

12 ATTORNEYS
SUPPORTED BY A FIRM OF
500+ ATTORNEYS



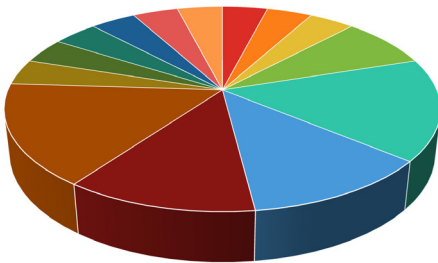
22 OFFICE LOCATIONS



Practice Areas: INVESTIGATIONS | REGULATORY COMPLIANCE | LITIGATION | CORPORATE MONITORSHIPS | WHISTLEBLOWER ACTIONS

EXPERIENCE ON BOTH SIDES OF THE AISLE

Our attorneys have decades of investigative experience, much of which comes from prior government service



- SEC Enforcement Division
- DOJ Executive Management
- Federal Prosecutors
- State Prosecutors
- DOJ Antitrust Division
- FINRA Market Surveillance
- State Director of Securities Enforcement and Investigations
- Independent Counsel
- DOJ Supervisors
- IRS and DOJ Trial Attorneys
- Elite Law Firm Practitioners
- FBI
- State AG's Office
- Corporate Counsel

KEY INDUSTRIES

- SECURITIES
- BANKING
- HEALTH CARE
- AML COMPLIANCE
- AUTOMOTIVE
- MANUFACTURING
- INTELLECTUAL PROPERTY



ONE OF THE 1ST LAW FIRMS IN THE WORLD TO RECEIVE THE ISO/IEC 27701:2019 PRIVACY MANAGEMENT CERTIFICATION.

MEDIA COVERAGE & RECOGNITION

CHAMBERS AND PARTNERS **Best Lawyers**



REUTERS



Bloomberg



CHAMBERS USA SAYS:

- "The firm serves us exceptionally well. They are knowledgeable, timely, patient and polite. They always look out for us and give us our options."
- "superb client service," with sources highlighting that "it really knows how to service a client and what deliverables a client is looking for."
- "A particular strength is that they work as a team and communicate with each other, and with us, throughout the process. Everyone is aware of developments and I never have to recap any settled issues."
- "good interrelationship between the partners" and "fantastic network worldwide."

In response to internal complaints, third-party issues, or government inquiries, corporate counsel may initiate internal investigations. These investigations often aim to address regulatory compliance, alleged corruption, data breaches, whistleblower actions, lawsuits, or even human resource concerns. The following is a structured approach to effectively manage such risks:

A. Scope of the Investigation

- Identify initial purpose and scope of the investigation
- Allow for adjustments as evidence develops

B. Initial Considerations

- Administrative Considerations
 - Review insurance coverage
 - Review internal guidance
 - Establish a budget
- Preservation Considerations
 - Identify information sources
 - Identify information locations
 - Suspend document retention policy
 - Draft a document governing information preservation
 - Secure essential information
 - Consider forensic imaging of phones, computers

C. Identify Essential Parties

- Board involvement
 - What board members will be involved
 - What committees, if any
- Who will supervise?
- Who will conduct?
- Who will support?
- Who will receive updates?
- Consider using outside counsel
 - Especially when senior officials are involved
 - Especially when independence is critical

D. Investigation

- Develop and approve a work plan
- Ensure privilege preservation
- Conduct thorough document and data reviews
 - Content, context, connections
- Conduct employee interviews:
 - Determine timing, location, participants
 - Interview current employees, former employees, known whistleblowers, as appropriate
 - Address legal representation and warnings (*Upjohn, Garrity/Kalkines*)

E. Conclusions

- Document conclusions and findings
 - Facts and law
- Decide on oral or written reporting
- Consider internal and external sharing
- Begin any necessary internal actions or remediation
- Share only high-level summaries to protect attorney-client privilege

F. Special Situations: Government Investigations

- Respond timely to inquiries from government authorities
- Consider media communications policy/protocols
- Consider privacy laws/issues
- Coordinate internally, as appropriate
- Involve compliance departments early
- Determine whether there is an administrative, civil, or criminal emphasis
- Consider corporate counsel involvement in interviews
- Manage whistleblower treatment and confidentiality
- Consider opportunities for “cooperation,” but maintain independence
- Share only high-level summaries when cooperating

G. Special Considerations: Interested Parties

- Internal:
 - Board of Directors, committee chairs
 - Senior officers
 - Shareholders
 - Compliance and other internal departments, auditors
 - Communications teams
 - Employees, union leader
- External:
 - Government entities
 - Independent auditors, consultants, contractors
 - Business partners, lenders
 - Shareholders, investors
 - Counsel
 - Clients, customers
 - Distributors, suppliers
 - Media, the public