



Program on
Corporate Compliance
and Enforcement
New York University School of Law

Deterring Corporate Misconduct Through Negotiated Settlements: The Promise and Perils of Corporate Policing



Friday, April 5, 2019
New York University
School of Law

Lester Pollack Colloquium Room
245 Sullivan Street
9th Floor



Program on
Corporate Compliance
and Enforcement
New York University School of Law

Faculty Director
Jennifer H. Arlen

Executive Director
Allison Caffarone

Assistant Director
Michelle Austin

Deterring Corporate Misconduct Through Negotiated Settlements: The Promise and Perils of Corporate Policing

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Conference Objective

The objective of the conference is to bring together academics, enforcement officials from the U.S. and overseas, officials from the OECD and World Bank, general counsels, compliance officers, and white collar defense lawyers for an off-the-record discussion of how enforcement authorities can most effectively use negotiated corporate criminal resolutions to deter corporate misconduct. The conference will begin with a discussion of the challenge of ensuring appropriate individual accountability for misconduct. The conference will then evaluate the appropriate scope of corporate cooperation and its interaction with the attorney-client privilege. It will then consider what impact corporate self-reporting and cooperation should have on the form and magnitude of corporate liability. The last panel will discuss the challenges of coordination between multiple enforcers in the U.S. and overseas.

PCCE Conference Rules

To encourage frank, open analysis of policy issues and the sharing of information, our conferences and roundtables are governed by the following rule:

Participants are free to use the information received, but **all content received at this PCCE event is not for attribution,**

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PCCE does not videotape or otherwise record an event (or any segment of an event) done under this rule, unless otherwise noted in the program.

To promote future communication among participants, PCCE provides a list of conference participants to those who attend the conference. PCCE also publishes conference and roundtable programs, including a list of speakers, on its website. In addition, PCCE takes photographs of speakers and attendees, who are included on the PCCE website and in our brochure. Your attendance at PCCE events constitutes permission for us to use your photograph and identifying information for such purposes.

Continuing Legal Education

This event has been approved for up to 7 New York State CLE credits in the Areas of Professional Practice category for those who attend the entire event. It is appropriate for newly admitted attorneys as well as experienced attorneys.

Conference Agenda

8:40–9:00 A.M. Registration

9:00–9:10 A.M. Opening Remarks

9:10–10:20 A.M. Ensuring Appropriate Individual Accountability Through Individual Enforcement and Corporate Remediation

Moderator: Pablo Quiñones, Founder, Quiñones Law, and Senior Fellow, PCCE, NYU School of Law

Panelists:

Lawrence Gerschwer, Partner, Fried, Frank, Harris, Shriver & Jacobson

Brad Karp, Chairman, Paul, Weiss, Rifkind, Wharton & Garrison

Sandra Leung, Executive Vice President and General Counsel, Bristol-Myers Squibb Company

Matthew Miner, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice

Eugene Soltes, Jakurski Family Associate Professor of Business Administration, Harvard Business School

10:20–10:40 A.M. Coffee/Tea Break

10:40–11:50 A.M. Full Corporate Cooperation and Appropriate Protection of the Attorney-Client Privilege

Moderator: Geoffrey Miller, Stuyvesant P. Comfort Professor of Law and Senior Academic Fellow, PCCE, NYU School of Law

Panelists:

Laura Grossfield Birger, Chief, Criminal Division, U.S. Attorney's Office, Southern District of New York

Leslie Caldwell, Partner, Latham & Watkins and Former Assistant Attorney General, Criminal Division, U.S. Department of Justice

James Meadows, Head of Litigation, Investigations and Enforcement, Barclays

Julie O'Sullivan, Professor and Associate Dean for Professional Development and External Affairs, Georgetown University Law Center

Steven Peikin, Co-Director, Division of Enforcement, U.S. Securities and Exchange Commission

12:00–12:30 P.M. Keynote

Drago Kos, Chair, OECD Working Group on Bribery in International Business Transactions

12:40–1:50 P.M. **Networking Lunch**
Lipton Hall, 110 West 3rd Street (Lower Level)

2:00–3:10 P.M. **Corporate Enforcement Policy: Is It Achieving Optimal Deterrence?**

Moderator: Jennifer Arlen '86, Norma Z. Paige Professor of Law and Faculty Director, PCCE, NYU School of Law

Panelists:

Stephen Cutler, Partner, Simpson Thacher & Bartlett

Pascale Dubois LL.M. '87, Vice President, Integrity, The World Bank Group

Robert Khuzami, Deputy U.S. Attorney, Southern District of New York, and Former Director, Division of Enforcement, U.S. Securities and Exchange Commission

Edward O'Callaghan '94, Principal Associate Deputy Attorney General, Office of the Deputy Attorney General, U.S. Department of Justice

Lisa Osofsky, Director, Serious Fraud Office, United Kingdom

3:10–3:30 P.M. **Coffee/Tea Break**

3:30–4:40 P.M. **Coordination Across Enforcers: Investigations, Cooperation, and Sanctions**

Moderator: Allison Caffarone '03, Executive Director, PCCE, NYU School of Law

Panelists:

George Canellos, Partner and Global Head of the Litigation & Arbitration Group, Milbank, Tweed, Hadley & McCloy

Emmanuel Farhat, Senior International Affairs Officer, French Anticorruption Agency, France

Alun Milford, Partner, Kingsley Napley, United Kingdom

Sandra Moser, Partner, Quinn Emanuel Urquhart & Sullivan

Mark Pieth, Professor of Criminal Law and Criminology, University of Basel, Switzerland

4:45–5:30 P.M. **Keynote**

Joseph Hunt, Assistant Attorney General, Civil Division, U.S. Department of Justice

5:30–6:30 P.M. **Reception**

Conference Keynote Speakers



Joseph H. Hunt
Assistant Attorney General,
Civil Division, U.S. Department of Justice

Joseph (Jody) H. Hunt was confirmed on August 28, 2018, as Assistant Attorney General for the Civil Division, U.S. Department of Justice (DOJ). Prior to his appointment,

Hunt served in the DOJ for nearly 20 years, including as Director of the Federal Programs Branch in the Civil Division, where he supervised the government's litigation efforts on significant, high-profile, and complex matters in federal district courts across the country. He also served as Chief of Staff to Attorney General Sessions prior to his nomination to lead the DOJ's Civil Division.

The Civil Division is the DOJ's largest litigating component, with approximately 1,400 employees, including more than 1,000 attorneys. The Civil Division represents the United States, its departments and agencies, cabinet officers, and executive branch entities in virtually all civil (and certain criminal) litigation matters. The Civil Division's practice includes both defensive and affirmative litigation efforts seeking to protect constitutional, statutory, financial, and programmatic interests of the United States.

Hunt is a 1989 graduate of Columbia Law School. Before joining the DOJ in 1999, he worked as a lawyer in private practice and clerked for the Honorable James H. Hancock of the Northern District of Alabama.



Drago Kos
Chair, OECD Working Group on Bribery in International Business Transactions

Drago Kos is currently the Chair of the OECD Working Group on Bribery in International Business Transactions, Co-Chair of the MENA – OECD Business Integrity Network, member of

the Defence Corruption Monitoring Committee, and on the International Anti-Corruption Advisory Board in Ukraine. Between 2011 and 2015, he was International Commissioner and Chair of the Joint Independent Anti-Corruption Monitoring and Evaluation Committee in Afghanistan. Between 2003 and 2011, he was the Chairman of the Council of Europe's Group of States against Corruption (GRECO).

Between 2004 and 2010, he was the first Chairman of the Commission for the Prevention of Corruption in Slovenia. Prior to that, he was a Deputy Director of the Slovenian Criminal Investigation Directorate and the Head of the Organised Crime Section of the Slovenian Police.

Since October 2010, he has been a Managing Partner in R.U.R., LLC, a consultancy company, registered in Slovenia (active in the areas of corporate integrity, prevention of corruption, forensic auditing, due diligence, anti-money laundering, and asset tracing and recovery).

In 2014, he led the Slovenian Chamber of Commerce's Working Group, producing the first Guidelines on Slovenian Corporate Integrity.

Moderators and Panelists



Jennifer H. Arlen

Norma Z. Paige Professor of Law
Faculty Director, Program on Corporate Compliance and Enforcement
New York University School of Law

Jennifer Arlen '86 is one of the nation's leading scholars on corporate criminal and civil liability and enforcement policy. She is President of the American Law and Economics Association and Co-Founder and former President of the Society for Empirical Legal Studies. She also serves as the Associate Reporter on Corporate Enforcement for the American Law Institute's Principles of the Law, Compliance, Enforcement, and Risk Management, and recently published the *Research Handbook on Corporate Crime and Financial Misdealing* (Jennifer Arlen ed. 2018). Arlen received her B.A. in economics from Harvard College (magna cum laude) and her J.D. (Order of the Coif) and Ph.D. in economics from NYU. After law school, she clerked for Judge Phyllis Kravitch on the U.S. Court of Appeals for the 11th Circuit. Before coming to NYU, she was the Ivadelle and Theodore Johnson Professor of Law and Business at USC Gould School of Law. She also has been a Visiting Professor at Harvard Law School, Yale Law School, and the California Institute of Technology.



Laura Grossfield Birger

Chief, Criminal Division
U.S. Attorney's Office, Southern District of New York

Laura Grossfield Birger is a graduate of Brown University and Yale Law School. Following law school, Birger clerked for the Honorable Norma L. Shapiro in the Eastern District of Pennsylvania. After a stint in private practice, Birger was an Assistant U.S. Attorney in the U.S. Attorney's Office for the Southern District of New York (SDNY), where she served as Deputy Chief of Appeals and Chief of General

Crimes. Following her time at the U.S. Attorney's Office, Birger was a Partner at Cooley LLP, where she focused on white collar defense and complex civil litigation. In January 2019, Birger returned to the SDNY, where she currently serves as Chief of the Criminal Division.



Allison Caffarone

Executive Director, Program on Corporate Compliance and Enforcement
New York University School of Law

Allison Caffarone '03 is the Executive Director of the Program on Corporate Compliance and Enforcement (PCCE). Caffarone joined PCCE after working at Hofstra Law School, where she taught Transnational Crime and Extradition, Contracts, and a number of writing and pretrial-skills courses, and developed and taught the law school's first course dedicated to corporate compliance and anti-corruption law. Before joining Hofstra, Caffarone practiced for nine years as a litigation Associate in Sullivan & Cromwell's Criminal Defense and Investigations Group, where she specialized in white collar criminal defense. She has represented individuals, corporations, and financial institutions in numerous high-profile matters involving allegations of securities fraud, insider trading, money laundering, and the Foreign Corrupt Practices Act and Office of Foreign Assets Control sanctions. She is a contributing author to the white collar crime treatise, *Defending Corporations and Individuals in Government Investigations*. She has a J.D. from NYU School of Law and a B.A. from Hofstra University.



Leslie R. Caldwell

Partner, Latham & Watkins LLP
Former Assistant Attorney General,
Criminal Division, U.S. Department
of Justice

Leslie R. Caldwell is a Partner in the San Francisco and Silicon Valley offices of Latham & Watkins LLP and is a member of the Litigation & Trial Department and White Collar Defense & Investigations Practice. Caldwell has built a national reputation as a trusted advisor regarding internal board and corporate investigations, crisis management and response, white collar criminal defense, and U.S. Securities and Exchange Commission (SEC) and other agency enforcement matters. Prior to joining Latham, Caldwell served for nearly three years in the Obama administration as Assistant Attorney General for the DOJ's Criminal Division. In that role, for which she was nominated by President Obama and unanimously confirmed by the Senate, Caldwell led more than 600 lawyers charged with handling a wide range of criminal enforcement matters. She also oversaw development of DOJ policy, legislative, and law enforcement issues.



George S. Canellos

Partner and Global Head of Litigation &
Arbitration Group
Milbank, Tweed, Hadley & McCloy LLP

George S. Canellos is a Partner in the law firm of Milbank Tweed Hadley & McCloy LLP and heads its litigation department. In 2014, Canellos rejoined Milbank, where he had been a litigation Partner from 2003 to 2009. Until January 2014, Canellos served as Co-Director of the SEC's Division of Enforcement. He earlier served as the SEC's Acting Director and Deputy Director. In these positions, Canellos was responsible for supervising the SEC's nationwide enforcement efforts. From July 2009 until May 2012, Canellos was Director of the SEC's New York Regional Office, which has responsibility for oversight of many of

the leading broker-dealers, investment advisers, and other SEC-registered financial institutions. Canellos began his career as an Associate at Wachtell, Lipton, Rosen & Katz. In 1994, he became an Assistant United States Attorney in the SDNY. During almost nine years at the U.S. Attorney's Office, Canellos held a number of positions, including Chief of the Major Crimes Unit, Senior Trial Counsel of the Securities and Commodities Fraud Unit, and Deputy Chief Appellate Attorney. Canellos is a graduate of Harvard College and Columbia University School of Law.



Stephen M. Cutler

Partner
Simpson Thacher & Bartlett LLP

Stephen M. Cutler is a litigation Partner at the law firm of Simpson Thacher & Bartlett LLP, where he advises companies, boards, and senior executives on government and internal investigations, corporate governance and regulatory matters, and high-stakes litigation. Previously, he was a Vice Chairman at JPMorgan Chase & Co., following nine years as the company's General Counsel, including during the financial crisis. Before joining JPMorgan Chase, Cutler served for nearly four years as Director of the SEC's Division of Enforcement, where he oversaw the SEC's investigations of public companies, as well as broker-dealers and investment advisers. Cutler received his undergraduate degree (summa cum laude) from Yale University and his law degree from Yale Law School, where he was an Editor of the *Yale Law Journal*. Following law school, Cutler clerked for Judge Dorothy W. Nelson of the U.S. Court of Appeals for the Ninth Circuit. Cutler serves on the boards of the National Women's Law Center and the Metropolitan Museum of Art. He previously served on the board of the Financial Industry Regulatory Authority.



Pascale H el ene Dubois

**Vice President, Integrity
The World Bank Group**

Pascale Dubois LL.M. '87, a Belgian national, became The World Bank Group's Integrity Vice President on July 1, 2017. Through investigations, prevention, and integrity compliance work, the Integrity Vice Presidency (INT) contributes to the Bank's core mission of promoting development by ensuring that funds are used for their intended purposes.

Dubois has played a leading role in the Bank's anti-corruption efforts for nearly two decades. She served as the Bank's first Chief Suspension and Debarment Officer, a role in which she determined whether to suspend and debar firms and individuals accused of misconduct in Bank-financed projects. Before that, Dubois managed the Voluntary Disclosure Program in INT. Previously, she worked as an operational lawyer advising the Bank's Africa region, and worked in private practice in the United States and Belgium.

Dubois is a Senior Advisor to the American Bar Association Section of International Law's Anti-Corruption Committee and former Co-Chair of the International Bar Association's Anti-Corruption Committee. Since 2009, she has been an Adjunct Professor at Georgetown University Law Center, where she teaches a course on international anti-corruption. Dubois received her Lic. Jur., cum laude, from the University of Ghent, Belgium, and her LL.M. from NYU School of Law.



Emmanuel Farhat

**Senior International Affairs Officer
French Anticorruption Agency**

Emmanuel Farhat is a French magistrate with post-graduate training at the National School for the Judiciary in France.

Before joining the French Anticorruption Agency (AFA), in September 2017, he worked in the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Austria. Prior to that, he held various positions at the national level as a prosecutor and at the Counter Terrorism Bureau of the French Ministry of Justice, as well as in the Courts in Evry ("juge d'instruction") and in Paris (division for investigations on financial crimes).

In his current position, he works as Senior International Affairs Officer at the AFA. He is the coordinator for all international-related policies and partnerships at the bilateral and multilateral levels, representing the AFA in several anticorruption fora, including OECD, GRECO, United Nations, G7, and G20.



Lawrence Gerschwer

**Partner
Fried, Frank, Harris, Shriver & Jacobson LLP**

Lawrence Gerschwer is a former Federal Prosecutor and Partner in Fried Frank's White Collar Defense, Regulatory Enforcement & Investigations Practice. His practice focuses primarily on white collar criminal and regulatory matters, including government investigations of securities and commodities fraud, as well as fraud in government. Gerschwer served as an Assistant U.S. Attorney for the SDNY for almost nine years, where he was a member of the Securities and Commodities Fraud Unit and the Public Corruption Unit. He is consistently recognized by *Chambers USA*, *Legal 500*, and *Who's Who Legal* as a leading lawyer in his field. He is a member of the Board of Advisors for the NYU Program on Corporate Compliance

and Enforcement, and a member of the New York City Bar Association's White Collar Crime Committee. Gerschwer also clerked for the Honorable Wilfred Feinberg in the U.S. Court of Appeals for the Second Circuit. He received his J.D. from Columbia Law School, where he was a Harlan Fiske Stone Scholar, a recipient of the Alfred Forsythe Award, and the Senior Editor of *Columbia Law Review*. He received his B.A. from Binghamton University, State University of New York, where he was a member of the Phi Beta Kappa Honor Society.



Brad S. Karp

Chairman

Paul, Weiss, Rifkind, Wharton & Garrison LLP

Brad S. Karp has served as Chairman of Paul, Weiss, Rifkind, Wharton & Garrison since 2008. Considered one of the country's leading litigators and corporate advisors, Karp has successfully defended financial institutions and other companies in numerous "bet the company" litigations, regulatory matters, and internal investigations.

Karp has received numerous industry recognitions over the years. In 2018, he received the Special Achievement Award from the *Financial Times* in recognition of his legal achievements and leadership of Paul, Weiss and was also named "Attorney of the Year" by the *New York Law Journal*, "Litigator of the Year" by *The American Lawyer*, "Sports MVP of the Year" by *Law360*, and "Securities Lawyer of the Year" by *Best Lawyers*.

Karp has published more than 500 articles on business litigation and securities law issues, and has lectured at Harvard Law School, Yale Law School, Columbia Law School, NYU School of Law, and the Federal Judicial Center. He is active in the community, serving as Chair of the Legal Action Center and as a Director/Trustee of more than 25 public interest and educational institution boards.

Karp is a graduate of Harvard Law School and has spent his entire professional career at Paul, Weiss.



Robert Khuzami

Deputy U.S. Attorney, Southern District of New York

Former Director, Division of Enforcement, U.S. Securities and Exchange Commission

Robert Khuzami is the Deputy U.S. Attorney in the U.S. Attorney's Office for the Southern District of New York. From July 2013 until January 2018, Khuzami was a Partner in the Government & Internal Investigations Practice Group at Kirkland & Ellis LLP. Khuzami served for four years (2009-13) as Director of Enforcement for the SEC. He held positions as Global Head of Litigation and Regulatory Investigations and as General Counsel—Americas at Deutsche Bank AG (2002-2009). Khuzami served as an Assistant U.S. Attorney in SDNY, where he tried ten criminal trials to verdict (1990-2002). For three years, he served as Chief of that office's Securities and Commodities Fraud Task Force. He was also a member of the prosecution team in *United States v. Abdel Rahman, et al.*, the then-largest terrorism trial in U.S. history and that resulted in the conviction of Omar Ahmed Ali Abdel Rahman and nine co-defendants for operating an international terrorist organization responsible for, among other things, the 1993 bombing of the World Trade Center. Khuzami was an Associate at Cadwalader, Wickersham & Taft in New York (1984-1990) and was a Law Clerk to the Honorable John R. Gibson of the U.S. Court of Appeals for the Eighth Circuit (1983-1984).



Sandra Leung

**Executive Vice President and
General Counsel
Bristol-Myers Squibb Company**

Sandra Leung is the Executive Vice President and General Counsel of Bristol-Myers Squibb Company. She leads the worldwide Law Department and is responsible for a wide range of legal areas, including intellectual property, commercial and regulatory law, litigation, corporate governance, securities, and transactions that include licensing, acquisitions, and divestitures. She also has responsibility for Compliance and Ethics, Environment, Health & Safety, Corporate Security, and Corporate Philanthropy.

Leung began her legal career as Assistant District Attorney at the Manhattan District Attorney’s Office in New York City, where she was an original member of the Child Abuse Bureau. She ended her prosecutorial career, after trying more than 40 jury trials to verdict, as a member of the Homicide Investigations Unit.

Leung is on the Board of Directors of the Asian-American Legal Defense and Education Fund and the Board of Directors of the Minority Corporate Counsel Association. She is a graduate of Tufts University and Boston College Law School.



James Meadows

**Head of Litigation, Investigations
and Enforcement
Barclays**

James Meadows is the Head of Litigation, Investigations and Enforcement for Barclays Americas. He has been with Barclays since 2014. Prior to that, he was a Partner at Boies Schiller Flexner LLP. Before that, Meadows served as a Senior Investigative Counsel and Assistant District Attorney at the Manhattan District Attorney’s Office, where he worked in the Rackets Bureau. Earlier, he was an Associate at Boies Schiller, and also a Law Clerk for the United States Court of Appeals for the First Circuit.



Alun Milford

Partner, Kingsley Napley, United Kingdom

Alun Milford is a Partner at Kingsley Napley, where he specializes in serious or complex financial crime, proceeds of crime litigation, and corporate investigations.

He joined the firm from the public sector where, over a 26-year career as a government lawyer and public prosecutor, he worked in a wide variety of roles starting as a prosecutor in central London and then lawyer in the Attorney General’s Office. In 2007, he moved to the Revenue and Customs Prosecutions Office, where he established and ran its Asset Forfeiture Division before moving to the Crown Prosecution Service as Head of Proceeds of Crime and then Head of the Organised Crime Division. In 2012, he joined the Serious Fraud Office, where for six years he was its General Counsel and, as such, responsible for oversight of its entire caseload.

Milford sits on the Board of Advisors of the Program on Corporate Compliance and Enforcement at NYU School of Law.



Geoffrey Parsons Miller

**Stuyvesant P. Comfort Professor of Law
Senior Academic Fellow, Program on
Corporate Compliance and Enforcement
New York University School of Law**

Professor Geoffrey Miller is a Co-Founder of PCCE and served as a Faculty Director until May 2017. He now serves as Senior Academic Fellow. Author or editor of a dozen books and more than 200 research papers on topics in business law, compliance and risk management, financial institutions, securities law, the legal profession, ancient law, and legal theory, Miller received his B.A. from Princeton University in 1973 and his J.D. in 1978 from Columbia Law School, where he was Editor-in-Chief of the *Columbia Law Review*. He clerked for Judge Carl McGowan of the U.S. Court of Appeals for the

D.C. Circuit and Justice Byron White of the U.S. Supreme Court. Miller is a Founder of the Society for Empirical Legal Studies, Director of the NYU Law Center for Financial Institutions, and Co-Director of the Center for Civil Justice. He serves on the Board of Directors and chairs the Audit Committee of State Farm Bank. Miller is a 2011 inductee into the American Academy of Arts.



Matthew Miner
Deputy Assistant Attorney General,
Criminal Division
U.S. Department of Justice

Matthew Miner serves as Deputy Assistant Attorney General for the Criminal Division of the U.S. Department of Justice, where he oversees the work of the Fraud Section and the Appellate Section. Prior to re-joining the DOJ earlier this year, Miner was a Partner in the Washington, D.C., office of an international law firm, where he practiced in the firm's White Collar Litigation and Government Investigations group and served as Co-Chair of the firm's Washington Strategic Government Relations and Counseling practice. In these roles, he led internal and government-facing investigations of suspected misconduct and handled numerous cross-border investigations of suspected fraud and corruption, as well as a wide range of domestic investigations and enforcement inquiries. Before entering private practice, Miner served as a Federal Prosecutor and in senior roles with the Senate Judiciary Committee. He is a graduate of the University of Michigan Law School and the University of Cincinnati.



Sandra L. Moser
Partner, Quinn Emanuel Urquhart &
Sullivan

Sandra L. Moser is a Partner at Quinn Emanuel in Washington, D.C., where she co-chairs the firm's Investigations, Government Enforcement and White Collar Criminal Defense Practice and its Crisis Law and Strategy Group. Prior to joining the firm in February 2019, Moser spent more than 12 years at the U.S. Department of Justice serving in a variety of leadership capacities, most recently as the Head of the Criminal Division's Fraud Section. She previously worked at Morgan, Lewis & Bockius and Drinker Biddle & Reath, both in Philadelphia, and clerked for the Honorable Norma L. Shapiro (Eastern District of Pennsylvania) and the Honorable Marjorie Rendell (U.S. Court of Appeals for the Third Circuit). Moser earned her J.D. cum laude from Northwestern University School of Law and two B.A. degrees from the University of North Carolina at Chapel Hill.



Edward C. O'Callaghan
Principal Associate Deputy
Attorney General, Office of the
Deputy Attorney General
U.S. Department of Justice

Edward C. O'Callaghan '94 has served as Principal Associate Deputy Attorney General (PADAG) in the U.S. Department of Justice since April 2018. As PADAG, O'Callaghan assists the Deputy Attorney General and the Attorney General in leading DOJ's 115,000 dedicated attorneys, agents, investigators, and administrators in carrying out the DOJ's highest priorities. Prior to his appointment as PADAG, O'Callaghan served as Principal Deputy Assistant Attorney General for the National Security Division and as Acting Assistant Attorney General. Before rejoining the DOJ in 2017, O'Callaghan was a Partner at an international law firm. He previously served as an Assistant U.S. Attorney for the Southern District of New York

(1999-2008). He was also Co-Chief of the Terrorism & National Security Unit (2005-2008). He received the U.S. Attorney General's Award for Distinguished Service in 2008, and the Director's Award for Superior Performance as an Assistant United States Attorney in 2000. After earning his J.D. from NYU School of Law in 1994, O'Callaghan began his career as a Law Clerk to the Honorable Kevin Thomas Duffy of the U.S. District Court for the Southern District of New York.



Lisa Osofsky

**Director, Serious Fraud Office,
United Kingdom**

Lisa Osofsky became the Director of the Serious Fraud Office (SFO) on August 28, 2018. In this role, she is responsible for all investigations and prosecutions for some of the U.K.'s most serious and complex fraud and bribery cases. Before joining the Serious Fraud Office, Osofsky served as EMEA Regional Chair based in Exiger's London office.

Previously, she was the regulatory advisor at Control Risks. Prior to that, Osofsky was the Executive Director of the Business Intelligence Group and the Money Laundering Reporting Officer at Goldman Sachs International, London. Preceding her time with Goldman Sachs, she served as the Deputy General Counsel (DGC) and Ethics Officer for the FBI. Osofsky was also a Special Attorney in the Fraud Section of the Criminal Division of the DOJ and was stationed at the SFO in London. Osofsky began her career in Chicago as a Law Clerk to Federal Judge James B. Moran; she then served as an Assistant U.S. Attorney. Before becoming DGC of the FBI, Osofsky served in the DOJ's Office of International Affairs. She received her B.A., Phi Beta Kappa, magna cum laude, from Amherst College, and her J.D. from Harvard Law School.



Julie Rose O'Sullivan

**Professor and Associate Dean for Professional Development and External Affairs
Georgetown University Law Center**

Professor Julie Rose O'Sullivan teaches and publishes primarily in the areas of federal white collar crime and international and transnational criminal law. Prior to joining the faculty at Georgetown Law Center in 1994, she practiced for eight years as a criminal defense lawyer at Davis Polk & Wardwell and as a federal prosecutor in the Southern District of New York and on the Whitewater Investigation under Robert B. Fiske Jr. She clerked for the Honorable Sandra Day O'Connor (1985-86) and the Honorable Levin H. Campbell (1984-85) after graduating summa cum laude from Cornell Law School in 1984. Professor O'Sullivan has authored a casebook on federal white collar crime and co-authored a book on international and transnational criminal law.



Steven Peikin

**Co-Director, Division of Enforcement
U.S. Securities and Exchange Commission**

Steven Peikin was named Co-Director of the U.S. Securities and Exchange Commission's Division of Enforcement in June 2017. Before serving at the SEC, Peikin was Managing Partner of Sullivan & Cromwell LLP's Criminal Defense and Investigations Group. His practice focused on white collar criminal defense, regulatory enforcement, and internal investigations. From 1996 to 2004, Peikin served as an Assistant U.S. Attorney in the Southern District of New York. He was Chief of the Office's Securities and Commodities Fraud Task Force, where he supervised some of the nation's highest-profile prosecutions of accounting fraud, insider trading, market manipulation, and abuses in the foreign exchange market. Peikin received his bachelor's degree from Yale University and law degree from Harvard Law School, both magna cum laude. Following law school, he served as a Law Clerk to the Honorable J.

Edward Lumbard, U.S. Circuit Judge, Second Circuit, and the Honorable Robert P. Patterson Jr., U.S. District Judge, Southern District of New York. Peikin is Adjunct Professor of Law at NYU School of Law. He is President of the Board of Directors of the Center for Hearing and Communication, a non-profit health and human services agency that serves the deaf and hard of hearing.



Mark Pieth

Professor of Criminal Law and

Criminology

University of Basel, Switzerland

Mark Pieth is a Swiss Professor of Criminal Law, specialized in economic and organized crime. He has chaired the OECD Working Group on Bribery for 24 years and assumed many roles in international organizations, namely as member of the Independent Inquiry Committee into the UN's Oil-for-Food Programme. He holds an Honorary Doctorate of the University of Sussex (U.K.).



Pablo Quiñones

Founder, Quiñones Law

Senior Fellow, Program on Corporate

Compliance and Enforcement

New York University School of Law

Pablo Quiñones is the Founder of Quiñones Law, a boutique law firm that represents companies and individuals in government investigations, enforcement actions, and prosecutions, and that counsels government agencies and companies on compliance and monitor services to promote integrity and ethical conduct. He is a Senior Fellow and the former Executive Director of PCCE. He recently served as Chief of Strategy, Policy, and Training and Deputy Chief of the Fraud Section at the U.S. Department of Justice. From 2004 to 2012, he served as an Assistant U.S. Attorney in the Southern District of New York, where he investigated and prosecuted financial, public corruption, and money laundering crimes. Quiñones also has significant prior experience in private practice as both

in-house counsel and outside counsel. He currently serves as an Adjunct Professor of Law at both NYU School of Law and Cornell Law School. He received his A.B. from Cornell University and his J.D. from Michigan Law School.



Eugene Soltes

Jakurski Family Associate Professor of

Business Administration

Harvard Business School

Eugene Soltes is the Jakurski Family Associate Professor of Business Administration at Harvard Business School, where his research focuses on corporate misconduct and fraud, and how organizations design cultures and compliance systems to confront these challenges. He is the recipient of the Charles M. Williams Award for outstanding teaching and author of the bestselling book *Why They Do It: Inside the Mind of the White-Collar Criminal*. Soltes' research has been widely cited in the media, including in the *Wall Street Journal*, *Financial Times*, *New York Times*, *NPR*, and *Economist*, and he is regularly invited to speak to regulatory bodies, including the Department of Justice, the Securities and Exchange Commission, and the United States Treasury. Prior to joining the faculty of the Harvard Business School, Professor Soltes received his Ph.D. and M.B.A. from the University of Chicago, Booth School of Business, and his M.A. in statistics and B.A. in economics from Harvard University.

Acknowledgements

We gratefully acknowledge financial support for this conference from Bart M. Schwartz '71 and Guidepost Solutions.

Conference Advisors

PCCE would like to thank the people who provided us with their expert advice to help us prepare for this conference. We are deeply grateful for their help.

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Bart M. Schwartz '71

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