

WHITE COLLAR DEFENSE & REGULATORY ENFORCEMENT

Crowell & Moring's White Collar & Regulatory Enforcement practice covers the full range of securities fraud investigations, including federal and state grand juries, and inquiries initiated by the U.S. Securities and Exchange Commission (SEC), Financial Industry Regulatory Authority (FINRA), Commodity Futures Trading Commission (CFTC), state attorneys general and other regulatory and investigative bodies. Our experienced team of enforcement defense lawyers consists of partners who excelled as federal and state prosecutors and enforcement attorneys at U.S. Attorney's offices, the Department of Justice (DOJ) and the U.S. Securities and Exchange Commission. This combination of talent and government experience means that we are ready to counsel and, if necessary, litigate before any agency or court, and that we will do so in a way that balances regulatory compliance with each client's continuing business needs and concerns.

OUR COMMITMENT

CROWELL & MORING PROVIDES:

- **STRATEGIC** cohesive approach to provide valuable innovative business guidance.
- **DEDICATED** and prompt attention from the entire team, including approachable senior-level partners across practices.
- **HIGHEST OF QUALITY** legal services with affordable fees and flexible work arrangements tailored to the specific client needs.

OUR DIFFERENTIATORS

AT CROWELL & MORING, WE:

- **LISTEN** and take the time to understand your comfort level with risk and frame our representation with that as a guiding post.
- **LEVERAGE** our networks and our extensive knowledge of the financial sector, securities issuers, and other investment industry participants along with insider awareness, extensive investigations and trial experience. With our strengths, we provide the full power of our regulatory relationships to address parallel compliance, criminal and regulatory issues.
- **ELEVATE** our commitment through our multi-disciplinary team working seamlessly with your trusted advisors to ensure full coverage of your needs. We frame your options and present practical solutions.

OUR SERVICES

Our lawyers are creative, flexible, hands-on, and have a comprehensive knowledge of the modern securities and financial fraud enforcement landscape. We advise clients on the full spectrum of issues related to investment, accounting, and financial reporting compliance, including:

- Accounting and disclosure fraud investigations
- Financial crimes
- Insider trading
- Investment advisor and broker-dealer regulation
- Market manipulation
- Anti-money laundering
- Economic sanctions and export controls
- Privacy and data security
- The Foreign Corrupt Practices Act (FCPA) and the U.K. Bribery Act
- Tax fraud
- The False Claims Act (FCA) and whistleblower or *qui tam* litigation

INVESTIGATIONS/LITIGATION

We have extensive experience counseling clients facing inquiries, parallel investigations, and law-enforcement actions led by the SEC, DOJ, FINRA, the Commodities Futures Trading Commission, the Public Company Accounting Oversight Board, the New York Department of Financial Services, the UK Financial Conduct Authority, and other agencies.

We have a wealth of experience at every stage, from conducting internal investigations to representing

individuals and corporations before the agencies, during the Wells process, before grand juries, and at trial.

REGULATORY ENFORCEMENT

Whether the regulatory enforcement matter is initiated by self-reporting, an agency’s monitoring or by a whistleblower, we provide guidance and insights while protecting our clients every step of the process. We are engaged with our clients early on to gather the facts, documents and interviews to then provide opportunities to prompt no to minimal action involving our clients.



MONITORSHIPS

Courts and agencies commonly appoint monitors and independent counsel to oversee companies' compliance with consent decrees and other significant government laws and activity. Crowell & Moring lawyers are frequently selected to serve as monitors.

Our monitorship practice results from our extensive prior service in top government positions, coupled with our substantial experience in guiding clients through high-profile internal investigations, enforcement matters, and government inquiries. We have vast experience helping clients build compliance into their business processes so that best practices become routine – not a special project or an additional burden. We establish compliance programs, draft codes of conduct and policies, and provide training – and have done so for over 200 corporate clients in the broadest array of industries. We also have experience in evaluating and monitoring the implementation of remedial measures and internal controls. Monitorship is a part of our regular daily service to clients.

ANTI-MONEY LAUNDERING (AML)

The risks for international business associated with increased enforcement of AML laws are growing daily.

We help multinational financial institutions and other companies navigate the legal, business, and regulatory AML requirements that arise under the Bank Secrecy Act (BSA) and other applicable Federal and state laws, as well as the many regulators that have a role in enforcing AML requirements.

FOREIGN CORRUPT PRACTICES ACT (FCPA)

Obtaining advice and counsel from experienced anti-corruption practitioners is critical, especially with the current environment’s inherent risks. We provide a full range of services to clients confronting potential FCPA issues that include:

- Compliance counseling
- Internal investigations
- Defense of a high-stakes government investigation
- Litigation, including parallel civil litigation

We strike the right balance between lifelong defense lawyers, former prosecutors, and former enforcement attorneys, assembling an efficient and experienced group of professionals able to assist in any scenario.

CRISIS MANAGEMENT

We proactively work with our clients to develop a policy and guide them in the event of a crisis, whether it being but not limited to a law enforcement raid, news reporter asking questions, work-related accident or whistleblower. We created a Crisis Handbook for In-House Counsels that has been used by our clients around the country. The handbook can be found on the Crowell & Moring White Collar & Regulatory Enforcement webpage.

CONTACT

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