

The cover features a dark blue background with a grid of teal dots. A white stylized frame, resembling a camera viewfinder, is centered on the page. Inside the frame, the text 'GIR' is written in a large, bold, white sans-serif font. Below it, 'Global Investigations Review' is written in a smaller, white sans-serif font. At the bottom of the frame, '100' is written in a very large, bold, white sans-serif font.

GIR

Global Investigations Review

100

*A guide to the world's leading
firms for corporate investigations*

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GIR 100

Global Investigations Review

The GIR 100 is an annual guide to the world's leading cross-border investigations practices. Based on extensive research, we have selected 100 firms from around the world able to handle sophisticated cross-border government-led and internal investigations.

For corporate counsel, knowing which firm, or firms, to turn to during a crisis – sometimes at a moment's notice – is of the utmost importance. In the most extreme cases, getting the right external counsel – with experienced people in the necessary locations – can mean the difference between sinking and swimming for a company under government scrutiny.

Hence the need for a publication like the *GIR 100*.

Our research is essentially a vetting process: we review the data supplied to us by each firm with the aim of selecting 100 firms from around the world that we can recommend for handling corporate internal investigations and government investigations.

In preparation for the *GIR 100*, we asked numerous firms the same question: when pitching for work to potential clients, how do you persuade a general counsel that your firm is a better choice than your competitors?

Because, of course, one can regale a potential client with a multitude of facts about the firm: the number of partners and associates at one's disposal; the ex-government enforcers with inside knowledge; the multitude of offices in far-flung locations; the in-house forensic accounting team.

These are all important – perhaps vital, especially on larger matters.

But ultimately we were told by many different firms, of all shapes and sizes, that it boils down to two things: experience and trust.

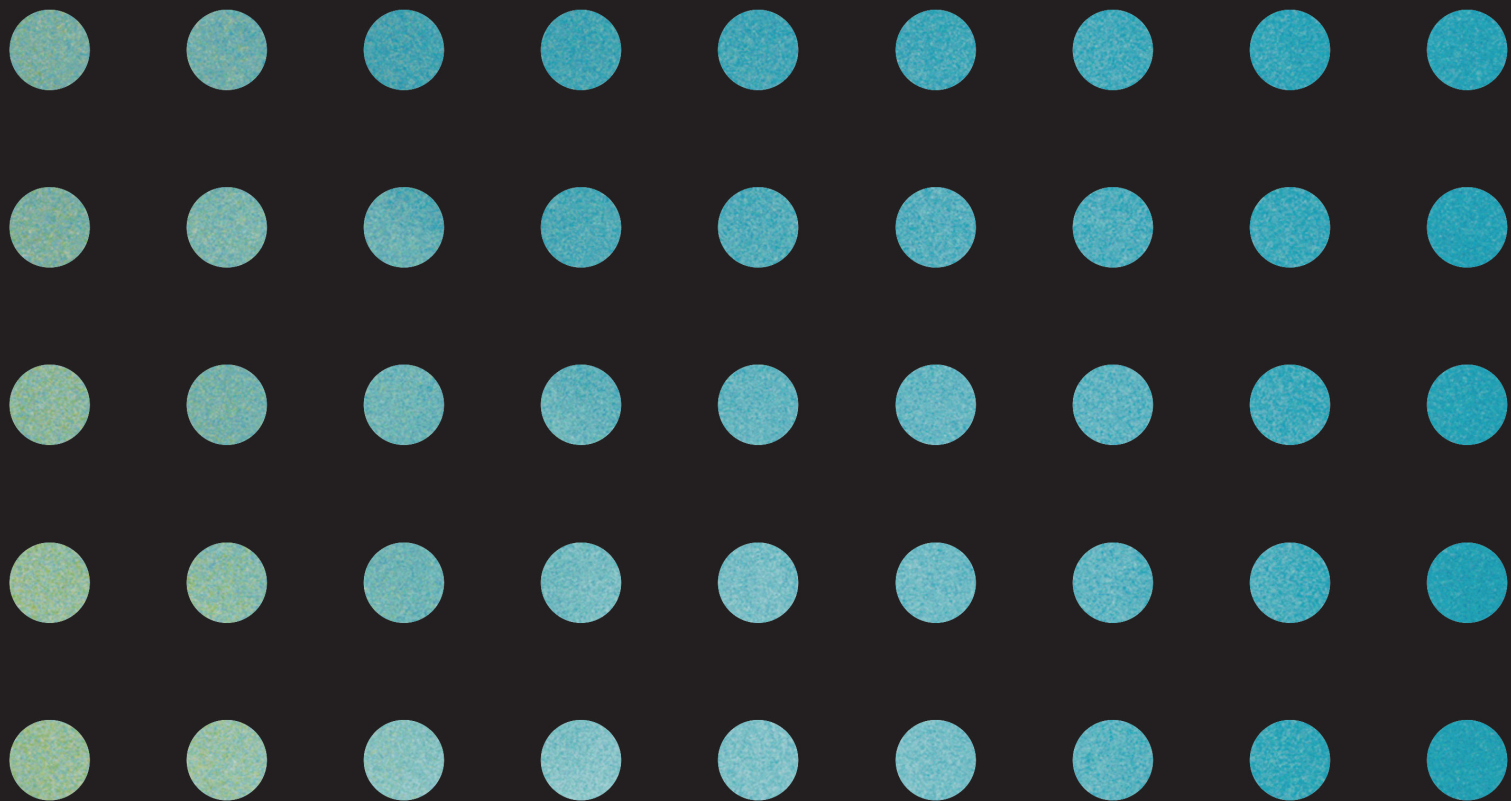
First, experience. Knowing how an investigation is supposed to work is one thing, but getting out there and actually doing it is something else.

Take witness interviews. We've heard anecdotes of how being a female lawyer can work to one's advantage when interviewing male witnesses in some jurisdictions, but has quite the opposite effect elsewhere. And should one play good cop, bad cop? Or a little of both, depending on the interviewee? What about bringing in local counsel to pick up on details and nuances in conversation that even a seasoned DC lawyer, for example, might fail to spot?

And when dealing with prosecutors, do you go, tail between your legs, with the results of a corporate internal investigation neatly packaged up, and drop it into the government's lap? Or do you go in teeth bared? Do you go in at all? And if it gets to the stage where you're negotiating a financial settlement with the government, do you follow the advice of one lawyer who said, "Whatever you do, never be the first to name a number." Or do you try to frame the debate right from the word go?

This isn't something learned at law school: this comes from hard work and experience on the ground. Has a firm carried out an investigation in country X before? Has it carried out multiple investigations there, over many years – meaning it would have substantial institutional memory when it comes to handling probes in that jurisdiction? Has that firm handled a cross-border investigation with multiple government agencies each looking for a scalp, with competing interests, conflicting laws, overlapping jurisdictions? How many such matters has it handled? Where? Which industries? What were the outcomes?

And then there's trust. The trust of the client, certainly – particularly those with whom the firm has worked for many years, perhaps in many different areas of law. Also, trust from other law firms: trust in a firm's ability to handle an investigation and to deal with the outcome of that investigation; and to work side by side with that firm positively and productively, whatever issues may arise. And, finally, trust from enforcers



– an incalculable but supremely valuable asset when it comes to negotiations with government agencies.

When we were researching each of the 100 firms that appear in this publication, that's what we placed most emphasis upon: experience and trust.

We're confident that each firm appearing in this guide – whether it's a multinational law firm with an army of investigations specialists, or a regional firm whose lawyers know the local legal terrain inside out – has substantial experience in handling corporate internal investigations and government-led investigations. And, accordingly, each has earned the trust of its clients, of other law firms and, importantly, of the government agencies in the jurisdictions in which it operates.

Our conclusions are based largely upon submissions we received – around three-quarters of the firms herein supplied full, comprehensive submissions detailing every aspect of their investigations practices – and from the dozens of phone calls and meetings we carried out with partners from the firms we list.

The results are also based on our own specialist, in-house knowledge. Our team of reporters, based in London and Washington, DC, cover the work of these 100 firms and others all day, every day. What's more, we were also able to draw upon – and contribute to – the work of colleagues on our sister publications, not least *Who's Who Legal*, whose research for its *Investigations* and *Business Crime Defence* editions has been invaluable in undertaking this project.

Finally, Global Investigations Review is sincerely grateful to all the firms who provided information for the *GIR 100*. We appreciate it was no mean feat, and in many cases saw firms burning the midnight oil to get the submission in on time. We hope you will agree that the results are well worth it.

Methodology

We invited firms across the world to make a *GIR 100* submission to Global Investigations Review. To do so, each firm was asked to complete a detailed questionnaire on its investigations and white-collar crime practice.

The questionnaire comprised two parts. The first aimed to gather information on the characteristics of a firm's investigations practice. Here, we requested public, on-the-record information that would enable us to write a profile of the firm. We wanted to know about the firm's clients, its star partners, its most noteworthy investigations, together with the achievements and developments the firm's investigations practice is proud of – and able to tell the world about.

The second part takes a look below the surface. We wanted to provide firms with an opportunity to demonstrate their experience and current activity levels, without breaking any ethical rules. For this section, we gave firms the opportunity to submit information confidentially. This has enabled us, first, to recommend a firm to readers on the basis of its current practice (rather than past, public successes), and second, to rank firms using objective data for the *GIR 30*. We asked for detailed information on the investigations and monitorships the firm has carried out over the past two years. We also looked at billable hours, partner travel, government experience and more.

A handful of the firms featured in this guide did not provide a full submission. In most cases, where we strongly believed a firm should feature in the 100, we arranged a telephone call with the head of practice or another partner to discuss the firm's investigations experience. For these firms we have written shorter profiles.

Forensic Risk Alliance

Forensic Risk Alliance is regularly hired by law firms and companies to provide expertise on some of the world's biggest investigation cases.

The firm

Forensic Risk Alliance (FRA) was founded by former investment bankers Frances McLeod and Toby Duthie and forensic accountant Greg Mason in 1999. Since its inception, FRA has worked on a number of high-profile corruption, sanctions and bribery matters, providing forensic accounting and eDiscovery expertise for a wide range of clients.

FRA boasts two Who's Who Consulting Experts in Duthie and Mason. Duthie is head of FRA's London office and is credited with developing the accountancy's white-collar and regulatory defence services. He has worked on several high-profile investigations, including a forensic accounting investigation into alleged corruption tied to the UN Iraq oil-for-food programme. When these allegations surfaced in 2004, the UN assembled a team of experts, including the former head of the US Federal Reserve, Paul Volcker, to investigate the matter further. As part of the UN investigation, FRA was instructed to carry out a forensic review and e-discovery exercise of all payments made to key individuals under the programme. Volcker's final report, published on 7 September 2005, revealed evidence that companies and individuals paid kickbacks to Iraqi officials to participate in the programme.

Mason, who is based in the FRA's Providence office in the US, has expertise in data mining and data forensics and is credited with developing the company's e-discovery tool, which allows companies to remotely process documents in compliance with data privacy, state secrecy and bank secrecy laws in multiple jurisdictions including the EU, China and Brazil.

Meanwhile, McLeod – FRA's managing partner – has over 23 years' experience advising clients on sanctions, anti-corruption, fraud and asset tracing matters. She was the lead partner in FRA's UN oil-for-food programme investigation and as a result reported the company's findings to six US Congressional committees, which were investigating the scandal.

FRA has made five hires in the past year; the most recent of these is Stacy Fresch, recruited as partner in the forensic accountancy's Washington, DC office. Fresch previously served as an assistant chief accountant in the US Securities and Exchange Commission between 2010 and 2014 and then as a managing director at KPMG between 2014 to 2016.

Network

FRA has six offices: London; Washington, DC; Providence; Paris; Zurich; and Montreal.

Clients

FRA's list of clients include French engineering company Technip, US oil and gas services company Weatherford International, oil company Total and the City of Ferguson, Missouri.

Track record

FRA has many notable cases under its belt. It's acted for French construction company Alstom and chemicals company Innospec in the recent past. Notably, FRA was hired by French engineering company Technip in November 2008, which was under investigation by the US Department of Justice (DOJ) for alleged bribery relating to the construction of liquefied natural gas facilities in Nigeria. FRA was hired to consider the profitability of the contracts potentially tainted by bribery. In 2010, Technip paid a US\$240 million criminal penalty to resolve DOJ charges over the matter. FRA's work on the case meant the penalty ultimately imposed by the DOJ was tens of millions less than what was first proposed.

FRA was also instructed by the legal team defending Frederic Bourke, the co-founder of luxury handbag manufacturer, Dooney & Bourke, in a high-profile US FCPA investigation. Bourke was convicted of bribery in 2009 for investing US\$8 million in a corrupt deal to seize control of Azerbaijan's state-oil company SOCAR. FRA's work in the case involved forensic accounting, tracing of fund flows and e-discovery support.

Recent events

FRA was hired by Miller & Chevalier Chartered to support an independent examiner of several Swiss banks under the DOJ's 2013 tax programme.

Under the programme, Swiss banks seeking to resolve tax-related offences with the DOJ appointed an independent examiner to ensure each bank's submission to the DOJ was accurate and timely. FRA provided the examiner with forensic accounting and data analytics expertise.

FRA is currently serving as consultant to the monitor of an international bank appointed by the New York Department of Financial Services. FRA, which was hired in April 2015, is providing forensic and compliance assessment support to the monitor with regard to the bank's sanctions, Bank Secrecy Act, anti-money laundering and FCPA obligations.

In July, the US District Court for the Eastern District of Missouri appointed Squire Patton Boggs as lead counsel in an independent monitoring team to oversee a settlement between the Justice Department and the Ferguson City Council. FRA founding partner Frances McLeod is part of this team. The City of Ferguson agreed to implement reforms in March after a report by the Justice Department's civil rights division found the city's law enforcement actions disproportionately affected African Americans.