

FOREIGN CORRUPT PRACTICES ACT

FIRSTHAND EXPERIENCE—FROM RISK AVOIDANCE TO CRISIS MANAGEMENT

In the United States, the Foreign Corrupt Practices Act (FCPA) is one of the most powerful tools that the Department of Justice (DOJ) and the Securities and Exchange Commission (SEC) have in their arsenal to address the problems of bribery and corruption. Corporations that violate the FCPA are subject to criminal penalties and debarment from government contracts, even if compliance programs are in place. Individuals may also face imprisonment. Non-U.S. firms and individuals are also at risk for penalties or prosecution—and prosecutions against all violators are on the rise.

Nixon Peabody counsels corporations and individuals who are subject to the FCPA and other similar international anti-corruption laws. Our Government Investigations & White Collar Defense attorneys—including several former federal prosecutors—have firsthand experience handling matters before all sectors of law enforcement. The combination of our experience and ability to provide counsel to and from anywhere in the world means our clients can count on organized, efficient, and cost-effective solutions for any FCPA need.

RISKY BUSINESS

FCPA violations may result in:

- Multimillion-dollar penalties
- Fines doubled under some circumstances—
Alternative Fines Act
- Up to five years imprisonment for each anti-
bribery violation
- Debarment from government contracts





ABOUT NIXON PEABODY LLP

At Nixon Peabody, we see 21st century law as a tool to help shape our clients' futures. We are constantly thinking about what is important to our clients now and next so we can foresee obstacles and opportunities in their space and smooth the way. We work together to handle complex challenges in litigation, real estate, corporate law, intellectual property and finance anywhere in the world.

Full range of FCPA services

Nixon Peabody helps clients understand their options each step of the way, whether they are responding to investigations or allegations of misconduct, looking to avoid FCPA violations through robust compliance programs and audits, or gearing up for trial. We represent Fortune 500 corporations in the internal investigation of FCPA-related matters, preparation of voluntary disclosures, and the defense of FCPA-related allegations. Outside of the courtroom, we offer public relations advice, including crisis management strategies, where required, preparation of FCPA compliance policies and manuals, and training programs to ensure compliance. Our range of services includes:

- Advice and counseling
- Handling/preparing for internal investigations and government interviews
- Negotiations with government agencies
- Defense of civil and criminal proceedings and representation at trial
- Compliance programs/audits
- Public relations, media strategy, and crisis management

Nixon Peabody has offices worldwide, so we can provide on-the-ground counsel anywhere we're needed. The firm is also an active member of TerraLex, a prestigious international network of law firms.

Individualized solutions

We have worked with individuals and corporations across a range of industries, so we understand their unique needs. Our clients include:

- Technology companies
- Pharmaceutical, medical device, and biotechnology companies
- Financial institutions
- Government contractors
- Government officials
- Lobbyists
- Political consultants
- High-ranking individuals

FOR MORE INFORMATION, PLEASE CONTACT:

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