



Foreign Corrupt Practices Act and Anti-Corruption

Companies facing high-stakes government and internal investigations, as well as those seeking anti-corruption risk assessments, M&A guidance and ad hoc counseling, rely on WilmerHale. With our team, which has been named an “FCPA Powerhouse” and “Practice Group of the Year,” clients get the benefit the advice of more than 60 experienced anti-corruption lawyers with extensive knowledge in all aspects of the field. We have been involved in some of the most notable public and non-public cases and key developments related to FCPA and anti-corruption issues, and regularly counsel more than 80 public and other companies on anti-corruption compliance.

PRACTICE AT A GLANCE

- We represent companies and individuals in US Department of Justice (DOJ), US Securities and Exchange Commission (SEC), UK Serious Fraud Office, and Chinese Administration for Industry and Commerce investigations; perform internal investigations on the ground in Asia, Africa, the Middle East, Eastern Europe, Latin America and elsewhere; conduct risk assessments and benchmarking; advise on strategic transactions; develop and enhance compliance programs; offer ongoing and real-time counseling; and draft and conduct anti-corruption training.
- In addition to our US team, which has deep relationships with enforcement attorneys at the DOJ, SEC and other agencies, clients benefit from the extensive anti-corruption experience of our lawyers based in the UK, Germany and China.
- Our FCPA work spans industries, including financial and professional services; technology; pharmaceutical, medical devices and healthcare; energy, oil and gas, and natural resources; media; defense and aerospace; manufacturing; and consumer goods.
- Our team, which has been practicing in this area since the enactment of the FCPA, is tied with one other firm for advising on the most FCPA public settlements since late 2008. In 2016 alone, WilmerHale handled five DOJ and/or SEC settlements, along with a publicly announced DOJ/SEC declination. The firm has also obtained numerous non-public declinations for clients who were under investigation by enforcement authorities.

DEEP BENCH

300+

lawyers across the firm involved
in investigations

105+

countries in which investigations-
related work has been conducted

80+

companies rely on our counsel on
anti-corruption compliance issues

EXPERIENCE

- Helped a major foreign technology conglomerate achieve a settlement with the DOJ/SEC that resolved federal allegations that the company violated the FCPA and advised regarding compliance enhancements during post-settlement reporting period.
- Serving as a DOJ/SEC appointed independent FCPA compliance monitor for a German-based supplier of global dialysis products and services in connection with the company's \$231 million resolution of charges that it violated the FCPA.
- Represented Analogic in settlements with the DOJ and SEC related to conduct in Russia and elsewhere and advised on compliance enhancements during post-settlement reporting period.
- Represented Johnson Controls in a settlement with SEC and one of first declinations under DOJ's Pilot Program (now Corporate Enforcement Policy).
- Represented PTC, Inc. in settlements with the DOJ and the SEC related to conduct in China.
- Represented Key Energy in an SEC settlement and DOJ declination related to alleged conduct in Mexico, including advising on anti-corruption compliance policies, procedures and training.
- Represented Latam Airlines (formerly LAN Chile) in settlements with the DOJ/SEC, including ongoing assistance to the company in its obligations under the monitorship imposed under those settlements.
- Represented three different global financial services corporations in investigations by the SEC and/or DOJ, including the first-ever FCPA case based on the theory of hiring relatives of government officials, as well as an additional settlement with the SEC for one of the other banks and a declination by the SEC for the other.
- Represented over a dozen individual executives and other employees in connection with DOJ/SEC investigation of Alcon.
- Obtained an SEC declination for a client in an FCPA investigation involving alleged payments to PDVSA officials in Venezuela.
- Represented a major multinational company in a DOJ/SEC investigation of issues in Brazil and Colombia, which was closed when both agencies declined to bring charges.
- Represented a client in an SEC enforcement matter involving alleged bribery and fraud at a financial institution, which originated with the arrest of individuals in Germany.
- Represented a Fortune 100 client relating to the ongoing investigation by the Eastern District of New York involving FIFA confederation officials, international sports marketing firms and other unnamed co-conspirators.

— GLOBAL INVESTIGATIONS REVIEW

Consistently ranks us **at or near the top** of its list of the leading investigations and compliance practices.

— GLOBAL INVESTIGATIONS REVIEW JUST ANTI-CORRUPTION

Gave WilmerHale's Washington DC office an **"elite" ranking for FCPA**, placing the firm among the top in the nation's capital.

— CHAMBERS USA

Regularly ranks the practice. In 2019, cited commentators who said, "WilmerHale is **phenomenal in the FCPA space**," and "they're very knowledgeable about how to handle investigations."



Practice leaders Kimberly Parker, Jay Holtmeier, Erin Sloane and Roger Witten author the leading treatise in the field, **Complying with the Foreign Corrupt Practices Act**.

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