

ERIC S. MONTALVO

FOUNDING PARTNER

Federal Practice Group

1750 K Street, NW, Suite 900 | Washington, DC 20006

202-862-4360 | Fax: 888-899-6053 | www.FedPractice.com

PROFILE

Mr. Eric S. Montalvo, a founding partner of the firm, has earned an international reputation as an aggressive, thorough and respected trial attorney familiar with the overwhelming nature of complex litigation and associated media strategies. Mr. Montalvo currently maintains a Top Secret/SCI security clearance. Mr. Montalvo has been recognized as a national leader in military law.

Mr. Montalvo, a “Mustang,” retired from active duty after serving 21 years in the United States Marine Corps which included combat tours during Desert Shield/Storm and Operation Iraqi Freedom, deployments to Afghanistan and duties which ranged from prosecution, defense, command advisor, representing the U.S. Department of Justice as a Special Assistant to the U.S. Attorney for Parris Island before the United States District Court for the District of South Carolina, and service before the Military Commissions.

Mr. Montalvo focuses his practice on complex litigation matters, government contracts, military law, and international dispute resolution. His firm focuses on the unique bodies of law that the U.S. Federal Government has created.

Mr. Montalvo undertakes work in Afghanistan and abroad, navigating language and cultural barriers, interpreting complex international law and unprecedented issues, working directly with members of

Congress, foreign embassies, foreign governmental ministries, Department of Justice attorneys, and President Obama's Guantanamo Bay Task Force and Detainee Review team.

After graduating with honors with a Bachelor of Science in Business Management from the University of South Carolina, Eric Montalvo received his Juris Doctor degree from Temple University School of Law with honors. While pursuing his law degree, he served as a judicial clerk for the Honorable Nitza I. Quinones Alejandro and interned with the Legal Clinic for the Disabled, the Camden Public Defender's Office, and the Philadelphia District Attorney's Office. He also participated in Temple University's study abroad program in Greece, where he focused his studies on international law.

CREDENTIALS

- J.D. with Honors, Temple Beasley School of Law
- B.S. with Honors, University of South Carolina

EXPERIENCE

U.S. v. Juvenile 15 year old charged as an adult with felony malicious wounding as a result of him stabbing the alleged victim in the heart. First trial ended in a mistrial due to juror misconduct and the second trial ended in a full acquittal., 2017

U.S. v. Jacob L. Pease Mr. Montalvo successfully appealed the case to NMCCA and when the government appealed he successfully briefed and argued the matter before CAAF – the military's supreme court. The result was a landmark decision in the arena of sexual assault in the military. The issue of consent in sexual assault cases when intoxication is involved has been at the heart of countless military cases over the years. In *U.S. v. Pease*, the court ruling resulted in the definition of

the term “incapable of consenting.” The decision overturned the conviction of Mr. Montalvo’s client and set a precedent for all cases of this nature moving forward.

U.S. v. Daniel J. Zambrano Eric Montalvo of The Federal Practice Group was able to successfully argue on appeal before NMCCA that the trial court’s decision finding of guilty was based on improper opinion testimony. The court agreed with Mr. Montalvo that the opinion testimony was materially prejudicial to Mr. Zambrano’s case set aside the findings of guilty and sentencing.

United States v. Specialist Keshia R. Conner Specialist Keshia R. Conner was convicted on five different counts and sentenced to a bad-conduct discharge. Eric Montalvo of The Federal Practice Group was able to successfully argue before ACCA on appeal that that the trial court judge in the original trial abused his discretion thereby materially prejudicing appellant’s substantial rights. Based on these findings her verdict was overturned.

U.S. v. Javier Vicente Cuevas SSG Javier Vicente Cuevas was charged with abusive sexual contact in violation of Article 120, UCMJ. After a several day jury trial before a military panel Eric Montalvo of The Federal Practice Group secured a full acquittal.

Captain Trey R. Sedenka v. Board for Correction of Naval Records Mr. Montalvo represented Captain Trey R. Sedenka before the Board for Correction of Naval Records (BCNR) in a case where the correction of Captain’s Sedenka’s naval record allowed him to recover the military incentive pay he was promised and was improperly denied upon his entry into the service. The Board found that an injustice had occurred and granted full relief.

Zuhmat Construction Group before the United States Armed Services Board of Contract

Appeals Zuhmat Construction Group performed services for the US Government in Afghanistan.

Zuhmat was unable to successfully obtain payment for these services. Eric Montalvo of The Federal

Practice Group successfully appealed this non-payment with the ASBCA obtaining full relief for the client.

U.S. v. James Bowling, Craig Allan Kolhagen and Dennis Pennington Craig Allan Kolhagen was represented by Eric Montalvo of The Federal Practice Group in which he and two others were indicted for wire fraud, major fraud against the United States and Mr. Kolhagen was independently charged with disclosing source selection information. Through motions practice Mr. Montalvo and his team successfully argued for a dismissal of the indictment. Mr. Kolhagen was also confronted with being administratively separated from the Marine Corps as a result of the charges. Mr. Montalvo and his team contested the administrative separation and achieved a full retention recommendation and saved Mr. Kolhagen's retirement.

AWARDS & MEMBERSHIPS

- Superlawyers, 2019, 2020
- [Washington Business Journal's 2020 Veterans in Business Award](#)
- Trial Lawyers Association of Metropolitan Washington DC
- ABA Military Pro Bono Project
- Academy of United States Veterans
- Army Navy Club
- DC Bar Volunteer Pro Bono Mediation Counsel
- Virginia Bar Association Veteran's Legal Assistance Program
- View Mr. Montalvo's [IMDB Profile](#).

INSIGHTS

- [Eric Montalvo Speaks with Navy Times on Racist Conspiracy](#)
- [Eric Montalvo Speaks with McClatchy About New Citizenship Policy](#)

- [Eric Montalvo Speaks With the Federal News Network About the Prompt Payment Act](#)
- [Eric Montalvo's Sexual Assault Case Clarifies Consent Issue](#)
- [Eric Montalvo Speaks With Law360 on Jawad Case](#)