



## Investigations

With the world's largest network of dedicated investigative professionals and dispute lawyers, DLA Piper's Global Investigations team provides guidance on all criminal, regulatory and crisis scenarios.

"Our experience and presence in the world's key regions enables us to deploy multi-disciplinary, cross-border teams to deal with every shade of corporate, regulatory and internal investigation."

*Senator George J. Mitchell, Partner and Senior Advisor, DLA Piper*

Comprising white collar crime and regulatory defense lawyers, dedicated investigative lawyers, and former regulators, government attorneys and prosecutors, our multi-disciplinary and cross-border team can deal with all kinds of investigation, in particular relating to audit inquiries, bribery and corruption, fraud, money laundering, market abuse, tax evasion, product liability, labor law issues, sanctions breaches and anti-competitive behavior; we regularly manage complex cross-border investigations and asset recovery exercises and we can assist to prepare for and respond to cyber-attack.

We can respond to challenges of any size, tailoring individual teams to the needs of our clients. We commit to providing services of the highest quality and integrity (including data management) and to do so efficiently and cost effectively.

We are one of a few international law firms with a dedicated and substantial global Investigations team with proven ability to share expertise and resources across our global platform. Our local advisors in the US, the UK, Europe, Middle East, Asia and Australia have deep experience and resources in handling criminal, regulatory and internal investigations for multinational companies with operations and businesses spread across the globe.

Our team also works side-by-side with our compliance specialists to assist multinational companies to conduct innovative proactive compliance reviews, develop effective compliance programmes to control risk, train employees, create monitoring and auditing procedures, and devise strategies for remedial action. This innovative approach sets us apart from traditional investigation practices.

Our core investigatory and compliance services include:

- Subject matter, sector based or country orientated investigations
- Internal investigations, regulatory investigations and criminal investigations
- Risk reviews, regulatory risk gap analysis and proactive compliance strategy audits
- Expert insight into the latest regulatory developments, investigation 'hot spots' and

### KEY CONTACTS

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#### **Prof Dr Juergen Taschke**

Senior Counsel

enforcement trends

- Compliance strategies that keep exposure to a minimum
- Response to contentious and non-contentious regulatory and contractual issues
- Crisis management
- Mitigating business interruption, economic loss and reputational damage
- Training global teams to respond effectively to regulatory intervention, including raid training.

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#### RELATED SERVICES

- Litigation, Arbitration and Investigations

## EXPERIENCE

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- Served as counsel to former Senator and Secretary of Defense William S. Cohen and worked alongside staff from The Cohen Group in support of his independent review of the US EPA's evaluation of the environmental risks potentially posed by mining in Alaska's Bristol Bay watershed. The investigation culminated in a 346-page public report which details the investigative process, sets out a factual record, and provides Secretary Cohen's recommendations for policymakers.
- Acting for a global healthcare organisation on an internal investigation into two business units regarding the suspicion of antitrust violations (price arrangements, internal market issues) and criminal offences (bid rigging, fraud to the detriment of doctors and hospitals), and disclosure to and contact with the Cartel authorities and Public Prosecutor's Offices. The investigation included reviewing of employees' email accounts, dealer arrangements, employee incentive arrangements, interviewing numerous employees and management, taking remedial actions including dismissal of management and other disciplinary actions.
- Advising a Consultancy firm on an investigation into kidnapping in Sudan, allegations that the kidnap and rescue negotiators acted negligently, involved interviews conducted in multiple locations throughout Africa, including Sudan, South Africa, and additional interviews in London, North Carolina and Washington DC, with court hearings in New York.
- Advising two senior officers of an Australian-based regional provider of engineering services across Asia in respect of allegations of inappropriate payments in tender processes for major infrastructure projects in Vietnam in the period 2006-8 and in the Philippines in the period 2006-2010.
- Advising a publically listed Chinese fertiliser company regarding investigations in Canada, China and Mongolia related to accounting irregularities. Also represented the client in responding to the related investigation by the Ontario Securities Commission and the TSX.
- Representing a multinational conglomerate in two criminal antitrust investigations by the US Department of Justice, Antitrust Division and involved in follow-along civil litigation in Japan, the UK, and the United States.
- Investigating and advising on sanction proceedings for a leading European independent investment bank before the AMF regarding compliance issues and insider dealing.
- Representing a major Australian bank in large scale and complex investigations by both the Australian Competition and Consumer Commission (ACCC) and the Australian Securities and Investments Commission (ASIC) concerning trading practices in the \$5.3 trillion dollar per day international foreign currency exchange market, over a 6 year period.
- Advising an international insurance and financial services organisation and conducting a global internal investigation covering all of its subsidiaries across more than 30 countries in Europe, Middle East, Asia and Africa, to determine whether or not there were any potential OFAC investigations.
- Investigating on behalf of a food manufacturer, whistle-blower reports about alleged irregularities surrounding a tender in an African country and the possibility of corrupt payments to government officials. The internal investigation covered six jurisdictions.
- Advising a listed global provider of consumer products in respect of integrity and compliance issues raised by a UAE-based whistleblower and conducting the related investigation. Additionally advised on all Middle East aspects of a wide-ranging global compliance and integrity review across multiple jurisdictions.
- Assisting a major Asia based global transportation company in relation to a series of regulatory and criminal interventions that have regulatory impact in markets within and outside of Asia, including assisting with their internal investigations and responding to regulator inquiries.

## INSIGHTS

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## Publications

### SFO Operational Handbook - Evaluating a Compliance Programme

22 January 2020

On 17 January 2020, the UK Serious Fraud Office updated its Operational Handbook regarding Evaluating a Compliance Programme (the Handbook). The Handbook is an internal tool for SFO prosecutors, investigators, auditors, lawyers and compliance professionals that sets out standard processes, instructions and guidance on the conduct of SFO casework.

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### Preventive Medicine: Official “Antimonopoly Compliance Guidelines for Business Operators” in China

10 December 2019

On 28 November 2019, the State Administration of Market Regulation (SAMR) released for public comment draft “Anti-Monopoly Compliance Guidelines for Operators” (the “Draft Guidelines”). These non-binding guidelines recommend measures for “business operators” subject to the Antimonopoly Law (AML) to develop and implement antitrust compliance programmes. The Draft Guidelines integrate prevailing best practices for international compliance programmes, while reflecting the unique challenges of antitrust risk management in China.

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### The Information Commissioner's Office's new enforcement powers

20 FEB 2019

As the range of its powers increase following the implementation of the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018, the UK Information Commissioner's Office's (ICO) has issued a draft regulatory action policy.

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### Failed Tesco trial shows that when it comes to evidence, every little helps

13 DEC 2018

The Serious Fraud Office's case against two former Tesco senior executives has been thrown out for lack of evidence. This has highlighted the difficulties faced by prosecutors in proving individual and corporate criminal liability for misconduct committed within the context of a large corporation.

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### Global Anticorruption Newsletter

5 DEC 2018

DLA Piper's *Global Anticorruption Newsletter* offers practical guidance on complying with international bribery laws.

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### What now for the SFO: New director, new direction?

5 DEC 2018

There look to be exciting times ahead for the Serious Fraud Office (SFO), with a new head, a higher budget, the imminent appointment of a new general counsel and several important cases coming to their denouement. Will Lisa Osofsky's appointment as the SFO's director change the status quo? The authors consider the likely answer to be yes.

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### Four tips for an effective eDiscovery plan in China

19 SEP 2018

A timely and well-documented eDiscovery plan, comprehensively addressing compliance with local laws, can also go a long way to address potential post-collection inquiries.

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### **Declinations for self-reporting on the rise under FCPA Pilot Program and Corporate Enforcement Policy**

10 JUL 2018

The DOJ appears to be following through on its pledge to increase declinations in exchange for self-reporting potential FCPA violations.

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### **Decision of the German Constitutional Court on attorney-client privilege in internal investigations**

6 JUL 2018

The current legislation and jurisprudence regarding information and documents derived from internal investigations is ambiguous. The German Constitutional Court decided on 6 July 2018 that the seizure of documents from an internal investigation in connection with the Diesel-investigations was lawful.

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### **Third parties: 4 FCPA takeaways for working with distributors**

24 SEP 2014

Four key challenges and related “cures”

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## **NEWS**

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### **DLA Piper launches its Global Litigation Guide**

3 December 2019

DLA Piper has launched its 'Global Litigation Guide', which covers aspects of civil litigation in 30 jurisdictions worldwide.

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### **DLA Piper announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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### **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1,

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2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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### **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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### **Legal 500 names four DLA Piper lawyers as leading Africa specialists on the Private Practice Powerlist**

11 FEB 2019

The Legal 500 has named four DLA Piper lawyers on its 2019 "Private Practice Powerlist, Africa Specialists".

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### **Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration**

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

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### **DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim**

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

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### **DLA Piper hosts inaugural Afghanistan-UK Business Conference**

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

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## **DLA Piper Corporate Crime and Regulatory Investigations team welcomes new partner**

28 AUG 2018

DLA Piper has been joined by leading corporate crime and regulatory investigations lawyer Patrick Rappo. He joins from Steptoe & Johnson in London, which he joined as a partner in 2013. Patrick previously spent five years at the Serious Fraud Office, where he became Joint Head of the Bribery & Corruption Divisions and played a lead role in the efforts to successfully introduce deferred prosecution agreements (DPAs) in the United Kingdom. Patrick began his career as a barrister [trial attorney] specialising in criminal law.

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## **DLA Piper announces partnership promotions for 2018**

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

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## **DLA Piper Africa advises Adenia Partners on acquisition of controlling stake in Kanu Equipment Limited**

23 MAR 2018

Kanu has been driving an expansion strategy across Sub-Saharan Africa in recent years and the business now operates in 13 countries, servicing the agriculture, construction and mining industries.

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## **DLA Piper advises Timor-Leste on historic maritime treaty**

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

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## **Four DLA Piper partners recognised in Jeune Afrique's Top 50 Lawyers in Francophone Africa 2017**

20 FEB 2018

DLA Piper is delighted to congratulate Litigation & Regulatory partners Michael Ostrove and Alexander Brabant, Finance & Projects partner Eric Villateau, and Corporate partner Christophe Bachelet, on their inclusion in *Jeune Afrique's* Top 50 Business Lawyers in Francophone Africa 2017 rankings. This year, more DLA Piper lawyers than ever before have been awarded a place on the rankings, with partners scoring individual record rankings for the firm.

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