

Federal Litigators Group  
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# Protecting the Corporation and Management from Criminal Prosecution

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• *Preventive Planning*      • *Internal Investigations*      • *Government Investigations*

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## EDITOR'S PREFACE

Beginning with the Comprehensive Crime Control Act of 1984, Congress has continually expanded the range of criminal sanctions that directly affect corporations and their executive staff. With the addition of 1986 amendments, this new legislation has spawned an unprecedented surge in federal grand jury investigations and indictments against corporations and executives.

As government enforcement policies and standards of corporate culpability continue to evolve, companies face increasing pressure to assess their vulnerability to prosecution and to take appropriate action to minimize their exposure to criminal liability. In this context, the Federal Litigators Group has designed this course book to provide attorneys with an in-depth compilation of materials (including articles, pleadings and government documents) which examine many of the critical issues underscoring the potential criminal exposure of the corporate entity and its executive staff. Focusing exclusively on pre-indictment considerations, the book examines three strategic vantage points:

First, the need to devise and implement a comprehensive program of preventive management to safeguard the corporation from criminal misconduct and to reflect a commitment of corporate compliance with statutory and regulatory standards of criminal enforcement;

Second, the need to assess, investigate and respond properly at the earliest indications of potential criminal wrongdoing;

Third, the need to cope effectively with, and manage, the agency investigation once the government has initiated a probe.

The faculty hopes that these materials will help resolve many of the difficult issues confronting corporate counsel and white collar defense practitioners in seeking to protect their corporate clients and their management staff from criminal prosecution.

GREGORY NICOLAYSEN  
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