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## How to navigate corporate scandals: the need for ‘super lawyers’ with criminal and commercial litigation skills. Part 1: the fact-finding phase

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### Committee(s)

Business Crime Committee  
Litigation Committee - (Lead)

### Session / Workshop chair(s)

Kenan Furlong    A&L Goodbody, Dublin, Ireland; Senior Vice Chair, Business Crime Committee

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Tim Strong        Taylor Wessing LLP, London, England; Vice Chair, Litigation Committee

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### Description

As Volkswagen, BP, Petrobras and FIFA will attest, most major corporations will face a corporate scandal at some point. The lines between civil and criminal law become blurred when such a scandal erupts. The lawyers involved face the tricky task of managing the sometimes competing demands of civil, regulatory and criminal law. This panel, run in two parts over a morning and afternoon session, will enable attendees to identify the key landmines and how to avoid them.

The initial phase of any crisis involves finding out what happened and deciding what to tell the relevant authorities, shareholders, key customers and employees. This session will be a practical workshop on topics including:

- the pressure to comment and respond before the full facts are known;
- getting your investigation right: how do you conduct a thorough investigation while respecting employees’ rights? What, if anything, do you put in a written investigation report?
- dealing with regulators or prosecution authorities: how and when should you draw a line between cooperation and incrimination?
- the competing interests of the company and its people; and
- aligning your client’s media strategy with its position in civil or criminal proceedings.

### Speakers

Howard Fischer        US Securities and Exchange Commission, New York, USA

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Anna

Melgrati Studio Legale Avv Giuseppe Iannaccone e Associati, Milan, Italy

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Neerav Merchant Majmudar & Partners, Mumbai, India

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David Porter McCarthy Tétrault LLP, Toronto, Ontario, Canada; Regional Representative North America, Criminal Law Committee

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Janusz Tomczak Wardynski & Partners, Warsaw, Poland; Regional Representative Eastern Europe, Criminal Law Committee

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## Location

Delaware Suite B, Lobby Level

## Date

Tuesday 20 September (1045 - 1230)

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