



Wendy Huff Ellard

Shareholder

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Wendy Huff Ellard is the co-leader of the Firm's Disaster Recovery and Government Services Team and maintains a national regulatory practice focused on disaster recovery, government contracting and public policy.

Ms. Ellard maintains a national regulatory practice focused on disaster recovery, government contracting and public policy. She has extensive experience with the intricacies of the Robert T. Stafford Disaster Recovery and Emergency Assistance Act and regularly represents public and not-for-profit entities, contractors and industry associations to support grant eligibility and federal procurement compliance.

Ms. Ellard has devoted more than ten years almost exclusively to assisting clients with the legal and policy issues associated with disaster response and recovery. During this time, she has represented varying stakeholders and gained insight from different perspectives. Her unique knowledge and awareness of prior policy applications and interpretations applicable to the recovery process contributes to the effective, efficient approach she brings to her practice.

Ms. Ellard focuses a large part of her time on the various forms of dispute resolution available under FEMA's Public Assistance and Hazard Mitigation Programs including appeals pursuant to 44 CFR § 206.206 and arbitration pursuant to 44 CFR § 206.209 for Hurricanes Katrina and Rita. Since 2007, Ms. Ellard has served in the state of Mississippi by providing regulatory and policy advice to aid the FEMA recipient/grantee in its administration of more than \$3 billion in federal disaster aid, including the preparation and submission of responses to more than 300 administrative appeals. She has also represented public and private non-profit subrecipients/applicants throughout the country in navigation of the complex federal and state regulatory frameworks to help those entities obtain and maintain federal funding. This work has included counsel through all aspects of the state and federal audit process, including those performed by the Department of Homeland Security's Office of the Inspector General.

Ms. Ellard also devotes a significant amount of time to representation of public power entities and rural electric cooperatives, including on issues regarding proper procurement for federally funded projects, legal responsibility requirements and work/costs eligibility. She has prepared procurement templates and systems, as well as FEMA specific guidance documents for individual entities and statewide and national associations.

Professional Honors & Activities

- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Named a Mid-South Rising Star by *Mid-South Super Lawyers* (2015 – 2020)
- Named a Top 10 Finalist in *Mississippi Business Journal's* "Top 50 Under 40" (2018)
- Named as one of *Portico Magazine's* "Top 10 Attorneys in Mississippi" (Class of 2018)
- Named as one of *Mississippi Business Journal's* 50 Leading Business Women in Mississippi (2017)
- Mississippi Bar Association
 - Young Lawyers Division
 - Disaster Legal Assistance Committee Director (2012 – 2013); Committee Member and County Coordinator (2011 – 2012)
- Mississippi Bar Leadership Forum (2013)
- American Bar Association

- Member – Standing Committee on Disaster Response and Preparedness (2015 – 2018)
- Young Lawyers Division
 - Selected as an "On the Rise - Top 40 Young Lawyer" (2017)
 - Received the "Star of the Quarter" award (2016)
 - Liaison to the Standing Committee on Disaster Response and Preparedness (2014 – 2015), (2015 – 2018)
 - Vice Director to the Disaster Legal Assistance Team (2014 – 2017)
 - Vice Chair to the Committee on Dispute Resolutions (2013 – 2014)
- Member – Commission on Women in the Profession
- Member – Forum on the Construction Industry
- Capital Area Bar Association
 - Recipient – Outstanding Service Award (2016)
 - Chair of Women's Initiative (2014 – 2016)
- Mississippi Women Lawyers Association
 - President (2016 – 2017)
 - Vice President/President-Elect (2015 – 2016)
 - Treasurer (2013 – 2014), (2014 – 2015)
 - Board of Directors (2012 – 2018)
 - Founding Member – Susan G. Komen Breast Cancer Foundation Initiative
 - Member – Day of Leadership Committee (2011 – 2012)
- National Emergency Management Association
 - Member – Focus Group for Private Sector Committee; assisted with preliminary comments to Federal Emergency Management Agency's white paper, "Procurement Challenges in Private Industry During Disasters" (July 2014)
- Recipient – Judge Charles Pickering Pro Bono Attorney of the Year Award, Baker Donelson, Jackson (2018)
- Recipient – The Lewis Donelson Public Service Award, Baker Donelson, Jackson (2016)



Civic Activities

- Member – Advisory Board of the Mississippi Center for Violence Prevention



Publications

- "Contracting Under Federal Procurement Requirements After Hurricane Ida" (September 2021)
- "Top Ten Louisiana Tips for Hurricane Ida Recovery" (September 2021)
- "Hurricane Ida: Major Disaster Declaration Issued for Louisiana, Recovery Efforts Underway" (September 2021)
- "FEMA: Extension of Full Federal Funding for Pandemic Costs; Expansion Coming for "Safe Opening and Operation" Policy" (August 2021)
- "Baker's Dozen: Honoring Moms Everywhere," *Women's Initiative Newsletter* (May 2021)
- "BREAKING: Treasury Releases Guidance for Coronavirus State and Local Fiscal Recovery Fund" (May 2021)
- "American Rescue Plan: Treasury Coronavirus State and Local Fiscal Recovery Fund" (May 2021)
- "FEMA Seeks Public Comments on Future Program Delivery by June 21" (April 2021)
- "BREAKING: SBA Now Advises Shuttered Venue Operator Grant to Re-Open Monday, April 26" (April 2021)
- "FEMA Fact Sheet: Audit-Related Guidance for Entities Receiving FEMA Public Assistance Funds" (April 2021)
- "American Rescue Plan: OMB Memo Gives Insight into Oversight and Compliance Requirements Applicable to Funds" (March 2021)

- "Treasury Releases Information on New Emergency Rental Assistance Program: Opt-in by January 12 Deadline" (January 2021)
- "New Grant Opportunity for Venue Operators Impacted by the Pandemic," republished in *New Orleans CityBusiness* (January 2021)
- "FEMA Seeks Comment on Proposed Change to Disaster Declaration Criteria " (January 2021)
- "CBCA 6822-FEMA; In the Matter of FLORIDA KEYS ELECTRIC COOPERATIVE Emergency Procurement; Reasonable Costs " (December 2020)
- "CBCA Panel Denies Florida Utility's Arbitration Request" (October 2020)
- "CARES Act Coronavirus Relief Fund Compliance: Enter the OIG" (July 13, 2020)
- "CORONAVIRUS: Recent Policy and Guidance Updates on FEMA Public Assistance" (June 29, 2020)
- "New FEMA Guidance on Eligible Medical Care Costs and Alternate Care Sites" (May 13, 2020)
- "FEMA Releases "Streamlined" Project Application in 33-Page Guidance Document" (April 27, 2020)
- "FEMA Extends Filing Deadlines Due to COVID-19 Pandemic" (April 1, 2020)
- "Coronavirus: Tips for Hospitals Navigating State Emergency Management and FEMA Funding" (March 27, 2020)
- "Coronavirus: FEMA Simplifying the Public Assistance Process to Expedite Payment," republished in *American City & County* (March 24, 2020)
- "Diligence Tips For Potential Disaster Relief Fund Recipients," *Law360* (March 2020)
- "Coronavirus: FEMA Guidance on Eligible "Emergency Protective Measures" and Sheltering" (March 20, 2020)
- "Coronavirus: Nationwide Emergency Declaration – Access to Disaster Relief Fund" (March 17, 2020)
- "Coronavirus: Implications of an Emergency Declaration" (March 11, 2020)
- "OMB Seeks Comments on Proposed Changes to 2 C.F.R. Part 200" (February 2020)
- "Draft Rules Issued for New Arbitration Option for FEMA's Public Assistance Program" (March 2019)
- "FEMA Extends Deadline for Choice on Management Costs Allocations to March 15" (March 2019)
- "FEMA's New Interim Policy Requires Choice on Management Cost Allocations by February 12" (January 2019)
- "New Ethics Opinion Offers Timely Reminder of Lawyers' Duties After Disasters," *ABA Journal* (December 2018)
- "Five-Year Federal Aviation Administration Reauthorization, Including Disaster Relief Funding and Recovery Reform" (October 2018)
- "The Disaster Recovery Reform Act of 2018: Key Provisions Affecting FEMA Funding" (October 2018)
- "Update: FEMA Issues Revised Policy on Alternative Procedures for Direct Administrative Costs" (July 2018)
- "Hurricane Season 2018: The Basics of FEMA's New Alternative Procedures for Direct Administrative Costs" (June 2018)
- *Homeland Security and Emergency Management: A Legal Guide for State and Local Governments*, co-author of chapter, "Catastrophic Events, the Law, and Federalism" (ABA Press: 3rd edition 2018)
- "Holiday Traditions – What Brings You Joy During the Holidays?," *Women's Initiative Newsletter* (December 2017)
- "On My Bookshelf: *Grit, The Secret to Advancement: Stories of Successful Women Lawyers*," *Women's Initiative Newsletter* (October 2017)
- "Beware of Federal Requirements when Selling or Leasing Facilities Funded by FEMA" (September 2017)
- "HHS Seeks to Ease Burden of Hurricane on Health Care Organizations" (September 2017)
- "Hurricane Harvey: Immediate Considerations for Impacted Public and Non-Profit Entities" (September 2017)
- "Contracting Under Federal Procurement Requirements After Hurricane Harvey" (September 2017)

- "FEMA's 60-Day Appeal Deadlines Now Strictly Enforced Against Applicants and State Grantees" (August 2017)
- "Grit, The Secret to Advancement: Stories of Successful Women Lawyers," American Bar Association, Chapter 3, Linda A. Klein (July 2017)
- Featured – "Parental Leave for Moms AND Dads," *Mississippi Business Journal* (June 2017)
- "Sanctuary Jurisdiction Policy Could Impact Disaster Recovery" (February 2017)
- "FEMA Requires Compliance with National Standard Building Codes for Restoration of Facilities Funded Through Public Assistance Grant Program" (February 2017)
- "Navigating FEMA Public Assistance for Disasters, A Guidebook for Public Power Utilities," *American Public Power Association* (2015)
- Co-author – "The Young Lawyers Guide to Preparing for Mediation, New Issues Regarding Neutral Disclosure and the Use of Technology in ADR, and ADR Rule Changes," with K. Greenberg and B. Schwartz, American Bar Association Annual Meeting, ADR Roundtable, Boston, Massachusetts (August 2014)
- Contributing Editor – "Flood Insurance and Climate Change: Rising Sea Levels Challenge the NFIP," *Fordham Environmental Law Review*, Volume XXVI, Symposium 2014, No. 1 (2014)



Speaking Engagements

- "Preparing for Hurricane Season: Updates to FEMA's Program and Procurement Rules," Florida Electric Cooperatives Association (June 2021)
- Moderator – "COVID-19: A Multi-Perspective Review with Key Insights on the Year Ahead," ABA Section of Administrative Law Spring CLE Conference, Homeland Security Law Institute (May 2021)
- "IAEM Disaster Cost Recovery & Finance Caucus COVID 19 Cost Recovery Webinar" (April 3, 2020)
- "COVID 19 Cost Recovery," International Association of Emergency Managers (IAEM) Disaster Cost Recovery & Finance Caucus Webinar (April 1, 2020)
- "IAEM Disaster Cost Recovery & Finance Caucus COVID 19 Cost Recovery Webinar" (April 1, 2020)
- "The NEMA 2019 Annual Forum" (October 2019)
- "FEMA Fundamentals," National Rural Electric Cooperative Association 2019 Legal Seminar (August 2019)
- "FEMA Fundamentals," National Rural Electric Cooperative Association 2019 Legal Seminar (July 2019)
- "Preparing for Hurricane Season: Ensuring Eligibility for FEMA Funding" (June 2019)
- "Engineering a More Compliant Recovery," Florida Electric Cooperatives Association, Engineers Conference (June 2019)
- "Disaster Response Planning: It's Not Just for Florida," 45th ABA National Conference on Professional Responsibility, Vancouver, Canada (May 2019)
- "45th ABA National Conference on Professional Responsibility" (May 2019)
- "FEMA Procurement Update: Recent Issues for Cooperatives," Electric Power Associations of Mississippi, Ridgeland, Mississippi (October 2018)
- "Looking Forward: FEMA Flood and Disaster Programs React to Increasing Disaster Costs and Budget Pressure," International Municipal Lawyers Association (IMLA) 83rd Annual Conference, Houston, Texas (October 2018)
- "FEMA Procurement Requirements: What's New and What Do You Need to Do to Comply?," Tax, Finance & Accounting Conference for Cooperatives (August 2018)
- "Tax, Finance & Accounting Conference for Cooperatives" (August 2018)
- "Post-Disaster Assistance from FEMA: the Basics, the Audits, and the Compliance Risks," Tennessee Municipal Attorneys Association, Knoxville, Tennessee (June 2018)
- "The Disaster Roadmap: Leveraging Funding and Best Practices," American Bar Association (December 2017)

- "Hurricane Recovery: Federal Procurement Guidelines," City of Houston Department of Public Works and Engineering, Houston, Texas (November 2017)
- "How New FEMA Changes Impact Public Power," American Public Power Association Legal & Regulatory Conference, New Orleans, Louisiana (October 2017)
- "FEMA Procurement: Recent Issues for Cooperatives," Electric Power Associations of Mississippi, Purchasing Section Meeting, Ridgeland, Mississippi (October 2017)
- "FEMA Templates & Documents Procurement Workshop," Oklahoma Association of Electric Cooperatives (April 2017)
- "How New FEMA Changes Impact Your Co-Op," Texas Electric Cooperative 44th Annual Managers Conference (December 2016)
- "Procurement under FEMA's PA Program: Standards of Conduct and Prohibitions re Gifting," Nebraska Rural Electric Association Legal Seminar, Lincoln, Nebraska (September 2016)
- "Understanding Procurement Rules Under the FEMA Public Assistance Program," Florida Municipal Electric Association's Hurricane and Emergency Preparedness Forum & Roundtable (June 2016)
- Host/Presenter – "Women's Empowerment, A Project for Turkey," U.S. Department of State, Bureau of Educational and Cultural Affairs, International Visitor Leadership Program (June 2016)
- Moderator – "The Courage to Lead...In the Courtroom," Mississippi Women Lawyers' Association Eighth Annual Day of Leadership, "Empowering Women with Strength of Unity and the Courage to Lead," Jackson, Mississippi (May 2016)
- "Protecting Public Power Utilities' Eligibility for FEMA Assistance," American Public Power Association (July 2015)
- "In the Eye of the Storm: Disaster Response and Resilience," American Bar Association, Forum on the Construction Industry, Annual Fall Meeting, Chicago, Illinois (October 2014)
- Panelist – "Reducing Vulnerability and Increasing Resilience," Fordham Environmental Law Review Symposium: Eye of the Storm - Hurricane Sandy Response and Rebuilding Strategies Through the Lens of Environmental Justice, New York, New York (February 2014)
- "Rebuilding a School System After a Natural Disaster: Lessons Learned," ABA Mid-Year Meeting, Section of State and Local Government Law, New Orleans, Louisiana (February 2012)



Webinars

- Preparing for Hurricane Season: Updates to FEMA's Program and Procurement Rules (June 2021)
- How Health Care Organizations Can Take Advantage of Increased Federal Funding of COVID-19-Related Costs (March 2021)
- Guidance on New FEMA Appeals Process and Arbitration Rules (August 2019)
- Long Term Care Disaster Readiness: How Your Facility Can Prepare, Respond, and Recover (November 2017)
- Hurricane Recovery: Federal Procurement Guidelines for FEMA Aid Recipients (September 2017)



Education

- The University of Mississippi School of Law, J.D., 2007, cum laude
- Mississippi State University, B.A., 2003, summa cum laude



Admissions

- Mississippi, 2007