



## 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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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

### COVID-19: Using technology to address compliance

13 May 2020

How can compliance routines be improved in a time of social distancing via technology?

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### What compliance programs can do now to prepare for operations in the new COVID-19 reality

5 May 2020

Anticipating changes in the ABAC and compliance landscape to prepare for the lifting of social distancing mandates that have required non-essential businesses to close.

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### What COVID-19 could mean for the future of the Big Tech investigations

24 April 2020

#### [ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

Rather than hampering the investigations over the long term, the pandemic may open new lines of inquiry for antitrust investigators.

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### COVID-19: conducting internal investigations in remote work settings

24 April 2020

For companies conducting internal investigations or responding to an investigation, practical solutions in a time of distancing.

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### COVID-19: A breeding ground for corruption – monitoring key risks

10 April 2020

US regulators are reminding US businesses that a crisis situation does not excuse a failure to address increased risks of bribery and corruption.

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### 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

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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 China International Commercial Courts confirms jurisdiction to rule on validity arbitration agreements**

22 November 2019

The China International Commercial Courts (CICC) set up by the Supreme People's Court of China in June 2018 had recently published its first judgments confirming its jurisdiction to rule on validity of arbitration agreements and severability of arbitration agreements. This article provides an update on the latest development.

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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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### **Australian whistleblower reforms - passed into law**

19 FEB 2019

At long last, the Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2018 was passed into law today, in the same form approved by the Senate in December 2018. The Bill introduces sweeping reforms to Australia's corporate whistleblowing regime by providing enhanced protection to whistleblowers and increasing penalties for companies that breach whistleblowing provisions.

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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 announces partnership promotions for 2020**

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while

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there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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### **DLA Piper hires new partners in Australia**

23 April 2020

Global law firm DLA Piper today announces that leading tax disputes partner Paul McNab and litigation lawyer John Fogarty will be joining the firm in May.

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### **DLA Piper lawyers named Acritas Stars**

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### **DLA Piper appoints Head of Global Government Affairs team**

6 March 2020

DLA Piper announces the strengthening of its Global Government Affairs team with the appointment of Richard Sterneberg who will head up the team in its Brussels office. Richard brings with him over 20 years of experience working in Brussels as a global government affairs expert.

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### **DLA Piper senior associate Wincen Santoso admitted as a Fellow of the Chartered Institute of Arbitrators (CI Arb), the United Kingdom**

17 December 2019

DLA Piper is pleased to announce that Wincen Santoso, an Indonesian and New York qualified senior associate in Singapore, has been admitted as a Fellow of the Chartered Institute of Arbitrators (CI Arb), the United Kingdom, a leading professional membership organization representing the interests of alternative dispute resolution practitioners.

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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 advised Geophysical Sub-Strata on its tap sale of US\$114.5 million Guaranteed Medium Term Notes**

4 APR 2019

DLA Piper has advised Geophysical Sub-Strata Ltd. on the tap sale of US\$114.5 million 8% Guaranteed Medium Term Notes due 2023 as Series 001, Tranche 002 under the Company's US\$400,000,000 Guaranteed Multicurrency Medium Term Note Programme.

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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, 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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## **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 represents the Securities and Exchange Board of India (SEBI) to recoup funds from one of the world's largest Ponzi schemes**

16 AUG 2018

DLA Piper has successfully acted with Counsel (Thomas Bradley QC, Michael Hodge QC and Julia O'Connor) for the Securities and Exchange Board of India (SEBI) in the second of two proceedings before the Federal Court of Australia.

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