

Program Organizer:

**Sandpiper Partners LLC**

Please join us for a  
COMPLIMENTARY, Invitation-Only

**BREAKFAST AND EDUCATIONAL BRIEFING**

# **FCPA ENFORCEMENT: NEW DEVELOPMENTS**

- **Spotlight on Telecom & High Tech,  
Industries and Individuals**
  - **Focus on China**
  - **FCPA in M&A Transactions**
  - **Higher Fines**

**Wednesday, April 27, 2011**  
8:30-11:00 a.m.

**The Sheraton Palo Alto Hotel**  
625 El Camino Real  
Palo Alto, CA 94301

Co-operating Program Developer:



## **New Directions for Even Stricter FCPA Enforcement**

FCPA has more “teeth” than ever, with significantly more investigations, stiffer penalties and disgorgement of profits from violators. The pressure to “self report” has never been greater.

An Assistant Attorney General recently said “We are in a new era of FCPA enforcement”, citing a 200% increase in FCPA actions in 2010 compared to the prior record set in 2009. A major law firm stated in an alert to clients that the U.S. government is “sending a strong message to the business community.”

This is a critical time for anyone working in the field to receive an update on the latest developments and what they mean for companies and their executives. This flurry of actions including industry-wide investigations targeting individuals as well as companies is affecting U.S. and non-U.S. entities and individuals as the government casts a wider net and adopts broad interpretations of FCPA jurisdiction to encompass conduct and alleged wrongdoers anywhere in the world. The efforts also are bolstered by newly expanded whistleblower incentives under Dodd-Frank.

### **A Process with Less Certainty**

Our highly experienced panel of SEC attorneys, corporate counsel, forensic accountants and law firm partners will offer timely and practical guidance on many of the latest nuances including:

- High tech & telecom industries as the focus of government enforcement
- Higher civil and criminal fines in “headline-making” cases
- The SEC’s new San Francisco FCPA Unit and more FCPA enforcement activity against Chinese companies
- “Sleeper” issues in whistle-blowing situations
- SEC Cooperation Initiative: Non Prosecution Agreements (NPAs) and Deferred Prosecution Agreements (DPAs)
- A new wild card: judicial intervention in negotiated settlements between the government and companies. How to proceed?
- Dealing with complexities of parallel proceedings, both U.S./non-U.S. and separate federal/state investigations
- Conflict between SEC Cooperation Initiative and whistleblower process

This briefing is designed to impart a great deal of helpful information in a concentrated period of time by focusing on matters of immediate interest.

**Register early – fully subscribed for New York City, Chicago and Washington, DC Presentations.**

**CLE, CPE credit has been applied for.**

## **FACULTY:**

**James R. Meehan (Moderator)**, Partner,  
PricewaterhouseCoopers LLP, San Francisco

**Pamela R. Davis**, Partner, Orrick, Herrington & Sutcliffe LLP,  
San Francisco

**Tracy L. Davis**, Assistant Regional Director, Division of  
Enforcement, Assistant Director, Foreign Corrupt Practices Act  
Unit, U.S. Securities & Exchange Commission, San Francisco

**Betty L. Hum**, Senior Compliance Counsel, Anti-Corruption  
Program Manager, Intel Corporation, Chandler, AZ

**Susan Marsch**, Vice President, Associate General Counsel,  
Flextronics International Ltd., Milpitas, CA

**Craig D. Martin**, Partner, Morrison & Foerster LLP,  
San Francisco

**Adam A. Reeves**, Assistant U.S. Attorney; Deputy Chief,  
Economic Crimes Section, U.S. Attorney's Office, Northern  
District of California, San Francisco

**Michael Ward**, Associate General Counsel, Director of  
Compliance, Adobe Systems Incorporated, San Jose

## **TOPICS FOR DISCUSSION:**

8:30–9:00 a.m. Breakfast & Registration

9:00–11:00 a.m. Program

1. Industry-wide Investigations – On Which Industries is the Government Focusing? High Tech and Telecom Issues.
2. New Aggressive Prosecutorial Focus on Individuals, China
3. Negotiating With the Court Larger Civil and Criminal Fines; U.S. and U.K. Exposure
4. Identifying and Explaining Shifts in Emphasis at the SEC and DOJ
5. New Whistleblower Mechanism – SEC Proposed Rules
6. SEC Cooperation Initiative, Non-Prosecution Agreements. Does this Conflict with Whistleblower Bounties?
7. Compliance and Remediation: Self Reporting; What is Good Enough? How do Companies Benchmark Their Compliance Against Peer Companies and Others in the Same Industry Sectors?
8. Proactive Compliance Including Training and Due Diligence

## **Registration Form: Complimentary Breakfast Briefing FCPA Enforcement: New Developments**

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Palo Alto, CA 94301.

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Company/Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### **Return Registration Form to:**

[lisacolombo@sandpiperpartners.com](mailto:lisacolombo@sandpiperpartners.com) OR fax to 973-278-8833.  
**Questions? Call 973-278-8800.**

### **Co-operating Program Developer**

#### **About PricewaterhouseCoopers LLP:**

PricewaterhouseCoopers' Forensics Services Practice provides confidential, global resources to assist companies across the full spectrum of FCPA compliance. We perform background diligence investigations on agents and intermediaries, and conduct transactional investigations, under the direction of a company and its counsel. Our professionals have a global presence in over 70 territories.

The PwC FCPA team consists of professionals with a thorough understanding of local and regional culture, language, financial and regulatory systems. They are comprised of an international network of partners and staff who offer a unilateral advantage in investigating issues that extend across borders. We provide our clients unprecedented global reach in a coordinated, efficient and expedited manner.

<http://www.pwc.com/us/en/forensic-services/foreign-corrupt-practices-act-fcpa.jhtml>

### **Program Organizer**

#### **About Sandpiper Partners LLC:**

Sandpiper Partners is a consulting firm run by industry advisors Stephen and Lynn Glasser, who for more than a decade have organized FCPA briefings. Sandpiper Partners assists law departments, law firms and legal vendors. [www.sandpiperpartners.com](http://www.sandpiperpartners.com)