

Corporate Monitorships

Ethical Oversight

Our White Collar Crime & Internal Investigations team advises clients regarding monitorships stemming from investigations and enforcement actions by the U.S. Department of Justice, U.S. Securities and Exchange Commission (including FCPA matters), and the U.S. Environmental Protection Agency, among others. Our team also provides services in a wide variety of situations by leveraging our monitorship, white collar defense and compliance experience, including:

- Consulting for companies, that are being monitored, to aid in establishing and managing the infrastructure and processes needed to be successful during and after the conclusion of the monitorship period;
- Engaging as legal counsel to the corporate monitor to advise on and manage international and domestic legal issues, including legal privileges, data privacy and issues related to responding to third party inquiries and disclosure requests as well as additional government inquiries; and
- Auditing companies to ensure compliance with any administrative consent decrees or agreements.

Our monitorship and auditing experience includes fact finding and assessing compliance, risk management, and internal audit functions; whistleblower systems and third party due diligence; as well as anti-corruption, export controls, anti-money laundering, and antitrust compliance. Our team has assessed and measured corporate culture and integrity initiatives and reviewed root causes analysis processes.

For example, the White Collar Crime & Internal Investigations team had a significant role on the Volkswagen AG monitorship, one of largest corporate compliance monitorships in history. Larry D. Thompson, Independent Corporate Compliance Monitor and Auditor for Volkswagen AG, selected Scott Marrah to be the Deputy Monitor for Anti-Fraud, Ethics and Compliance. Mr. Marrah, a former Assistant U.S. Attorney for the Southern District of New York, is the Co-Leader of the GEI team. Over a three-year term, our team oversaw VW's compliance with a Plea Agreement and Consent Decree following parallel criminal and civil investigations concerning emissions fraud with regard to the company's diesel-powered cars sold in the United States.

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