

Syllabus

Overview: This Master Class covers the structure and components necessary to conduct an effective internal investigation to address any number of potential issues requiring the company to conduct an investigation, such as insider abuse, data breaches, kickbacks, or other fraud or abuse. An effective investigation gets to the root of the issues while protecting the company and its shareholders, ensuring proper resolution and disclosures, and protecting the company going forward. Experienced outside and in-house counsel will discuss each step of the investigation and the critical practical and legal issues your company should consider.

Objectives: Upon completion of this Master Class, participants will be able to:

- ✓ Understand the purposes and goals of an internal investigation
- ✓ Establish who the client is and establish privilege
- ✓ Assess the scope of the investigation and design the investigation plan
- ✓ Collect materials and interview employees
- ✓ Document findings, conclusions, and action items

Key Topics:

- Purpose of an Internal Investigation
- Public Disclosures & Communications with Regulators
- Who is the Client? Establishing Privilege & Choosing Outside Counsel
- Privilege: Third Parties & Regulators
- Scope of the Investigation & Investigation Plan
- Compromised Point of Contacts & Witnesses
- Cross-Border Investigations
- Document Collection, Review & Analysis
 - Legal Hold
 - Policies & Procedures
 - Electronically Stored Information
 - Privacy
 - Role of E-Discovery and Other Third Party Vendors
- Employee Interviews:
 - Strategies
 - Upjohn Warnings
 - Role of In-House Counsel

- Credibility Assessment
 - Former Employees
 - Role of Third Parties
- Documentation of Findings and Conclusions
- Remedial Steps & Government Disclosures