

**New York State Bar Association: International Section
Global Conference 2019: November 5-8, 2019**

**Panel 1: Challenges in Cross-Border White Collar Criminal Investigations
Written Materials**

1. Attorney role: conflict and multiple representation
 - a. NY Rule of Professional Conduct, Rules. 1.7 (conflicts) and 1.13 (organization as client)
 - b. *Upjohn v. US*, 449 US 383 (1981)
 - c. *Akzo Nobel Chemicals Ltd.*, Case C-550/07 P (ECJ 14 Sept. 2010)
2. Investigation and enforcement
 - a. JFTC Cabinet Decision on the Antimonopoly Act Amendment Bill (Mar 12, 2019)
 - b. Ishida/Yamada paper, Japan: Cartels, GCR Insight Asia-Pacific Antitrust Review 2019, at 118 (excerpts)
 - c. Yamada paper, A Brief Overview of Criminal Cartel Enforcement in Japan (Nov. 2019)
 - d. DOJ FAQs About the Antitrust Division's Leniency Program (updated Jan. 26, 2017)
 - e. Memorandum Decision and Order, *US v. Connolly*, 16-cr-0370-CM (SDNY May 2, 2019)
 - f. DOJ Evaluation of Corporate Compliance Programs in Criminal Antitrust Investigations (July 2019)
3. Extradition
 - a. US DOJ Press Release, Piscioti extradition and plea (Apr. 24, 2014)
 - b. Himes/Julius paper, "I'm Never Too Far Away": Extradition of Non-US Nationals Charged With Price-Fixing, 28 Int'l Law Pract. 121 (No. 2 2015)
4. FCPA
 - a. US DOJ Criminal Information re Bridgestone (Sep 15, 2011)
 - b. DOJ Criminal Resource Manual, Sec. 9-47.120 (Corporate enforcement policy)
 - c. Goodman/Fetterman/Yannett, Chapter 13: Defending Clients in Foreign Corrupt Practices Act Investigation
5. Fugitive disentitlement
 - a. Memorandum and Order, *US v. Sindzingre*, No. 17-cr-00464-JS (EDNY May 29, 2019)
6. Coordination of parallel criminal and civil cases
 - a. US Motion to Stay Discovery, *Southeast Ready Mix, LLC v. Argos North America Corp.*, 17-CV-02792-ELR (NDGA Jan. 18, 2019) ("Cement")
 - b. US Motion to Extend Stay, *Cement* (ND GA July 19, 2019)