



## 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 enforcement

### KEY CONTACTS

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- 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.

We are proud to be recognized by the *Global Investigations Review 2021* as a Top 30 Investigations firm globally.

## 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.

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## RELATED SERVICES

- Litigation, Arbitration and Investigations

## INSIGHTS

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## Publications

### EU Whistleblower Directive: Implementation Tracker - Whistleblowing Laws in Europe: An international guide

November 2021

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### The Global Anti-Corruption Perspective, Q4 2021

5 October 2021

Welcome to *The Global Anti-Corruption Perspective*, offering practical thoughts on complying with international bribery laws.

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### The challenges of compliance in a modern world: The changing landscape of cartel enforcement

7 September 2021

#### ANTITRUST MATTERS

With the rise of technological developments, we also have seen increased risks. In this new digital world, we are creating more data year on year. Data storage, ease of communications (including the use of email and chat), along with the ease of photos and videos means that data volumes are increasing exponentially.

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### US v. Bescond addresses "fugitive disentitlement": Potential game changer for foreign-based defendants facing US charges

30 August 2021

The Second Circuit found that a French citizen who had been in France throughout the period of the alleged crimes was not a "fugitive" and that the district court abused its discretion by applying the fugitive disentitlement doctrine.

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### Supplementary – United States – Whistleblowing Laws in Europe: An international guide

June 2021

There are many US federal statutes that prohibit employers in the private sector from retaliating against whistleblowers, many of which are sector or industry specific.

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### Supreme Court significantly limits the scope of the Computer Fraud and Abuse Act

4 June 2021

The decision will largely gut the CFAA as a tool for addressing insider data theft.

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### Locking down market abuse

14 April 2021

The FCA has recently taken action against a number of individuals for market manipulation and insider dealing. This is a clear sign of

the regulator re-focusing its attention on these offences, and is something that readers need be aware of to ensure they stay on the right side of the rules.

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### **10 tips for safeguarding privileged communications in a remote work world**

13 April 2021

Many of these technologies are so new that they are not yet the subject of case law.

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### **Representing individuals in interviews – the US perspective**

30 March 2021

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

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### **Corruption Perceptions Index 2020 - a regional perspective**

11 February 2021

Last week Transparency International launched the 2020 edition of its Corruption Perceptions Index (CPI), which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people, using a scale of zero to 100 (100 being very clean and zero being highly corrupt).

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### **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.

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### **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.

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### **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.

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### **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.

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## 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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## With unanimity comes clarity: In reversing Bridgegate convictions, a unanimous Supreme Court further narrows scope of federal fraud and corruption prosecutions

8 May 2020

The federal fraud statutes criminalize only deception targeting money and property, not other forms of chicanery, no matter how unscrupulous they might be.

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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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## 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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## 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.

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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: 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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## Coronavirus: Competition and regulatory measures in Ireland

25 March 2020

### ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD

An unprecedented challenge calls for unprecedented measures. The competition and regulatory world has reacted rapidly to the challenge of COVID-19 with bold legal solutions. We discuss how EU and Irish regulators are responding with support for business, exploring the relaxation of competition laws and adopting temporary measures for merger review.

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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 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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## Penn State Ninth Interim Report

5 DEC 2014

This is the ninth quarterly report of Senator George J. Mitchell - the Independent Athletics Integrity Monitor - on Penn State's progress in implementing the requirements of the Athletics Integrity Agreement among Penn State, the NCAA and the Big Ten Conference.

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## Penn State Third Annual Report

21 SEP 2015

This is the third annual report of the Independent Athletics Integrity Monitor – Charles P. Scheeler - on Penn State's progress in implementing the requirements of the Athletics Integrity Agreement among Penn State, the NCAA and the Big Ten Conference.

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## Penn State Eleventh Interim Report

29 MAY 2015

This is the eleventh quarterly report of the Independent Athletics Integrity Monitor - Charles Scheeler - on Penn State's progress in implementing the requirements of the Athletics Integrity Agreement among Penn State, the NCAA and the Big Ten Conference.

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## **Penn State Tenth Interim Report**

27 FEB 2015

This is the tenth quarterly report of Senator George J. Mitchell - the Independent Athletics Integrity Monitor - on Penn State's progress in implementing the requirements of the Athletics Integrity Agreement among Penn State, the NCAA and the Big Ten Conference.

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## **Penn State Second Annual Report**

8 SEP 2014

This is the second annual report of Senator George J. Mitchell - the Independent Athletics Integrity Monitor - on Penn State's progress in implementing the requirements of the Athletics Integrity Agreement among Penn State, the NCAA and the Big Ten Conference.

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## **Penn State Seventh Interim Report**

30 MAY 2014

This is the seventh quarterly report of Senator George J. Mitchell - the Independent Athletics Integrity Monitor - on Penn State's progress in implementing the requirements of the Athletics Integrity Agreement among Penn State, the NCAA and the Big Ten Conference.

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## **How well do you know your compliance program? 6 simple tools**

13 JAN 2016

Companies are under increasing pressure to demonstrate to both the Audit Committee and, if necessary, regulators, that their compliance program is operational and effective. But how do you really measure that?

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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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## **Events**

### **Previous**

## **White Collar Crime, Investigations and Compliance Symposium**

5 October 2021

Webinar

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## **NEWS**

### **DLA Piper named to *Global Investigation Review's* GIR 30 list of leading investigations practices**

11 November 2021

DLA Piper is pleased to announce that the firm has been named to *Global Investigations Review's* annual list of the 30 top investigations practices worldwide, reflecting its reputation as one of the top global law firms with broad experience in complex investigations.

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### **DLA Piper lawyers and practices ranked in latest edition of *The Legal 500***

17 June 2021

DLA Piper announced today that the firm received 42 individual lawyer rankings and 49 firm rankings in *The Legal 500 United States* 2021 guide.

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### **DLA Piper launches Aiscension to help detect and prevent cartel activity in collaboration with Reveal**

15 March 2021

- New offering delivers cutting-edge technology from *Reveal* alongside DLA Piper's first-class legal know-how
  - Time and cost savings allow for companies to focus on detection
  - Faster, more effective and better value than traditional technology assisted and manual reviews
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