



The Oliver Group™

FCPA and the UK Bribery Act

Since before the US FCPA (Foreign Corrupt Practices Act) was amended in 1998, The Oliver Group (TOG) has been recognized as an international leader in providing defensible, forensic e-disclosure services and expertise. TOG is a proven, reliable partner with extensive experience that includes some of the world's most publicized corporate legal actions of the last fifteen years. With headquarters in Manhattan, New York, US; Connecticut, US and EU operations based in London, UK, TOG has proven their dedication to providing global support aimed at meeting client needs.

With the UK Bribery Act being implemented in 2010, TOG has continued to utilize its extensive e-disclosure experience in providing forensically-sound data acquisition and forensic analysis of electronically stored information for complex litigation. The organization has successfully proven their capabilities in large-scale, multi-jurisdictional regulatory cases in the US, UK, APAC region and the EU specific to FCPA and the UK Bribery Act. TOG has provided defensible electronic evidence for regulators, legal teams and corporations in both pre- and post-settlement compliance matters.

In respecting established mutual non-disclosure agreements, TOG cannot release the names of corporations with which they work. However, two examples of work performed directly related to FCPA and/or the UK Bribery Act involve a large, global financial institution, along with all business units such as retail, corporate, investment, banking, brokerage and global trading for Europe, the Americas, Asia and Africa, and an investigation of a large EU-based oil and gas company. In addition, TOG's forensic experts have performed forensic services regarding LIBOR (London Interbank Offered Rate) and have worked closely with the UK Serious Fraud Office, the US Department of Justice and the US Securities and Exchange Commission. TOG regularly performs work for litigation related to anti-trust, anti-corruption and global compliance issues for highly regulated industries such as oil and gas, financial, pharmaceutical and medical devices, airline, etc.

The experts at TOG have performed forensic data acquisition and analysis in over 50 countries, including Azerbaijan, Egypt, Japan, Mexico, the Netherlands, Nigeria, Saudi Arabia and Sweden. Our experts understand cultural differences in e-disclosure efforts, and on every engagement, TOG reviews Safe Harbor requirements, local law, privacy and regulatory requirements to employ the most appropriate strategy within the team. TOG's experts carefully tailor each project's needs and also have the proven ability and willingness to testify as an expert witness.

TOG has a number of industry standard best practices and information security policies in place to safeguard client data. The protective elements used at TOG are modeled from standards reflected in the ISO 27000 series, SAS 70 process and many other industry-specific regulations. The sum of these efforts has resulted in the formation of high-security facilities capable of handling projects from clients requiring the best from their vendors. Some security highlights include:

- Employees are bound to follow a strict series of conduct-related policies which are outlined in a comprehensive employee handbook.
- Employees of TOG are screened before hire (drug testing, criminal, credit).
- TOG employs best-of-breed security products to protect our computing environment and most notably, all client data and media.
- A strict procedure is in place that dictates how client media and data are to be handled. This process is tracked through chain-of-custody documentation which is constantly reviewed and monitored.
- All IT systems are monitored for unauthorized access and use. The environment in which client data is processed is kept separate from our business IT systems. Access to and from the Internet from this environment is blocked to protect against external threats.
- Systems used for the processing of client data are wiped and rebuilt between projects so as to eliminate the chance for cross-contamination of data.
- Any media being disposed of is destroyed using a series of software and hardware-based destruction methods. Any media leaving the TOG facility is encrypted using best-of-breed technologies and strong encryption algorithms.

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