

Global Business Strategies

In the past year, the number of FCPA investigations and enforcements has surged, and recent financial reform legislation will continue to drive this trend in 2011 and beyond. Many sectors are under the microscope. Enforcement authorities have demonstrated a greater interest in targeting individuals and—as a result—there have been an unprecedented number of FCPA investigations and trials as of late. These trends are prompting companies doing business outside of the U.S. to take a closer look at their global operations practices and strategies.

Across a variety of sectors, our attorneys have successfully represented individuals, companies, and financial institutions in (proactively and reactively) addressing FCPA compliance and a number of bribery, fraud and abuse, and related matters.

Our FCPA capabilities include:

- Compliance Programs
- Distribution Agreements
- Due Diligence & Analysis
- Export Controls
- FCPA Investigations & Defense
- FCPA Policies & Procedures
- Geographic Risk Analysis
- Internal Compliance Audits
- Mergers & Acquisitions
- Training Programs

Additionally, we have significant compliance, transactional, and enforcement experience advising in the related areas of anti-money laundering, global sanctions, anti-boycott and fraud—all areas that may be implicated in FCPA investigations and enforcement.

Quick Facts

- Multidisciplinary team comprised of white collar, securities, litigation, and corporate attorneys
- Significant experience in government investigations and regulatory compliance
- Team members who have previously worked for the international section of the Securities and Exchange Commission (SEC), Department of Justice, or as assistant U.S. attorneys and state assistant attorneys general
- Established relationships with federal prosecutors in 20+ jurisdictions
- Demonstrated success representing individuals and companies across a wide variety of FCPA matters

Representative Experience

- Represented a manager of a Dutch petroleum services company in connection with an FCPA investigation led by the DOJ in Washington, D.C., relating to construction contracts in Latin America. Although the international company ultimately paid a fine, our client was not charged.
- Represented a high level executive of a global security company manufacturing military weapons and electronics. The DOJ was investigating alleged bribes paid to Korean officials in exchange for the purchase of military F-16 fighter aircrafts. The investigation concluded successfully for our client.
- Represented the general counsel of a homeland security company being acquired in a multibillion-dollar transaction. During the due diligence phase of the acquisition, the acquiring company discovered bribes paid to officials in West Africa. This matter was resolved successfully for our client despite charges being made against additional individuals associated with the company.
- Advised an international financial services complex on a Congressional investigation into transactions allegedly involving U.S. banking of foreign corruption proceeds.
- Advised a large, multinational corporation contemplating a cross-border acquisition on FCPA issues arising in the due diligence performed by a "Big 4" consulting firm. We analyzed the findings and assisted the client in fully evaluating the acquisition opportunity.
- Represented a large private equity firm and advised on FCPA challenges arising in the use of third-party representatives in the African operations of a portfolio company.
- Represented a technology company in conducting FCPA due diligence for a proposed merger, with a specific focus on issues relating to a distributorship in China.
- Represented a manufacturer in connection with FCPA issues related to its distributorship agreement in India.

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