



White Collar Defense and Internal Corporate Investigations

Increased government scrutiny and severe criminal and civil penalties are the realities facing today's corporations and their officers, directors and employees. Few areas of the law require more skills across a broad spectrum of disciplines than the representation of clients in federal and state criminal and regulatory enforcement matters and the representation of corporate boards (or current or former officers, directors, and employees) in internal investigations.

Led by nationally recognized trial lawyers and former federal prosecutors, Farella Braun + Martel's White Collar Crime and Internal Corporate Investigations Group has the civil, criminal and regulatory expertise required to achieve successful outcomes at trial and - in many cases as or more important - even before charges are filed and investigations become public. Our lawyers have real and current trial experience. They include members / Fellows in the American College of Trial Lawyers, the American Board of Trial Advocates, the International Academy of Trial Lawyers and the International Society of Barristers.

Our White Collar Crime attorneys litigate indicted cases and provide representation in grand jury proceedings and before regulatory agencies, such as the SEC and EPA, throughout the country. We combine courtroom skills and defense expertise with sophisticated knowledge in many areas of substantive law, including:

- securities, revenue-recognition, stock option, and public-accounting violations
- insider-trading, Title 15 and CFR securities non-compliance, and Sarbanes-Oxley issues
- mail, wire, tax-related and computer fraud
- trade-secret theft
- environmental and health and safety violations
- antitrust violations (including those involving non-U.S. companies)
- Foreign Corrupt Practices Act issues
- import-export and money-laundering violations
- Medicare fraud
- false claims with and false statements to government authorities

Our White Collar Crime Group can quickly draw on the resources and knowledge of other related practice areas in the firm, such as Environmental , Securities Litigation, Insurance Coverage and Employment.

We have extensive experience conducting internal corporate investigations for audit committees and boards and advising them on the myriad of complex and sometimes conflicting issues that arise. We also regularly represent individuals - current or former officers, directors or employees - who are subjects of such investigations. We also counsel corporate clients concerning compliance programs mandated by state and federal law, and help clients navigate the always murky waters created by parallel civil and criminal proceedings.

Because we are familiar with the corridors of the prosecutors' offices, we are able to explore in advance every avenue possible to avoid charges altogether or mitigate them where possible. For most of our clients, the mere filing of highly publicized charges can be devastating. If charges are unavoidable, our attorneys have the experience it takes to either negotiate an appropriate resolution or take the case to trial.

The complexities involved in developing a strategy or achieving a resolution in criminal matters increases exponentially when clients are faced with parallel civil or administrative proceedings. For example, clients in securities fraud cases are often faced with a three-tiered threat: the filing of civil class actions; SEC investigations leading to civil enforcement cases; and grand jury investigations leading to criminal charges. Our attorneys have extensive expertise in early assessment of a client's civil, administrative and criminal exposure, and in developing a coordinated defense to all three of these proceedings. We know from experience that the early strategies developed in response to one proceeding can have serious and unalterable repercussions on the direction and ultimate outcome of the parallel investigations and filings. We handle these cases every day, advising clients on how to best navigate through the myriad of high-stakes decisions they face.

Contacts

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