

Fraud, bribery and corruption

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All disputes are stressful. Claims involving allegations of fraud are more stressful than most. The stakes are often higher in terms of financial exposure, the liberty and continued employment of those implicated and the reputation (and sometimes survival) of a business. Allegations of bribery, corruption, kick-backs, theft, dishonest assistance or handling of criminal proceeds are characteristically sensitive and complex.

Technical specialists – all litigation is not the same

Our Civil & Regulatory Fraud Group, one of the biggest practices in the UK, has a wealth of specialist expertise in handling fraud claims, both domestic and multi-jurisdictional, involving litigation, arbitration and all forms of ADR.



Quick and decisive action is often required as part of the legal process. Our lawyers know how to protect our clients' interests at all stages of a claim involving fraud:

- **investigating fraudulent conduct**
 - interviewing past and present management and employees
 - implementing strategies for locating and recovering documentation, including forensically re-creating lost or wiped data

- **using the law to protect and recover the proceeds of fraud**
 - obtaining injunctive and other relief, including domestic and worldwide freezing orders to prevent the dissipation of assets and search and seizure orders to protect assets or information
 - tracing the proceeds of fraud, often through the complex banking systems of jurisdictions that treat banking secrecy as paramount
 - obtaining court orders to prevent individuals from fleeing the relevant jurisdiction
- **dealing with the regulatory and media ramifications of a fraud claim**
 - liaising with regulators and professional bodies (eg FSA, SFO, SRA etc) , in connection with independent or parallel investigations
 - liaising with PR firms and the media to ensure that the press receives and reports the right account of event
- **advising on compliance and best practices**
 - advising corporations on the extra-territorial impact of the U.S Foreign Corrupt Practices Act and other relevant legislation
 - advising corporations (particularly those operating in countries where bribery and corruption are endemic) in developing best practices
 - vigorously defending clients' reputations, including obtaining injunctions to prevent the publication or broadcast of harmful material

Sector specialists – all industries are not the same

We have a wealth of expertise across a range of industry sectors, including banking, commodities, financial services, hotels, insurance and shipping. For instance, our contentious regulatory practice advises regulated firms on FSA actions in relation to failings in anti-fraud systems and controls (including acting on the FSA's first ever action in 2006 for inadequate fraud controls). Our Bristol office specialises in handling widespread/ repeated frauds committed by solicitors and the associated fall-out, including Law Society interventions and SRA disciplinary hearings.

International assistance – rapid assistance when and wherever necessary

Globalisation and technological innovation enabling the rapid and cloaked transfer of assets around the world, as well as fraudsters' increased sophistication often require the ability rapidly to mobilise a cross-border legal team to protect clients' interests. Through our offices in Central and Eastern Europe and our membership of CMS, an alliance of nine major independent law firms operating in over 28 countries around the world, we have an exceptional pool of talented and experienced practitioners, able to be mobilised on a moment's notice. We are uniquely able to provide an integrated service across all the jurisdictions where we operate, co-ordinating all advice and instructions through a single contact to make life as easy as possible for our clients.

Track record

Examples of the breadth of our work include advising:

- a **major international bank** in proceedings arising out of the largest international trade finance fraud, involving multi-party High Court proceedings in London and related actions in New York and Bahrain through associated firms
- a **European bank** in uncovering a major fraud in the underlying security package in support of borrowing exceeding £700 million, designing and implementing a scheme to limit the damage across multiple jurisdictions, and liaising with FSA in respect of the regulatory fallout
- **Ferrari SpA** in obtaining and executing search orders against the McLaren team in respect of the Formula 1 "Spygate" scandal, following which the McLaren team was fined \$100 million and disqualified from the 2007 F1 Championship.
- a **leading insurer** in pursuing claims arising out of the theft from the client accounts of three separate firms of solicitors using similar modus operandi. This claim led to the firm being given the "Stand Out" award for our fraud expertise at The Financial Times Innovative Lawyers awards in 2008
- **the world's largest shipbroker** defending claims totalling more than \$700m brought by the two largest Russian State-owned shipping companies involving allegations of a fraudulent conspiracy to defraud the claimants through secret commissions and bribes and the sale of vessels at an undervalue
- **receivers appointed by the Antigua Court** over Stanford International Bank Limited and Stanford Trust Co Ltd, part of Allan Stanford's business empire, in connection with an alleged \$7 billion Ponzi-style fraud

Key contacts

For further information or to discuss how we can assist you, please contact:

Omar Qureshi

Partner, Disputes (London)
T +44 (0)20 7367 2573
E omar.qureshi@cms-cmck.com

Simon Chandler

Partner, Disputes (Bristol)
T +44 (0)117 930 7816
E simon.chandler@cms-cmck.com

Duncan Aldred

Partner, Banking Disputes (London)
T +44 (0)20 7367 2709
E duncan.aldred@cms-cmck.com

Tim Hardy

Partner, Disputes (London)
T +44 (0)20 7367 2533
E tim.hardy@cms-cmck.com

Simon Morris

Partner, Regulatory & Enforcement
T +44 (0)20 7367 2702
E simon.morris@cms-cmck.com

Timothy Ingham

Partner, Insurance
T +44 (0)20 7367 2990
E timothy.ingham@cms-cmck.com

Peter Maguire

Partner, Insurance
T +44 (0)20 7367 2893
E peter.maguire@cms-cmck.com

Our fraud group brings together specialist lawyers from all areas of the firm who focus on fraud matters. To discuss the specialist services we can provide your business, please contact:

Omar Qureshi



GLOBAL ARBITRATION
REVIEW

CMS and associated offices



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