform Act. The CAB reviews all matters *de novo*, and presides over numerous trials, hearings, and settlements annually. As Chief Judge, leadership duties include development of strategic vision and policies, development of annual budget, oversight of personnel and technology resources, assignment of cases to panel judges, and development/review of adjudicatory and non-adjudicatory performance metrics. As a Presiding Judge, the Chief Judge also presides over a personal docket that includes rigorous case management, the conduct of orderly trial proceedings, and the issuance of timely written decisions in protest and disputes cases.

Chairman and Member D.C. Board of Zoning Adjustment

Apr '07 to March 2010
www.dcoz.dc.gov

Chairperson and member of the five-member administrative law tribunal that resolves contested land-use and zoning matters under the D.C. Zoning Act and the Foreign Missions Act. The BZA conducts weekly hearings, and renders final administrative decisions in over 165 variance, special exception, and embassy/chancery cases *de novo* annually. Duties included, *inter-alia*, case review, analysis, designation of presiding official in cases, conduct of contested hearings, issuance of rulings on offers of proof/evidence, and approval of final written decisions.

Executive Director Gateway Georgia Avenue Revitalization Corporation

Oct. 2002 to March 2010

Responsible for day-to-day management of non-profit community development corporation with an eight-member Board of Directors. Duties included Storefront Improvement construction contract management, fundraising, budget preparation, financial management, staff/volunteer management, and Board/stakeholder relations. Gateway offered commercial revitalization programs for upper Georgia Avenue in D.C. and Silver Spring, and promoted inter-jurisdictional cooperation. Also managed a Small Business Development program, Main Street program, and Clean/Green services. Gateway also partnered with YACHAD and the D.C. Bar Pro Bono program to acquire and redevelop properties along the upper Georgia Avenue corridor.

- ❖ Raised over \$2.6 Million Through Grant Writing and Partnerships
- ❖ Member, Upper Georgia Avenue Land Use Advisory Panel
- ❖ Prepared Annual Budgets/Work plan For Board Review
- ❖ Led Storefront Improvement, Site Acquisition and Small Business Promotion Projects;
- ❖ Built Partnerships With Elected Officials, Property Owners, Community Organizations, Businesses, Volunteers, and Others To Advance Gateway's Mission
- ❖ Served On Strategic Planning Team, Leading To Completion of 2008-13 Strategic Plan
- ❖ Managed Grant Compliance Process; Hired/Trained & Managed Staff

p.2/Loud Resume

Civil Litigation Attorney/Of Counsel
Law Offices of Loud & Loud, Washington, DC (1995-2002)
Cochran & Lotkin, Washington, DC (1993-1995)

Oct. 1993 to Oct. 2002

General civil litigation practice including contracts, negligence, personal injury, and wills/estates. Trial litigation experience in administrative, state and federal courts. Served as plaintiff's counsel in numerous cases, including *Foy v. Giant Food, Inc.*, 298 F.3d 284 (4th Cir. 2002) (interpreting pre-emption clause of the Federal Labor Management Relations Act).

- ❖ Well versed in all aspects of civil trial preparation, discovery, litigation, case management, jury selection, and trial advocacy. Includes litigation in the U.S. Court of Appeals (4th Circuit), U.S. District Court for D.C., U.S. District Court for Southern District of MD, D.C. Superior Court, the Maryland District Court, and the Merit Systems Protection Board.
- ❖ Litigated and Settled Numerous Large Injury Awards For Clients.

Deputy Chief of Staff/Deputy Legal Counsel
Executive Office of the Mayor, District of Columbia Government

March 1992 to Sept. 1993

Helped to manage day-to-day operations in the Executive Office of the Mayor. Provided legal counsel on FOIA, the Hatch Act, and supervised administrative staff. Organized staff meetings; served as liaison to various city agencies. Duties also included membership on Mayor's Ethics Reform Task Force (reviewing revolving-door provisions), and establishment of EOM Employee of the Month program.

- ❖ Served on Mayor's Ethics Reform Task Force
- ❖ Established the Executive Office of the Mayor Employee of the Month Program

Attorney-Advisor/Manager of Agency Programs
Office of the City Administrator, District of Columbia Government

June 1988 to March 1992

Reviewed million-dollar contract awards, and served as City Administrator's lead liaison for D.C. government procurement operations/activities. Supervisor of the City Administrator's "agency programs" unit, which monitored executive agencies' performance goals for procurement, real property, technology, personnel, police, fire, human services, and emergency preparedness. Oversaw outside counsel's finalization of decisions pertaining to employee discrimination.

Law Clerk, The Honorable Paul R. Webber III (retired)
D.C. Superior Court, District of Columbia Courts
Washington, D.C.

June 1985 to June 1986

Conducted legal research and prepared legal memoranda on a wide variety of civil matters, including asbestos litigation, commercial breach of contract, medical negligence, and personal injury.

EDUCATION

Howard University School of Law, Washington, D.C.
Juris Doctor Degree

May 1985

- ❖ American Jurisprudence award for State and Local Taxation (2d Year).

San Francisco State University
Bachelor of Arts/International Relations

May 1982

Certifications/Memberships/Training/Awards/Other:

Member, D.C. Bar (since 1986)

Admitted to Practice, Supreme Court of the United States of America (since 2011)

Essay, *We the People Reject White Supremacy and Division* (Wash. Post Opinion Page, October 13, 2017)

Vice President, Board of Contract Appeals Bar Association (2015)

Chairman, Board of Contract Appeals Bar Association Annual Meeting Planning Committee (2015)

Panel Chair, Judicial Panel, Board of Contract Appeals Bar Association Annual Conference, October 15, 2014
Secretary, Board of Contract Appeals Bar Association (2013-14)

Member and Vice-President, D.C. Association of Administrative Law Judiciary (2012-13)

Panelist, Board of Contract Appeals Bar Association Annual Meeting, *Alternative Dispute Resolution in Government Contracts*, October 25, 2017

Seminar, Federal Publications Seminars, *Topics in Construction Delays and Scheduling*, September 22, 2016

Panelist, American Bar Association, Section of Public Contract Law, Contract Claims and Dispute Resolution Committee, *Litigating Contract Claims at the State and Local Level*, May 11, 2016

Panelist, Board of Contract Appeals Judges Association, January 19, 2014, *E-Filing at the Boards of Contract Appeals*

Panelist, Board of Contract Appeals Bar Association, *Alternative Dispute Resolution in Government Contract Cases*, December 18, 2013

Panelist, Board of Contract Appeals Judges Association, *Procurement Litigation Pointers*, July 18, 2013

Panelist, D.C. Bar, Administrative Law Section, *Practicing Before D.C. Tribunals*, July 17, 2013

Seminar, Board of Contract Appeals Judges Association, 2013 Practice Update, April 25, 2013

Panelist, Board of Contract Appeals Bar Association, *Managing the Big Case*, October 24, 2012

Seminar, Board of Contract Appeals Judges Association, 2012 Practice Update, April 18, 2012 (Training)

Panelist, Board of Contract Appeals Judges Association Annual Meeting, *Electronic Filing at the Federal and Local Contract Appeals Boards*, January 16, 2012

Seminar, Board of Contract Appeals Bar Association, Annual Trends and Updates in Government Contracting, October 26, 2011 (Training)

Seminar, National Judicial College, Advanced Administrative Law (Judicial Process, Impartiality, Fair Hearings, Decision Making, Judicial Ethics, ADR, Judicial Review, Quality Written Decisions) September 27-30, 2011 (Training)

Panelist, American Bar Association, Section of Public Contract Law, Contract Claims and Dispute Resolution Committee and D.C. Bar Government Contracts Section, *Ask The Judge Luncheon*, June 8, 2011.

p.4/Loud Resume

Panelist, Board of Contract Appeals Judges Association Annual Seminar, *Practice Pointers*, April 6, 2011 (reviewed federal rules changes for summary judgment and expert reports) and the new Summary Judgment and Expert Report Rules

Seminar, Bid Protests Practice/Procedure, Federal Publications Seminar Series, October 3-4, 2010 (Training)

Seminar, Mastering Rules of Evidence Series, D.C. Bar Continuing Legal Education Program, August 31 and September 7, 2010 (Training)

Member/ Chairperson, D.C. Board of Zoning Adjustment (April 2007-March 2010)

Co-Chairman, Emory UMC Mixed Use Capital Campaign, (2006-09)

“Financing An Affordable Housing Project From Beginning To End” (2002)(CNHED/HUD)(Training)

“The Art of The Deal: Strategies For Financing And Developing Moderate Income Housing” (2004)(Training)

“Managing Economic Development Organizations” (2004)(International Economic Development Council)(Training)

Real Estate Development Institute, National Trust for Historic Preservation (2006)(Training)

Co-Founder, Justice Harry Blackmun Summer Law College for Teens, United Methodist Church (1997-2006)

Member, Mayor’s Retail Action Strategy Committee (2006-08)

Member, Upper Georgia Avenue Land Use Advisory Panel (2006)

Chairman, Shepherd Elementary School, Local School Restructuring Team (2004-06)

Winner, Ward 4 Citizens Advisory Council, Crime Prevention Initiative Award (2007)

Nominee, Federal City Council, Committee of 100, Urban Revitalization Award (2005)

Winner, American Institute of Architects “Catalyst Award” (on behalf of Gateway)(2004)

Winner, Shepherd Park Citizens Association, Business Advocate Award (2004)

Nominee, Judicial Council, United Methodist Church (1998)

Delegate, African-African American Summit, Harare, Zimbabwe, (1997)

Participant, Community Builders Program, Industrial Areas Foundation, Los Angeles (1996)

Personal:

Married and lives with family in Washington, D.C.