



White Collar and Corporate Crime

Regulatory bodies and law enforcement agencies globally are now more powerful than ever before. They are showing greater willingness to use the powers made available to them, encouraged by government initiatives, to persuade companies that regulation must be taken seriously.

The ensuing investigations can result in serious consequences. It is vital that companies take a holistic approach to the legal and regulatory environments in which they operate.

Our global team can help clients manage a crisis, provide guidance through an investigation (whether national or international) and provide advice on becoming fully compliant with specific regulations wherever in the world you operate.

CAPABILITIES

Risk and compliance

Our team works with clients to ensure they are aware of developments in the law, their regulatory environment and the powers of the regulators. We have a proven track record of developing compliance programs tailored to industry and company needs. These are designed to inform, instruct and embed in all employees the complexities of governing laws, particular compliance vulnerabilities and the value of ethical behaviour.

Internal and regulatory investigations

Our team handles all types of regulatory investigations including those involving tax and accounting irregularities, financial misconduct, fraud, bribery, corruption, cartels and price fixing as well as independent internal company investigations and referrals from audit committees.

We are one of the few international law firms with a dedicated and substantial global team that is capable of dealing with the powers that underline regulatory investigations and enforcement in today's increasingly harsh regulatory environment. Our team comprises specialist investigators, experienced criminal defence lawyers and former regulators.

KEY CONTACTS

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We also regularly undertake internal investigations advising on the appropriate scope and identifying any systemic weaknesses and potential remedial actions. We assist clients with self-notification issues, responses to supervisory enquiries and investigations by the enforcement division of regulatory bodies, appearing before the various regulatory Tribunals, Committees and Panels when action is taken.

Our approach to managing investigations allows us to provide clients with an efficient and cost effective service without failing to understand your legal obligations and manage the sensitive risk issues that are involved. We understand that the first 48 hours are key and are able to act swiftly taking into account local and cross-border issues.

Our approach to investigations includes being acutely aware of and efficiently managing confidentiality, data management and control, collaborative working effective reporting and communication, cost containment and reputation management.

Prosecution and enforcement

Investigations by a regulator can lead to prosecution or other enforcement action. We defend companies and individuals offering legal advice and representation at all stages of proceedings including court appearances.

Crisis management

We have extensive experience in defending raids conducted by many different regulators and investigating authorities. Many of our staff who have worked for the various regulators and investigating authorities have practical experience of various raid situations. The team has been involved in raids by the European Commission, Office of Fair Trading, Serious Fraud Office and HM Revenue & Customs.

Our 'Rapid Response' global crisis management hotline service provides 24-hour, 365-day access to regulatory legal advice and crisis assistance.

Training

We are able to provide training on various subject areas to help mitigate your risk including on fraud, anti-bribery and corruption (FCPA / UK Bribery Act / EMEA Anti-Corruption legislation), raids, and director's risk. One of our tools is the award winning 'At What Cost' film.

EXPERIENCE

- Assisting a number of global life science companies in respect of various internal investigations and business conduct reviews across their operations across the globe, particularly in developing and emerging markets such as China, South East Asia, Middle East, and South America.
- Advised the Qatari State Audit Bureau and the National Committee for Integrity and Transparency on the implementation of the UN Convention against corruption and the drafting of a new anti-corruption law and related regulations.
- Conducting an international investigation in China, Hong Kong, Nigeria and Japan for a Japanese company concerning allegations of bribery and corruption.
- Acting for a worldwide logistics company in connection with a major Serious Fraud Office investigation in relation to allegations of facilitation payments made in a large number of countries worldwide.
- Advising a healthcare provider with a global due diligence review of distributors to ensure compliance with international anti-bribery laws. This included designing, providing and reviewing responses to due diligence assessments completed by

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- Tax Controversy and Disputes

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- Hospitality and Leisure
- Media, Sport and Entertainment
- Technology
- Industrials

distributors.

- Advising on a corporate manslaughter investigation arising from a fatal accident of an employee at a plant decommissioning service.
- Representing a NASDAQ-listed-South African based technology company that is the subject of a joint investigation regarding allegations of bribery and corruption by the SEC and DOJ into potential violations of the FCPA and securities laws.
- Representing Jesse Litvak, a former RMBS trader, who has been charged by the United States Attorney's Office for the District of Connecticut with securities fraud, TARP Fraud, and making false statements to the United States government.
- Advising a multinational consumer products company regarding the implementation of numerous global compliance initiatives through to completion as it attempted to resolve an FCPA investigation.
- Represents an international investment bank in investigations being conducted by the US Attorneys' Office in the Southern District of New York and the Securities and Exchange Commission into potential insider trading activity.
- Representing the Audit Committee of a publicly-traded telecommunications company in connection with its internal investigation of whistleblower complaints regarding potential violations of the securities laws.
- Representing two employees of an international bank that participated in submitting rates for the LIBOR calculation. This bank has received widespread press attention concerning the LIBOR investigation and its related activities during the relevant time period.
- Represented the Lebanese Canadian Bank (LCB), one of the largest banks in Lebanon, in a civil forfeiture and money laundering lawsuit brought by the United States Attorney's Office for the Southern District of New York, which sought the forfeiture of the entirety of LCB's assets. The Government's action alleged a widespread, international scheme in which LCB allegedly used the US financial system to launder narcotics trafficking and other criminal proceeds through West Africa and back into Lebanon.

INSIGHTS

Publications

Expectations for white collar enforcement under the Biden Administration

18 February 2021

Six key areas where the Biden Administration may focus its enforcement efforts.

Court of Appeals affirms broad government authority to conduct warrantless searches of electronic devices at the border

16 February 2021

The court's opinion offers a reminder that personal privacy is at significant risk when traveling abroad or returning home.

Defensible deletion: The proof is in the planning

5 February 2021

A framework for making defensible deletion an attainable goal.

Disputes, Issue 2

28 January 2021

DISPUTES

In this issue, we look at the split among the federal circuits over what it means to "exceed authorized access" in violation of the

Computer Fraud and Abuse Act; the ways in which the federal courts apply the Supreme Court's recent limitations on equitable disgorgement; ways to mitigate liability risk in unauthorized financial transfers; considerations for employers as they develop policies regarding use of cannabis in their workforce; and the critical importance of escalation protocols in corporate whistleblower programs.

Six months after *Liu*: The SEC and disgorgement

28 January 2021

In the wake of *Liu*, several open questions are only now starting to work their way through the courts.

The missing link in whistleblower programs – the escalation protocols

28 January 2021

A fixed set of escalation protocols helps ensure that a whistleblower program functions efficiently.

SEC invites comment on newly revealed 2011 proposal to conduct undercover investigations of criminal violations of securities laws

20 January 2021

Such an undercover program could be a game changer, increasing criminal prosecutions of securities fraud.

SCOTUS suggests expansive reach of "Bridgegate" ruling in directing Second Circuit to reconsider insider trading convictions

14 January 2021

Yet another example of the Supreme Court's continuing effort to trim the government's overly expansive theories of criminal liability in certain cases under the federal fraud statutes.

The new Anti-Money Laundering Act of 2020: A potential game-changer for enforcement and compliance

11 January 2021

The passage of the AMLA signals the start of a new era in money laundering enforcement in the US.

Congress expands SEC enforcement authority, broadens disgorgement powers and doubles statute of limitations periods

6 January 2021

Buried deep in the annual defense bill is an important group of securities law amendments that strengthen the SEC's enforcement powers.

Supporting the health of your health system

4 January 2021

Helping you tend to healthcare system wellness throughout the business life cycle.

When a threat actor strikes: Legal considerations and challenges in a ransomware attack

21 December 2020

Evidence suggests that having employees working remotely significantly increases the risk of a successful ransomware attack.

Silver linings for FCA defendants in new HHS Working Group

11 December 2020

The US Department of Health and Human Services is launching the Working Group to better protect taxpayer funds and deter "would-be fraudsters."

SEC 2021 and beyond: What to expect

7 December 2020

Some likely areas of SEC focus, from both the regulatory and enforcement perspectives, in 2021 and beyond.

CMS, OIG finalize Stark and AKS overhaul – paving the way for value-based care

25 November 2020

We highlight some of the most important ways in which HHS followed through on its ideas from 2019, as well as the instances where they pivoted in reaction to public comments.

HHS-OIG issues alert warning pharmaceutical and device manufacturers about the kickback risks of speaker programs

24 November 2020

Key details and takeaways.

Blockchain and Digital Assets News and Trends

23 November 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

IMF issues report on regulatory framework for CBDs and GSCs, SEC invites feedback on application of custody rule to digital assets.

SEC invites feedback on application of Custody Rule to digital assets

23 November 2020

Specifically, Staff is asking whether non-depository firms such as state-chartered trust companies can act as qualified custodians for digital assets.

Blockchain and Digital Assets News and Trends

21 October 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

SDNY finds Kin token is a security; unpacking the DOJ's cryptocurrency guidance – plus latest legal, regulatory and case law developments.

SEC wins summary judgment that Kin token is a security

21 October 2020

The decision underscores that many of the proposed arguments that digital tokens are not securities will be unsuccessful.

Unpacking the DOJ's cryptocurrency guidance: Enforcement priorities and industry implications

15 October 2020

A warning to offshore cryptocurrency exchanges and other money services businesses operating outside of the reach of US authorities.

Blockchain and Digital Assets News and Trends

23 September 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The court finds that a valid arbitration agreement exists in the ongoing WAX tokens dispute – plus latest legal, regulatory and case law developments.

Four years later, federal court upholds convictions but harshly criticizes off-label prosecutions

23 September 2020

The decision will likely draw attention both in the First Circuit and beyond.

Seventh Circuit hews new path regarding False Claims Act dismissals; DOJ registers its disagreement

21 September 2020

A surprising result from the US Court of Appeals for the Seventh Circuit.

Blockchain and Digital Assets News and Trends

21 August 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

California appellate court affirms judgment for Coinbase in lawsuit over Bitcoin Gold – plus latest legal, regulatory and case law developments.

Rule 26(g) certification means more than guide and advise: Key takeaways

12 August 2020

Sanctions were imposed on an attorney for failing to properly oversee the client's discovery process.

For the healthcare industry, seeking to incentivize restocking of elective surgery supplies may lead to civil and criminal risk

6 August 2020

Discounts and incentives may have unforeseen consequences under certain federal anti-bribery laws.

SEC announces Event and Emerging Risks Examination Team

3 August 2020

The Event and Emerging Risks Examination Team will engage proactively with financial firms regarding current market events and emerging threats.

Blockchain and Digital Assets News and Trends

20 July 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Court upholds New York AG's Martin Act authority to investigate virtual currency fraud – plus latest legal, regulatory and case law developments.

Reputation management during investigations: ZXC v Bloomberg LP

16 July 2020

The Court of Appeal has upheld the decision of Nicklin J which found that Bloomberg had breached the privacy rights of a US businessman when it published an article containing confidential details about a UK criminal investigation which he was subject to.

Supreme Court approves SEC disgorgement with limits

9 July 2020

The decision appears to be a victory for the SEC 's ability to obtain disgorgement, but the Court recognized limitations on equitable disgorgement which may offer defendants some potential relief.

FCPA Resource Guide revisions signal DOJ focus on books and records and internal controls charges

8 July 2020

A key resource for companies and individuals operating internationally.

US v. Napout: Second Circuit affirms convictions in FIFA foreign corruption case

24 June 2020

A timely reminder that the risk of investigation and prosecution for foreign commercial bribery is very real and that the FCPA is

not the only game in town.

Protecting the attorney-client privilege while under quarantine: Five tips for protecting attorney-client privilege when using online collaboration tools

22 June 2020

With the increase in remote working comes an increased opportunity for attorney-client privilege issues to surface.

SEC settles *Lucia* enforcement action

22 June 2020

Questions remain following Supreme Court decision concerning the Appointments Clause of the Constitution and who constitutes an “Officer of the United States” for the purposes of complying with that constitutional provision.

Blockchain and Digital Assets News and Trends June 2020

18 June 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design – plus latest legal, regulatory and case law developments.

DOJ updates guidance on evaluation of corporate compliance programs: three takeaways

4 June 2020

Three key takeaways to keep in mind when updating compliance policies for 2020.

Expert Q&A on insider trading law after *United States v. Blaszczak*

27 May 2020

Jonathan Haray participated in a Q&A in the April/May issue of *Practical Law*.

Mexico: New reporting regulations aim to combat financing of terrorism and illicit activities

27 May 2020

The resolution is part of Mexico's effort to combat terrorist financing and transactions based on resources that have illicit origins.

Blockchain and Digital Assets News and Trends

20 May 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

California may limit application of securities laws to tokens, French court says bitcoins are fungible assets – plus latest legal, regulatory and case law developments.

California bill proposes limits on application of securities laws to tokens

20 May 2020

The proposed changes are likely to be well received by those considering issuing tokens.

SEC announces July 9, 2020 date for roundtable on emerging markets and China

20 May 2020

The SEC's next steps in raising investor awareness about the risks of investing in emerging markets.

FINRA publishes effective practices for broker-dealers' senior investor protection programs and Securities Helpline-related enforcement and referral data

11 May 2020

FINRA's efforts to protect senior investors are wide ranging and continue to grow.

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.

Corporate commitment to compliance helps bank avoid FCPA charges despite alleged \$4.5M bribery scheme

24 April 2020

The SEC's complaint provides insight into what made the compliance program so effective that the individual's former employer avoided government sanctions.

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.

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.

DOJ increases scrutiny of nursing home industry

1 April 2020

DOJ is doubling down on its commitment to investigate and prosecute allegations of elder abuse and of substandard quality of care.

COVID-19 essential businesses: Anti-bribery and anti-corruption risks

31 March 2020

Given the significant impact of being deemed non-essential, businesses and employees are incentivized to ensure their business is deemed essential by local authorities – and this can pose anti-bribery anti-corruption (ABAC) risks to companies.

Coronavirus: Warning from SEC on insider trading highlights importance of disclosure controls during the COVID-19 pandemic

31 March 2020

A statement on March 23 warned that the SEC would be on heightened alert for signs of insider trading and other misconduct that might harm investors.

Coronavirus: State Attorneys General and the New COVID-19 Stimulus

30 March 2020

With the president's signature on March 27, 2020, the government passed into law the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the largest economic stimulus package in American history. Passed in response to the coronavirus disease 2019 (COVID-19) pandemic, the CARES Act will have an enduring impact on the country for years to come, particularly so for the industries and businesses eligible for stimulus relief funds. The massive scale of the CARES Act immediately calls to mind questions about how the government will respond in its attempt to prevent fraud, waste, and abuse in carrying out the stimulus.

Coronavirus: US State AGs ramp up efforts to combat price gouging

29 March 2020

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

State Attorneys General throughout the country are vigorously enforcing state unfair trade practice and price gouging statutes against those alleged to be taking advantage of consumers during the COVID-19 pandemic.

Blockchain and Digital Assets News and Trends

25 March 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The age of viral outbreaks – key contract considerations in a post-COVID-19 world, plus latest legal, regulatory and case law developments around blockchain and digital transformation.

Former Barclays senior executives found not guilty of fraud

18 March 2020

On Friday a jury cleared three former Barclays senior executives accused of conspiracy to commit fraud in connection with two emergency fundraisings undertaken by the bank at the height of the 2008 financial crisis.

Coronavirus (COVID-19): ten practical steps for global employers, right now (Global)

13 March 2020

These steps are not based on laws of any one jurisdiction but rather are designed to provide a global employer with themes to consider, understanding that what may be suitable for each employer may vary greatly depending on the employer's unique circumstances.

US v. Hoskins: in setback for DOJ, court grants post-trial motion for acquittal on all FCPA counts

27 February 2020

The decision calls into question DOJ's aggressive approach to a narrow but significant class of potential defendants in FCPA cases.

Representing individuals in interviews – the US perspective

19 February 2020

Determining whether to consent to an interview, and any interview itself, can be pivotal.

Second Circuit (again) reverses Sheldon Silver's corruption conviction (in part) – and brings some clarity to the "as opportunities arise" theory of liability

22 JANUARY 2020

The decision, while limited in scope, provides important clarification to the law around illicit payments to public officials.

Blockchain and Digital Assets News and Trends

16 January 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Taxation of cryptocurrency: challenges for charities in the US and new guidance in the UK, plus latest legal developments in blockchain technology, smart contracts and digital assets.

FINRA publishes 2020 risk monitoring and examination priorities

15 January 2020

The Priorities Letter introduces significant new areas of emphasis for the coming year and summarizes other still-relevant areas discussed in previous letters.

Court rules that "personal benefit" not necessary for criminal insider trading liability under certain statutes

14 January 2020

Blaszczak is unlikely to be the last word on insider trading.

OCIE announces 2020 Examination Priorities

9 January 2020

SEC Chairman Jay Clayton said OCIE's list of priorities sets forth key areas of existing and emerging risk that the Commission expects market participants to identify and mitigate.

Supporting the health of your health system

6 January 2020

Guidance to help tend to healthcare system wellness throughout the business life cycle.

New California laws make potentially costly changes to Civil Discovery Act

17 December 2019

The changes are sure to affect all California litigants and civil litigators starting in 2020.

Upcoming 12/31 deadline to comment on CMS and OIG proposed rule changes under the Stark Law and Anti-Kickback Statute

16 December 2019

The two highly consequential proposals are poised to change how HHS approaches fraud and abuse enforcement in federal healthcare programs.

Blockchain and Digital Assets News and Trends

13 December 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

A new lawsuit alleges the CFPB Prepaid Rule violates free speech; plus the latest legal developments in blockchain technology, smart contracts and digital assets.

House moves to codify the offense of insider trading

12 December 2019

In the final analysis, the bill would expand liability for insider trading.

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.

Jury acquits foreign national in apparent rebuke of DOJ's attempt to police overseas corruption

4 December 2019

The result highlights some significant issues that may, in some cases, limit the ability of the DOJ to prosecute foreign nationals for corruption overseas.

SEC issues FY2019 enforcement report – highlights and key takeaways

19 November 2019

The Report addresses the Division of Enforcement's five core guiding principles as well as its continued focus on retail investor protection and combating cyber threats.

Blockchain and Digital Assets News and Trends

15 November 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The latest legal developments in blockchain technology, smart contracts and digital assets.

Enforcement trends: binary options industry sees surge in federal criminal and regulatory enforcement proceedings

11 November 2019

Binary options offer investors the opportunity to earn enormous returns quickly, but come with the risk of substantial losses.

The other shoe drops: Supreme Court will decide whether the SEC may obtain disgorgement as an equitable remedy

11 November 2019

The Supreme Court has accepted a *certiorari* petition in a case seeking to determine whether the SEC is entitled to seek and obtain disgorgement as equitable relief.

Jury finds former executive Lawrence Hoskins guilty in key case testing agency under the FCPA

8 November 2019

On November 8, 2019, jurors in the long-awaited trial of Lawrence Hoskins found him guilty of one count of conspiracy to violate the Foreign Corrupt Practices Act and six counts of violating the FCPA.

DOJ issues guidance regarding business entities' inability to pay corporate fines and penalties: key takeaways

31 October 2019

The latest guidance from DOJ to incentivize companies to self-report their violations and cooperate with the DOJ's investigations and recommended remedial actions.

Blockchain and Digital Assets News and Trends

18 October 2019

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

In this issue, new guidance on the taxation of cryptocurrency from the IRS, plus the latest legal developments in blockchain technology, smart contracts and digital assets.

CMS and OIG release most expansive changes to the fraud and abuse laws in over a decade

18 October 2019

The proposed changes are part of the HHS Regulatory Sprint, which seeks to remove regulatory barriers to care coordination and value-based care.

US regulators assert jurisdiction on several fronts regarding digital assets

16 October 2019

Companies offering digital assets are taking note of this upswing in regulatory activity and their compliance obligations.

President Trump sounds the death knell for "regulation by guidance"

10 October 2019

Two Executive Orders effectively end the controversial practice.

Blockchain and Digital Assets News and Trends

19 September 2019

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

In this issue, Wyoming aims to provide legal framework for using blockchain and transacting in digital assets, plus the latest legal developments in blockchain technology, smart contracts and digital assets.

Eleventh Circuit rejects reliance on statistical sampling and requires proof of objective falsity for each claim pursued under the FCA

12 September 2019

The holdings will likely have broad implications for any FCA claims based on false certification in the circuit.

Blockchain and Digital Assets News and Trends

23 August 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

In this issue, blockchain consortium governance, plus the latest legal developments in blockchain technology, smart contracts and digital assets.

Mexico: controversial, broad civil asset forfeiture law expands anticorruption arsenal – key points for companies

22 August 2019

The potential impact of the new law on companies accused of corruption is significant.

Second Circuit: *McDonnell* "official act" requirement doesn't apply to FCPA violations

October 2019

The court found that prosecutors need not satisfy the *McDonnell* heightened "official act" requirement in order to prove an FCPA violation.

SEC Chair Clayton announces new coordinated approach to settlement negotiations and the waiver process

1 August 2019

Chair Clayton emphasizes SEC evaluation of all future waiver requests in the context of assessing settlement recommendations and the conduct at issue.

Blockchain and Digital Assets News and Trends

26 July 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

In this issue, Facebook announces Libra currency, plus the latest legal developments in blockchain technology, smart contracts and digital assets.

FTC announces Cambridge Analytica settlement

25 July 2019

A sign that the FTC may be stepping up its pursuit of individual liability in addition to corporate liability.

Facebook announces Libra cryptocurrency – Congress responds

26 July 2019

The Libra/Calibra project - two recent congressional hearings.

SEC and FINRA issue joint statement on broker-dealer custody of digital asset securities

12 July 2019

The Joint Statement discusses issues facing those wishing to intermediate transactions in digital asset securities and facilitate the creation of an organized marketplace.

Shareholder efforts to bootstrap FCPA violations into private securities cases meet with mixed success – key takeaways

10 July 2019

When an FCPA-related resolution exposes a company to securities fraud claims.

Blockchain and Digital Assets News and Trends

24 June 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

In this issue, consortium blockchain governance, plus the latest legal developments in blockchain technology, smart contracts and digital assets.

Major developments in class action litigation for 2018 – 2019

18 June 2019

A top-level look at class action litigation for 2018-2019 and a look at trends, issues, and strategies that businesses face in the months to come.

Blockchain and Digital Assets News and Trends

24 MAY 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

In this issue, consortium blockchain governance, plus the latest legal developments in blockchain technology, smart contracts and digital assets.

Court finds that failure to comply with cybersecurity obligations can create False Claims Act liability

20 MAY 2019

Key takeaways about this significant finding.

Bellwether trials in MDL proceedings – guidance for transferee judges

16 MAY 2019

Practical considerations for transferee judges establishing and implementing bellwether protocols in MDL proceedings.

Department of Justice unveils guidelines for cooperation credit in False Claims Act matters

9 MAY 2019

The new DOJ guidelines are an effort to formalize guidance and credit mechanisms for corporate cooperation in civil cases, especially False Claims Act cases.

First Circuit reverses course on its first-to-file rule

9 MAY 2019

First Circuit law on the first-to-file rule is evolving in a way that could have significant consequences for False Claims Act defendants.

***US v. Connolly* and the potential pitfalls of cooperation in internal investigations**

8 MAY 2019

A warning shot to government lawyers against delegating core investigative functions to outside counsel for targets or subjects of their investigations.

DOJ revises its guidance on corporate compliance programs

2 MAY 2019

DOJ has made tangible the benefits a company can receive for designing and implementing an effective compliance program, and the newly revised Compliance Guidance reinforces those principles.

Blockchain and Digital Assets News and Trends

24 APR 2019

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The inaugural issue looks at the SEC's Digital Guidance Framework and No Action Letter and covers the latest legal developments in blockchain technology, smart contracts and digital assets.

Unpacking the SEC's Digital Assets Guidance Framework and No Action Letter

16 APR 2019

The Framework describes factors for assessing whether digital assets are “investment contracts” subject to federal securities laws; the No Action letter applies those factors.

Proposed amendments to Canada’s anti-money laundering regulations aim to close loop holes

15 APR 2019

Long-awaited amendments to Canada’s anti-money laundering regulations are set to come into effect this coming fall. A number of deficiencies in the regulations had been previously identified in reports by inter-governmental agency, the Financial Action Task Force, and the US State Department.

Northern District of Illinois dismisses False Claims Act case against Pfizer and Hospira: key takeaways

19 MAR 2019

The DLA Piper team expects this case will be cited frequently by qui tam defendants in future cases.

FBI’s new Miami International Corruption Squad sends clear message to South Florida businesses

18 MAR 2019

This development offers companies the opportunity to improve their corporate compliance programs and their operations in South Florida, Latin America and the Caribbean.

DOJ relaxes stance on personal communications and ephemeral messaging platforms in enforcement policy amendment

13 MAR 2019

While allowing greater flexibility, this change requires enhancements to compliance programs.

CFTC issues advisory incentivizing market participants to self-report foreign corrupt practices

12 MAR 2019

The first time that the CFTC is publicly incentivizing market participants.

Fifth Circuit Court of Appeals affirms CMS demand for return of \$8 million from failed care management demonstration project

12 MAR 2019

In a demonstration project, the provider’s rights and remedies must be expressed in the grant agreement.

Second Circuit clarifies law of insider trading in reversing convictions of remote tippees

11 DEC 2014

The decision is likely to have implications for the type of insider trading prosecutions that are brought in the future and how the

litigants will prosecute and defend those cases

Supreme Court unanimously overturns public corruption conviction of former Virginia governor: routine political courtesies such as setting up meetings or hosting events, standing alone, do not constitute “official acts” for the purposes of the bribery statute

29 JUN 2016

In a highly anticipated decision, SCOTUS narrowed the definition of “official acts,” making it substantially more difficult for DOJ to prosecute bribery and other public corruption.

***Universal Health Services*: contractors take note – Supreme Court approves implied certification theory of False Claims Act liability**

22 JUN 2016

The Court’s recognition of “implied certification” theory resolves a circuit split in favor of a more expansive view of the Act.

CFTC announces its largest whistleblower award to date – key takeaways

2 MAY 2016

CFTC sends a clear message to commodities futures traders that it means to aggressively court tipsters who have information about possible violations of the CEA.

Third parties: 4 FCPA takeaways for working with distributors

24 SEP 2014

Four key challenges and related “cures”

Tackling the realities of due diligence in a global setting

24 OCT 2013

For even the most conscientious of companies, hurdles exist to conducting fulsome due diligence in a global setting

***United States v. Vilar*: new limits on extraterritorial securities enforcement**

9 SEP 2013

CFTC approves final cross-border guidance of the swap provisions of the Dodd-Frank Act

12 JUL 2013

The Final Guidance aims to set forth the CFTC’s policy on the application of the swap provisions of the Commodities Exchange Act to cross-border activities

Congress, Administration move forward to secure critical US infrastructure

11 JUL 2013

Cybersecurity and US federal public procurements: what contractors need to know

11 MAR 2013

Practical considerations for US federal contractors

Conflict mineral reporting rules impact many public companies: *new supply chain requirements and new Form SD*

19 Sep 2012

Understanding the new reporting requirements.

Federal agencies, Congress accelerate defense against cyber attacks – every private company will be affected

21 Mar 2012

Risks and consequences in the new whistleblower landscape

2 Feb 2011

Will proposed SEC whistleblower rules prevent the undermining of corporate compliance programs?

9 Nov 2010

The extraterritorial reach of the new Dodd-Frank whistleblower law

9 Sep 2010

Growing liability risk to foreign financial institutions from tax disclosure cases

16 Feb 2010

[**FINANCIAL FRAUD LAW REPORT**](#)

Easing the burden to prove tax evasion while stiffening the penalties

5 May 2009

Events

[Previous](#)

Boston Bar White Collar Crime Conference

4 February 2021
Webinar

DLA Piper White Collar CLE Series: Take 5

14 January 2021 | 1:00 - 2:00 ET
Webinar

DLA Piper White Collar CLE Series: Take 5

4 June 2020 | 1:00 - 2:00 ET
Webinar

DLA Piper White Collar CLE Series: Take 5

6 April 2020
Webinar

Federal Bar Association Qui Tam Conference

27-28 February 2020

DLA Piper White Collar CLE Series: Take 5

23 January 2020
Webinar

DLA Piper White Collar CLE Series: Take 5

26 September 2019
Webinar

White Collar CLE Series: Take 5

27 JUN 2019
Webinar

Settling an enforcement action

June 2019
Webinar

White Collar CLE Series: Take 5

24 APR 2019
Webinar

NEWS

DLA Piper associate Tom Daley wins ABA 2020 *Public Contract Law Journal* Writing Competition award

19 February 2021

Tom Daley has been named the first place winner in Division II of the American Bar Association's 2020 *Public Contract Law Journal* Writing Competition.

DLA Piper advises Emerett in its sale to BlackHorse Solutions

25 January 2021

DLA Piper represented Emerett, LLC in its sale to BlackHorse Solutions, a technology solutions provider whose mission is to solve challenging problems for customers in the defense, intelligence and law enforcement communities.

Raj N. Shah named to *Crain's Chicago Business* 2020 Notable Minorities in Accounting, Consulting & Law list

17 December 2020

DLA Piper is pleased to announce that Raj N. Shah, co-managing partner of the firm's Chicago office, has been named to *Crain's Chicago Business's* 2020 Notable Minorities in Accounting, Consulting & Law list recognizing 56 professionals who have "overcome challenges and bias to rise to the top of their professions."

DLA Piper represents Blue Diamond in dismissal of class action lawsuit

14 December 2020

DLA Piper represented Blue Diamond Growers in the dismissal of a class action lawsuit filed in the US District Court for the Southern District of New York.

Nine DLA Piper lawyers recognized by BTI Consulting Group for superior client service

10 December 2020

DLA Piper is pleased to announce that BTI Consulting Group has recognized nine of its lawyers for providing superior service to clients.

DLA Piper advises G2SF in its sale to Gunnison Consulting Group

23 November 2020

DLA Piper represented G2SF, Inc. in its sale to Gunnison Consulting Group, Inc., a leader in software development, data analytics and enterprise system testing for US federal government customers with a data-intensive focus.

DLA Piper advises Digital Force Technologies in strategic partnership with DC Capital Partners

29 September 2020

DLA Piper represented Digital Force Technologies (DFT) in its formation of a strategic partnership with DC Capital Partners.

Campos Mello Advogados opens Brasilia office, launches Government Affairs practice with addition of two new partners

16 September 2020

Campos Mello Advogados today announced the opening of the firm's new Brasilia office, as well as the arrival of new partners Carolina Caiado and Paulo Renato Barroso, who will lead the firm's new Government Affairs practice.

DLA Piper lawyers and practices ranked in latest Chambers edition

8 May 2020

DLA Piper today announced that the firm received 172 lawyer rankings and 71 practice rankings in *Chambers USA's* 2020 guide.

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

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.

Jonathan Haray appointed to board of Washington Lawyers' Committee for Civil Rights and Urban Affairs

20 February 2020

Jonathan Haray, a partner in DLA Piper's Washington, DC office, has been appointed to the board of directors of the Washington Lawyers' Committee for Civil Rights and Urban Affairs.

DLA Piper hosts General James Mattis in Washington, DC

27 January 2020

On January 23, 2020, General James Mattis, senior counselor at The Cohen Group, addressed DLA Piper's employees in Washington, DC. DLA Piper maintains a longstanding strategic alliance with The Cohen Group.

Frank Ryan discusses the trade war with Yahoo Finance

9 Sep 2019

Highlight: "Where we are right now is in a political phase in this debate, and... we need to get to a practical phase," says @DLA_Piper's Frank Ryan on the trade war. "The sooner we get stability for major multinationals in China regarding IP protection, the better off we'll be." pic.twitter.com/u0ykzF8m89

— Yahoo Finance (@YahooFinance) September 9, 2019

General James Mattis to join the Cohen Group

9 Sep 2019

General James Mattis will join The Cohen Group as a Senior Counselor in October, the firm announced today.

Paul Hemmersbaugh joins DLA Piper's Litigation practice as chair of Transportation Regulatory group

3 September 2019

DLA Piper announced today that Paul Hemmersbaugh has joined the firm's Litigation practice as a partner and chair of its transportation regulatory and litigation group, in Washington, DC.

Tony Samp joins DLA Piper as policy advisor in Washington, DC

10 July 2019

DLA Piper announced today that Tony Samp has joined the firm's Government Affairs practice as a policy advisor in Washington, DC.

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, 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.

DLA Piper hosts leading business and diplomacy conference

14 MAR 2019

DLA Piper's London office has hosted the Annual Conference of the International Diplomatic and Business Exchange (IBDE).
