



SUMMARY

Career white-collar enforcement attorney who left Government service to pursue start-up business prospects. Broad experience leading dozens of complex investigations into Government contractors, medical care providers, and financial institutions. Lead counsel in complex federal civil trials, federal criminal trials, appellate arguments, and other administrative proceedings. Broad experience in affirmative civil enforcement, False Claims Act/fraud, and employment litigation. MBA from the University of Virginia's Darden Graduate School of Business.

EXPERIENCE

Maher Legal Services, Alexandria, Virginia; Chicago, Illinois 2018- Present
Managing Director

Manage a niche legal practice focused on serving veterans and military servicemembers. Advocate for members and veterans of the U.S. military, intelligence community, and law enforcement in criminal, administrative (e.g., security clearance, adverse actions), and civil matters. Advise veteran-owned small-to medium-sized businesses. Coordinated multi-faceted efforts, including media, litigation, and lobbying, to convince the President of the United States to grant full and unconditional pardons in two separate cases.

Misbah-Maher Consultancy, Alexandria, Virginia; Kabul, Afghanistan; Chicago, Illinois 2018- Present
Managing Director

Manage a consulting firm that provides dispute resolution services to corporate and individual clients in Afghanistan. Cases involve contracts with the U.S. Government and international commercial disputes.

The Mikolashek Group, Alexandria, Virginia 2017- 2018
Principal and Founder

Led a small business focused on providing consulting services in complex investigations, compliance, and risk management. Partner with other firms with complementary skill sets (e.g., forensic accounting, media relations) to provide maximum value to each client's unique challenge. Help organizations address risk applying a COSO framework.

Federal Reserve System Board of Governors, Washington, DC 2015- 2017
Senior Counsel, Legal Division, Enforcement Group

Investigated institutions and individuals who engaged in unsafe or unsound banking practices. Investigations involved developing an investigative plan that included gathering and analyzing relevant documents, identifying potential witnesses, and taking depositions. Charged with preparing for trial before an administrative law judge, and if the matter is not resolved, act as first-chair counsel during the proceedings. Mentored and taught junior attorneys.

U.S. Attorney's Office, Eastern District of Virginia, Alexandria, VA 2005-2015
Assistant United States Attorney, Affirmative Civil Enforcement and Civil Litigation

Affirmative Civil Enforcement /Complex Investigations 2012-2015

- Led investigations into whether companies have violated the False Claims Act, Procurement Integrity Act, Anti-Kickback Act, and other Federal Government Contracts/Procurement statutes. This included: assembling and leading teams of law enforcement investigators, forensic accountants, and other experts to complete the investigation; drafting and submitting document requests, and coordinating the expansive review to those requests; preparing for and conducting depositions; appearing in federal district court as first-chair counsel.

- Led investigations into whether companies have provided counterfeit or gray-market items to the Government.
- Worked with criminal investigators and prosecutors in parallel civil/criminal investigations and cases; coordinated strategy to ensure that both the civil and criminal investigations succeeded.
- Partnered with technical experts to use data analytics and e-discovery tools to streamline investigations, resulting in more effective and efficient investigations.

General Civil Litigation

2005-2012

- Served as lead counsel representing the United States, its agencies, and officials in various civil cases filed in federal district courts (primarily the Eastern District of Virginia – the fastest federal docket in the nation), United States courts of appeals, and state courts in a wide variety of civil cases.
- Drafted and filed memoranda in over 100 dispositive motions and discovery-related motions, and presented oral argument in dozens of motions. Cases included: employment, immigration; national security, torts (medical malpractice and personal injury), and civil rights.
- Engaged in extensive civil discovery, serving as lead counsel taking dozens of depositions, and defending Federal Government employees (including senior executives) in hundreds of depositions.
- Mentored junior attorneys in dozens of cases; reviewed dispositive motions they drafted, and guided them as they developed case strategy, conducted discovery, prepared for and took depositions, negotiated settlements, prepared for trial, and litigated civil cases.

United States Army Judge Advocate General's Corps
U.S. Army Litigation Division, Arlington, VA

1997 - 2005

2001-2005

Litigation Attorney

Defended the U.S. Army in dozens of lawsuits filed in federal district and appellate courts. Co-chaired and won two jury trials. Took and defended dozens of depositions. Drafted over 100 briefs, including dispositive motions, which Department of Justice colleagues filed in federal courts.

U.S. Army Legal Services Agency, Arlington, VA

2000-2001

Appellate Criminal Defense Counsel

Represented over 100 clients with felony convictions. Drafted over seventy briefs, and presented oral argument in several cases. Served as Supreme Court Coordinator, preparing petitions for certiorari and *amicus curiae* briefs.

3rd Infantry Division, Fort Stewart, GA

1997-2000

Prosecutor/ Legal Advisor

Prosecuted approximately thirty felony criminal trials, including kidnapping, rape, larceny, drug distribution, and aggravated assault cases. Worked closely with law enforcement officers in all aspects of investigation and prosecution.

Served as principal legal advisor to an armored task force, and accompanied the task force during a deployment to the Middle East. Advised in all areas of law, including criminal law, personnel matters, international law, and foreign claims.

EDUCATION

University of Virginia, Darden Graduate School of Business, Charlottesville, Virginia
Master of Business Administration, 2014

Dickinson School of Law of Pennsylvania State University Carlisle, Pennsylvania
Juris Doctor, 1996



Shippensburg University of Pennsylvania, Shippensburg, Pennsylvania
Bachelor of Arts in English, *magna cum laude*, 1993

THOUGHT LEADERSHIP

- Panel Member, “Civil and Criminal Enforcement Measures Related to Counterfeit Parts,” ABA Public Contract Law Section Task Force on Counterfeit Parts, June 2015, Washington, DC
- Panel Member, “Procurement Fraud,” DOJ Affirmative Civil Enforcement for Attorneys Seminar, DOJ National Advocacy Center, August 2015, Columbia, South Carolina

ADDITIONAL ACTIVITIES

- Board of Directors, Western Fairfax Christian Ministries, 2015 – Present
 - Treasurer and Chair, Finance Committee
 - Chair, Risk Management Committee
- Agile Project Management: Certified “Scrum Master”
- District of Columbia Bar Association Advocacy & Justice Clinic, *Pro Bono* Attorney, 2012 – 2014
- Member, Association of Certified Fraud Examiners (ACFE), 2018-Present
- Volunteer Youth Soccer Coach

REPRESENTATIVE CASES

- *Health Care Fraud Qui Tam Lawsuit.* Along with other DOJ attorneys, represented the United States in an intervened *qui tam* lawsuit alleging that a company that operates nursing homes across the nation defrauded the Government by billing Medicare, Medicaid, and Tricare for unnecessary services. Participated in formulating discovery and trial strategy; participated in settlement negotiations with opposing counsel.
- *Procurement Fraud Settlement Arising from Delivery Services Contract.* Co-counsel in a case in which DOJ reached a \$25 million settlement in a lawsuit alleging a commercial package delivery services corporation defrauded multiple Federal Government agencies by falsifying package delivery service times.
- *Permanent Injunction in Cyber Case.* First-chair counsel in a civil lawsuit arising from a joint criminal-civil action against the manufacturer of an illegal eavesdropping website and smartphone application. Won a permanent injunction shutting down the website and application permanently. Worked alongside criminal prosecutors to ensure successful result from both the criminal and civil case efforts.
- *Procurement Fraud Investigation into Aircraft Manufacturer and Subcontractors.* Lead counsel in investigation into *qui tam* lawsuit in which the relator alleged that a defense contractor failed to perform required tests on military aircraft parts. Assembled and guided a team of twelve, which consisted of attorneys, federal law enforcement officers, subject-matter experts, forensic auditors, and litigation support experts. Coordinated and led multiple interviews of potential witnesses. Drafted document requests that resulted in the gathering of thousands of documents, and coordinated the review of those documents by law enforcement agents, auditors, and experts. Led conversations with counsel representing the prime contractor and subcontractors. Led the coordination with the Department of Defense to come to a successful resolution.
- *Servicemembers Civil Relief Act Settlement after Investigation into Large Bank.* Member of DOJ team that reached a \$12 million settlement after investigation into whether one of the ten biggest banks in the country violated the Servicemembers Civil Relief Act by unlawfully foreclosing on mortgages, repossessing vehicles, and failing to provide interest rate reductions to servicemembers.

