



# FCPA INVESTIGATIONS

COMPLEX MATTERS WITH GLOBAL REACH

EXPERTS WITH IMPACT™



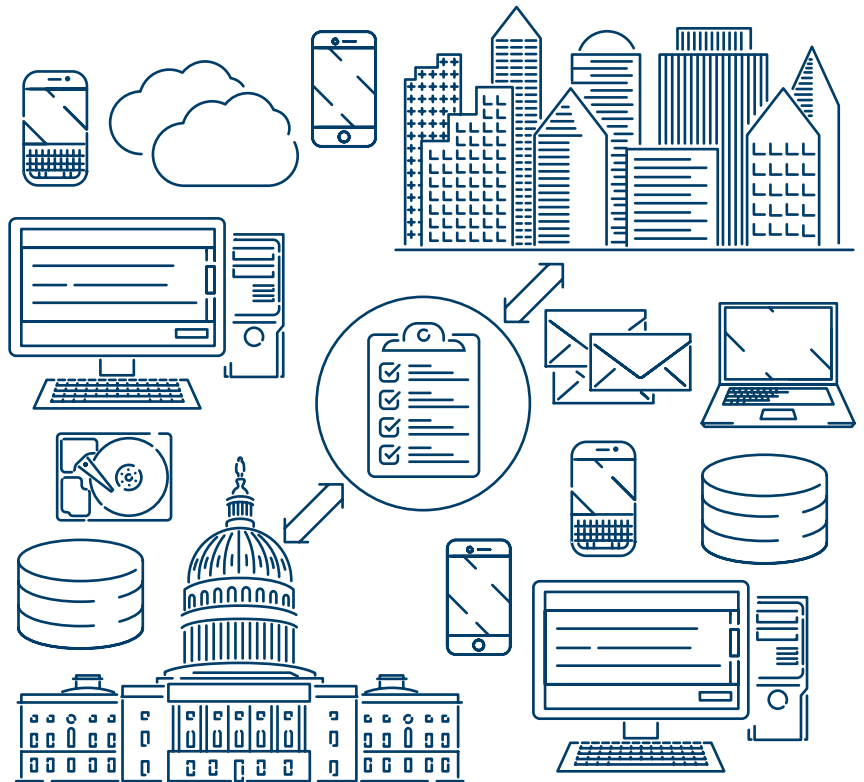
A woman with curly hair is shown in profile, looking down at a desk. She is wearing a dark top. On the desk, there is a laptop, a keyboard, a mouse, and several papers. A blue semi-transparent box is overlaid on the right side of the image, containing white text. The background is a bright window, creating a soft glow on the woman's hair.

The number of Foreign Corrupt Practices Act (FCPA) enforcement actions is **increasing across industry types and organization sizes and fines are growing larger each year**, there is evidence that a quick, well-documented and cooperative investigation can help mitigate financial fall-out.

# Complex Matters with Global Reach

Whether unexpected or the result of an internal investigation, an enforcement action from the SEC or DOJ can burden even a prepared organization and result in serious financial consequences.

It's more important than ever to work with an experienced partner to execute investigations with speed and efficiency. FTI has led investigations for hundreds of FCPA and anti-corruption cases, in every major market on the globe for the world's largest corporations. Our combination of top technology with expert teams makes us the best choice for organizations facing FCPA investigations as well as the law firms that serve them.



Recent decisions by the SEC and DOJ appear to indicate a willingness to mitigate or reduce fines if companies investigate quickly and thoroughly and share information with the investigating body.

# The FTI Difference

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FTI's combination of top technology with expert teams makes us the best choice for organizations facing the complex, global problem of an FCPA investigation.



## **YOUR CHALLENGES**

FCPA investigations happen at a fast pace and often in multiple international jurisdictions. Teams may find themselves wrestling with local language and culture issues, unfamiliar data privacy regulations or even state secret and blocking statutes. The data volumes involved are typically large and diverse, while the crucial document set is often small – the proverbial needle in a haystack.



## **OUR TEAM**

With a worldwide presence and hundreds of successful FCPA Investigations completed, the expert FTI FCPA investigations team can be on the ground quickly, preserving crucial evidence before it can be lost or deleted. With expertise in local data privacy laws and years of experience preserving and collecting all data types, FTI FCPA teams also include locally-based members that speak the languages and know the customs of data custodians in virtually any locality.



## **OUR TECHNOLOGY**

FCPA investigations require the search of large data sets for a relatively small number of important documents and the quick identification of relationships and communication patterns between custodians. FTI's investigations team employs best-of-breed technology that is uniquely suited to these tasks - including advanced analytics, data visualization and AI - to home in on the most important documents fast while untangling the most complex of communication patterns. With data centers in the US, UK, Australia and Asia, FTI can review documents without compromising data privacy regulations. When data absolutely can't leave the local area, FTI can create mobile data centers that can be deployed anywhere in the world.

# FCPA Service Offerings

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FTI offers an extensive menu of FCPA services encompassing all aspects of the investigation:

Assessment of scope and disposition of data to be acquired

Preservation of relevant electronic evidence and paper data

Forensic collection of all data types including traditional data sources as well as mobile device data and social media

Preservation and reconstruction of corrupt or deleted data

Processing, hosting and review of multilingual data

Development and implementation of search strategies to reduce volume and cost

Assessment and evaluation of compliance program and/or internal controls

Preparation for and/or conducting of witness interviews

Management of key communications around an investigation

Preparation of formal reports for regulators and law enforcement personnel

Forensic accounting review of books and records to determine scope of violations and reconstruct financial records to actual events

Preparation for initial "meet and confer" conferences

Background investigations of third parties to support internal investigation and assess ongoing business relationships

Preparation of responses to government subpoenas and requests for information

Performance of fact-finding investigations to uncover evidence and identify participants in corrupt activity

Support for legal counsel in plea negotiations and ability to pay defenses

Provision of technical expert testimony, 30[b]6 and/or cost burden expert testimony

## CASE STUDY

# FTI MEETS MULTI-JURISDICTIONAL CHALLENGES TO BEAT TIGHT DEADLINES IN FCPA INVESTIGATION

A multinational corporation headquartered in France was required by auditors to conduct an internal investigation into activities of employees in Central America. E-mail and electronic documents from six countries needed to be preserved and reviewed for FCPA red flags.

### CHALLENGES:

- The data could not leave nor enter certain jurisdictions
- Competing laws from various jurisdictions created different requirements
- The client required utmost speed
- Much of the data was encrypted and/or password protected

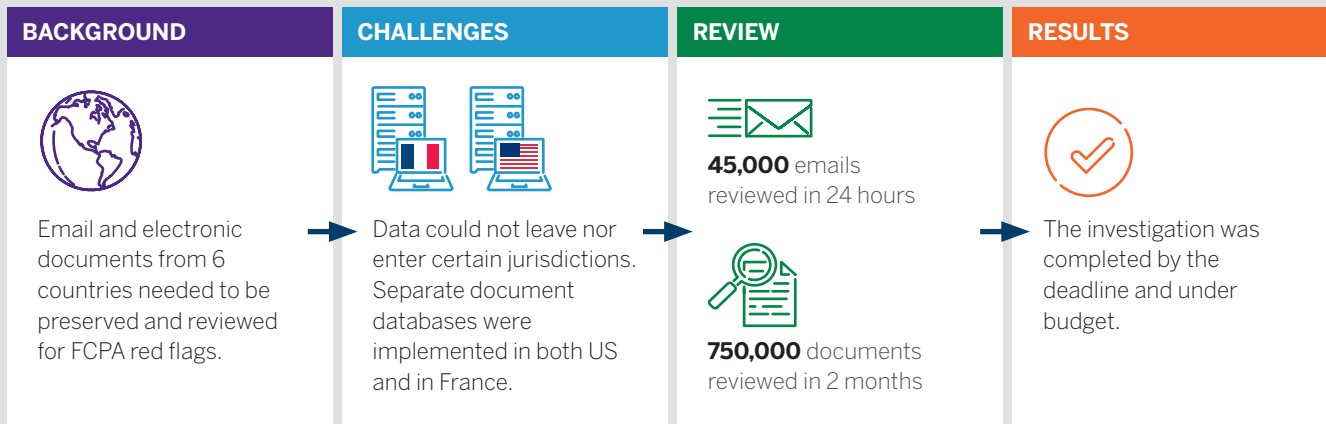
### SOLUTION:

The FTI team performed data collections in North, South and Central America and in multiple EU jurisdictions, then developed a framework to accommodate the multiple data privacy regimes. It included:

- Separate document databases in both US and in France
- Cross-jurisdictional document identification and deduplication
- Bifurcated review with US-based review team accessing documents in the US database and a French review team accessing documents in the French and US databases
- Review facility built onsite in France to support 60+ local reviewers

### OUTCOME:

- Review of 45,000 e-mails in a 24-hour period
- Review of over 750,000 documents in two months (over 200,000 in Paris and over 550,000 in the US)
- The investigation was completed by the deadline and under budget



# About **FTI Technology**

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FTI Technology solves data-related business challenges, with expertise in legal and regulatory matters. As data grows in size and complexity, we help organizations better govern, secure, find, analyze and rapidly make sense of information. Innovative technology, expert services and tenacious problem-solving provide our global clients with defensible and repeatable solutions. Organizations rely on us to root out fraud, maintain regulatory compliance, reduce legal and IT costs, protect sensitive materials, quickly find facts and harness organizational data to create business value. For more information, please contact us at [ftitechsales@fticonsulting.com](mailto:ftitechsales@fticonsulting.com) or visit [www.ftitechnology.com](http://www.ftitechnology.com).



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### About FTI Consulting

FTI Consulting is an independent global business advisory firm dedicated to helping organizations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities. For more information, visit [www.fticonsulting.com](http://www.fticonsulting.com) and connect with us on Twitter (@FTIConsulting), Facebook and LinkedIn.

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