White Collar Crime and Criminal Justice Catalog

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Contents:

Business Crimes Bulletin ................................................................. 4
Corporate Criminal Liability and Prevention ...................................... 4
Corporate Internal Investigations ..................................................... 5
Defending Federal Criminal Cases: Attacking the Government’s Proof ......................................................... 5
Environmental Enforcement: Civil and Criminal ................................. 6
Federal Corporate Sentencing: Compliance and Mitigation .................... 6
Federal False Claims Act and Qui Tam Litigation ................................. 7
FCPA Enforcement Trends and New Global Initiatives: How to Navigate the New Norm ..................................................... 8
The Foreign Corrupt Practices Act: Compliance, Investigations and Enforcement ................................................ 8
The Foreign Corrupt Practices Act: What You Absolutely Must Know ......................................................... 9
Health Care Fraud: Enforcement and Compliance .............................. 10
Intellectual Property and Computer Crimes ....................................... 10
Representing Employees in Internal and Government Investigations:
   A Guide for Uncertain and Challenging Times .................................. 11
Responding to Government Investigations: Best Practices for In-house Counsel ..................................................... 12
RICO: Civil and Criminal Law and Strategy ..................................... 13
Whistleblower Laws and Internal Investigations: Strategies and Practical Considerations ................................. 14
White Collar Crime: Business and Regulatory Offense .......................... 14

White Collar Crime and Criminal Justice Resources

Written by leading attorneys, Law Journal Press titles cover all aspects of white collar criminal litigation — corporate criminal liability, environmental crimes, the Foreign Corrupt Practices Act, RICO, intellectual property crimes, securities law violations, sentencing and more.

Authoritative yet concise and practitioner-oriented, these editions are designed to help you represent your clients effectively in and out of court, handle any challenge, and grow your practice.

To find out more about these criminal titles or to order, visit lawcatalog.com/criminal or call 877-807-8076.
Business Crimes Bulletin

By James Niss

Can pension trust funds be reached to satisfy a criminal judgment of restitution? How can prosecutors differentiate dubious but legal practices from those that cross the line? Changes in laws that govern financial and white-collar crime raise questions like these every day. Fortunately, Business Crimes Bulletin® is on the case!

Filled with the latest legal news and analysis of cases concerning foreign corruption, mail and wire fraud, money laundering, RICO, the Organizational Sentencing Guidelines, and much more, Business Crimes Bulletin® is written by recognized legal experts who know what’s most important to your practice. Tax and securities fraud, environmental crimes and antitrust violations, forfeiture proceedings and Bank Secrecy Act violations are all covered here, making Business Crimes Bulletin® the best source of information and practical guidance for you the business crimes specialist.

Newsletter; 12 monthly issues; available in print and online editions.

Corporate Criminal Liability and Prevention

By Richard S. Gruner

With corporate criminal prosecutions on the rise, the potential impact of corporate fines and sanctions looms over corporate officers and directors and their legal advisors. Corporate Criminal Liability and Prevention provides essential guidance on all aspects of this critical area—the sources of corporate criminal liability, the immediate and collateral consequences of conviction, and the available defenses to—and limitations on—liability.

This thoroughly up-to-date guide also examines current prosecutorial discretion standards, amnesties and sentencing guidelines. It instructs corporate counsel on how to adopt forward-looking compliance policies that can prevent criminal liability and how to mitigate the severity of penalties when they are unavoidable.

Corporate Criminal Liability and Prevention is a comprehensive work, providing both substantive analysis of the law and strategic advice for practitioners. Whether you are handling a corporate criminal case or advising a corporation on how to avoid one, this book will help you give your clients clear guidance on the best strategies and compliance policies in light of the latest legal developments.

Book #00676; looseleaf, one volume, 1,550 pages; published in 2004, updated as needed; no additional charge for updates during your subscription. Looseleaf print subscribers receive supplements. The online edition is updated automatically. ISBN: 978-1-58852-125-5.
Corporate Internal Investigations

By Dan K. Webb, Robert W. Tarun, and Steven F. Molo

Suspected wrongdoing can involve many different areas of law: environmental crimes, insider trading, tax fraud and accounting irregularities, to name a few.

**Corporate Internal Investigations** will help you act quickly to address allegations of corporate misconduct and avoid indictment and civil exposure. It provides detailed analysis of the legal and practical issues inherent in internal investigations, including: corporate and individual criminal liability; duties of officers and directors; conducting witness interviews; reviewing and tracking documents; grand jury and other government methods of gathering evidence; supervising experts and investigators; parallel proceedings; the attorney-client privilege and the work product doctrine; reports of investigation and their confidentiality; international investigations; and persuading prosecutors not to indict.

**Corporate Internal Investigations** keeps you current on developments under the Justice Department's revised “Dual and Successive Prosecution Policy” and “Leniency Policy for Individuals.” It explains the Department's policy for “Federal Prosecution of Corporations,” including factors to weigh in charging a corporation. It also covers developments in the use of the Internet to conduct internal investigations and defend clients under criminal investigation.

**Defending Federal Criminal Cases: Attacking the Government’s Proof**

By Diana D. Parker

Put the prosecution on the defensive! **Defending Federal Criminal Cases: Attacking the Government’s Proof** equips defense attorneys with the legal arguments and tactics they can and should use to challenge the government's evidence at every stage of a criminal case.

Beginning with the assessment of whether to cooperate with the government, this authoritative guide provides advice on the substance and timing of defense motions, objections and appeals, as well as open questions and splits among the circuits. Coverage includes: bases for motions to dismiss indictments; obtaining and drafting a Bill of Particulars; Fourth and Fifth Amendment grounds for suppressing evidence; Sixth Amendment rights, including the defendant’s right to a speedy trial, confrontation of witnesses, and adequate representation; discovery issues, including the prosecution’s obligations under Brady; proven methods for cross-examining government witnesses; capitalizing on perjury by government witnesses; objections based on substantive and procedural due process; and more.

Focused on the needs of practitioners, this book examines a wide range of motions to file and how you can assert them effectively. **Defending Federal Criminal Cases: Attacking the Government’s Proof** will greatly increase your chances of winning at trial or creating a record for a successful appeal.
Environmental Enforcement: Civil and Criminal

By Daniel Riesel

This book, by one of the nation’s first environmental prosecutors, is a detailed guide to environmental enforcement for members of the regulated community and their counsel. Environmental Enforcement: Civil and Criminal explains the potential consequences of enforcement actions and discusses procedures to follow to minimize exposure.

Topics include: how to conduct an environmental self-audit; civil investigatory procedures in environmental law; civil enforcement under the Clean Water Act, the Resource Conservation and Recovery Act (RCRA), the Clean Air Act, the Emergency Planning and Community Right-to-Know Act (EPCRA), and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). You’ll also find analysis of “government guidance documents”; contribution suits between “potentially responsible parties”; penalties and penalty policies; preliminary injunctions; citizen suits, defenses and awarding of attorneys’ fees; the criminal process; the Department of Justice’s guidelines for pursuing criminal charges against corporations; criminal representation and defense; and audits to ensure compliance.

Federal Corporate Sentencing: Compliance and Mitigation

By Jed S. Rakoff and Jonathan S. Sack

The first book to examine the Organizational Sentencing Guidelines in detail, Federal Corporate Sentencing: Compliance and Mitigation shows how to develop and improve an internal compliance program—a critical preventive tool and the most important mitigating factor in sentencing. Because the Guidelines give legal recognition to compliance programs, a properly designed program can make the difference between a fine of several thousand dollars and one in the tens of millions.

This essential reference also provides comprehensive coverage of subjects such as: determination of sentences, including aggravating and mitigating factors; global compliance programs; standards of conduct under Sarbanes-Oxley; advocacy strategies when dealing with prosecutors, judges and probation officers; guidance on advising corporations already under federal scrutiny; the use of deferred and non-prosecution agreements; government policies on waiver of the attorney-client privilege and work product protection as proof of a corporation’s full cooperation; “corporate probation”; the interplay between the sentencing guidelines for individuals and for corporations; environmental and antitrust offenses; and more.
Federal False Claims Act and Qui Tam Litigation

By Joel M. Androphy

In recent years, whistleblower lawsuits have led to billions of dollars in judgments and settlements, debarment from government contracts, and criminal prosecutions as the government and the public seek to root out fraud and abuse. In 2010, the Dodd-Frank Act created a new Securities and Exchange Commission Whistleblower Program, imposed a three-year statute of limitations on FCA retaliation actions, and expanded protections for whistleblowers.

Federal False Claims Act and Qui Tam Litigation is a unique guide to this vital area. Unlike many treatises that focus solely on the plaintiff whistleblower or “relator,” this book provides detailed, comprehensive coverage of the interests of all the participants in qui tam cases—the relator, the defendant corporation, the federal and state governments, and the courts. It also provides state-of-the-art analysis of the latest cases and whistleblower statutes, federal, state and municipal.

Topics include: evaluating the merits of a potential action; determining whether the relator would be barred or restricted from any recovery; locating a favorable judiciary and an aggressive prosecutor’s office; anticipating, preventing and responding to litigation; determining whether a claim is material; theories of liability under the FCA; assessing an appropriate relator’s share of any recovery; parallel criminal actions; and more.

Each chapter concludes with detailed analysis of the strengths and weaknesses of significant cases for the relator, the defense, the government. This is a book that will help all parties understand and master the challenges of this important and growing field.

Includes a CD-ROM containing forms and pleadings; guidances and government memoranda; U.S statements of interest; and federal and state statutes and forms.
On Demand Webinar

FCPA Enforcement Trends and New Global Initiatives: How to Navigate the New Norm

Panelists: Tracy L. Davis, Eugene Goldman, and Robert Plotkin

Over the past year, anti-corruption enforcement activities have reached unprecedented levels not only in the United States, but also worldwide. U.S. authorities are zealously enforcing the Foreign Corrupt Practices Act (FCPA) with historically high fines in the hundreds of millions imposed on corporations and significant jail time for executives responsible for the activities of employees, subsidiaries, and third-party intermediaries.

This Webinar provides essential insights into new enforcement trends, including:

- heightened enforcement of the FCPA by the Department of Justice, SEC and the FBI
- international cooperation in FCPA enforcement
- the impact of the new UK Bribery Act
- increased individual accountability for executives and penalties for ineffective compliance programs

Receive CLE credit and benefit from expert analysis designed to help you and your company, or clients navigate this new norm.

This program provides up to 2 hours of participatory CLE credit. Approved in CA, CO, GA, IL, MS, NC, NJ, NV, NY, OR, PA, TX and VA. Self-study credit is also available for AK, AZ, ME, MO and ND.

The Foreign Corrupt Practices Act: Compliance, Investigations and Enforcement

By Martin J. Weinstein, Robert J. Meyer, and Jeffrey D. Clark

Passed in the wake of the Watergate scandal, the Foreign Corrupt Practices Act has emerged as a feared tool, used by law enforcement to obtain record-setting fines from corporations and significant jail time for executives. This timely new book offers complete guidance for attorneys counseling corporations, officers, and directors on how to identify red flags, avoid risk, and handle problems that arise.

The Foreign Corrupt Practices Act: Compliance, Investigations and Enforcement covers all aspects of the Act, explaining its recordkeeping requirements, conduct for which corporations and individuals can be held civilly and criminally responsible, and compliance and mitigation strategies. Topics include: the anti-bribery provisions; applicability of the Act to persons outside the U.S.; elements the Department of Justice looks for in compliance programs; due diligence, training, and contractual safeguards; corporate internal investigations; anti-corruption regulation in Germany, China, and the United Kingdom; and more.

In a global economy, it is easier than ever for corporations to be blindsided by the consequences of improper actions occurring abroad. Written by three former federal prosecutors with decades of experience on both sides of high-profile foreign corrupt practices cases, this book will help practitioners deal with almost any eventuality.

#00719; looseleaf, one volume, 800 pages; published in 2012, updated as needed; no additional charge for updates during your subscription. Looseleaf print subscribers receive supplements. The online edition is updated automatically. ISBN: 978-1-58852-072-2.
On Demand Webinar

The Foreign Corrupt Practices Act: What You Absolutely Must Know

Panelists: Robert Plotkin, F. Joseph Warin, and Gerald W. Hodgkins

After years of inattention, the Foreign Corrupt Practices Act (“FCPA”) has emerged as one of the federal government’s most potent law enforcement tools.

This Webinar will focus on the FCPA’s requirements and procedures, as well as the civil and criminal penalties for non-compliance. Because there is so little case law interpreting the provisions of the FCPA, and because practitioners must rely primarily on government enforcement policies and common business practices to advise clients, this Webinar is a unique opportunity to get valuable guidance from leading experts.

Topics covered will include:

- The FCPA’s anti-bribery and accounting provisions
- Civil Enforcement - SEC procedures, priorities and penalties
- Criminal Enforcement - DOJ procedures and enforcement priorities
- Compliance and due diligence

In an increasingly global economy, it is more important than ever that companies be aware of potential legal pitfalls. This Webinar’s panelists draw on decades of experience in both private practice and government enforcement to help you avoid risk and anticipate problems. The Webinar will include a Q & A session in which you can raise your particular issues.

This program provides 2 hours of approved participatory CLE Credit for CA, CO, FL, IL, KY, NV, NY, NC, OR, TN, TX, VA and WA. Self-study credit is available for AK, ME, MO, and GA.
Health Care Fraud: Enforcement and Compliance

By Robert Fabrikant, Paul E. Kalb, M.D., Mark D. Hopson, and Pamela H. Bucy

Health Care Fraud: Enforcement and Compliance is the most complete, essential and up-to-date guide for criminal and civil lawyers, law enforcement officials, drug and device manufacturers, health care providers and anyone interested in the health care industry. You’ll find discussion of: the latest antifraud initiatives from Congress, enforcement agencies and the private bar; advice on criminal law and procedures that health care lawyers cannot afford to ignore; and point-by-point analysis of key decisions, laws and regulations.

This deskbook also helps you decide on the right pretrial and trial strategies for clients who have already run afoul of the rules. It features cutting-edge discussions of such topics as: the use of health care fraud laws to enforce clinical care standards; voluntary and involuntary disclosure obligations; expanded treatment of the Federal Antikickback Statute—including “Safe Harbor” regulations—and the False Claims Act; proving billing fraud for rendering medically unnecessary services and other fraudulent schemes; obstruction of criminal investigations of health care offenses; and mandatory and permissive exclusion from health care programs.

Health Care Fraud: Enforcement and Compliance also includes detailed coverage of two important areas: compliance issues, including an analysis of Corporate Integrity Agreements; and marketing and pricing fraud in the pharmaceutical industry, including off-label, pricing, Medicaid rebate and kickback concerns.

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Intellectual Property and Computer Crimes

By Peter J. Toren

Written by a former federal prosecutor with the Computer Crime and Intellectual Property Section, this complete guide elucidates the criminal laws that apply to violations of intellectual property rights and unauthorized computer access, as well as civil violations under the Computer Fraud and Abuse Act — and their impact on your clients.

Intellectual Property and Computer Crimes examines criminal infringement, computer hacking laws, and the important legal issues that arise when computer crimes are prosecuted. Coverage includes analysis of:

- the Economic Espionage Act
- how to calculate damages and the meaning of unauthorized access under the Computer Fraud and Abuse Act
- recent prosecutions under the Trademark Counterfeiting Act
- state prosecutions for computer hacking and theft of trade secrets
- civil cases brought under the DMCA
- general criminal laws used to prosecute intellectual property crimes

Whether you are a criminal lawyer seeking guidance on intellectual property issues or a civil lawyer with questions about the impact of criminal law on civil litigation, this book is an invaluable reference.

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Times are perilous for employees caught up in company internal and government investigations. Companies with shrinking resources facing multiple investigations are under intense pressure from law enforcement authorities to investigate, sanction and terminate employees.

In this webinar, white-collar, regulatory and litigation attorneys from one of the nation’s top law firms show you how to protect an employee at each stage of an investigation. Using a hypothetical drawn from recent cases, they discuss:

- the basics of corporate internal investigations
- advocacy on behalf of employees with company counsel
- advancement and indemnification of legal fees
- information sharing and joint defense agreements
- privilege and work product waivers
- employment and separation issues
- ethical issues in representing employees

This timely program will help you represent individual clients zealously and shield them from legal exposure and harsh career consequences.
Responding to Government Investigations: Best Practices for In-house Counsel


For in-house counsel, government investigations mean new challenges — and new perils. What practical steps should you be taking to protect your company and minimize potential exposure? What are your ethical obligations as an attorney? How can your company’s goals be achieved under the pressure of tighter budgets?

In this webinar, white-collar criminal, regulatory and litigation attorneys from one of the nation’s top law firms provide up-to-date guidance that can help you respond appropriately and efficiently, and avoid disastrous missteps. Topics covered include:

- Ethical and statutory obligations of in-house counsel
- The role of in-house counsel in initiating and conducting internal investigations
- Retention of counsel for the company and its current and former employees
- Document retention before and after issuance of subpoenas
- Cooperation with a government investigation in light of recent statements of policy from the DOJ, SEC, New York County District Attorney and other agencies, along with recent amendments to the Sentencing Guidelines
- Protection of attorney/client privilege and work product
- Management of parallel civil proceedings

This unique program will help you deal effectively with a government investigation of your company while navigating safely through an ethical and practical minefield.

This program provides up to 2 hours of approved CLE credit of which .5 are ethics in the states CA, IL, NY, PA, VA and TX. NJ has approved this program for 2.4 general credits. Approval pending in CO, FL, GA, MS, NC, NV, OR, and TN. Self-study credit is also available for AK, AZ, ME, MO and ND.
RICO: Civil and Criminal Law and Strategy

“Rakoff and Goldstein have proved that a practical book can also be scholarly. They have gathered together a group of author-experts who comprehensively analyze every conceivable RICO problem. Bravo!”

~Lawrence Pedowitz of Wachtell, Lipton, Rosen & Katz, New York

Edited by Jed S. Rakoff, Howard W. Goldstein

RICO: Civil and Criminal Law and Strategy is a practical guide to all aspects of RICO litigation. It provides a fundamental grounding in substantive RICO law and focuses on strategic and tactical considerations of RICO practice. Especially valuable discussions provide the latest techniques for handling either side of a case.

This definitive treatise deals with unresolved issues including: the four-year statute of limitations; due process; the evolving definitions of “pattern” and “enterprise”; determination of predicate acts, including mail, wire and securities fraud; potential applications of RICO in commercial fraud; causation, injury and scope of damages; pretrial seizure of assets and forfeiture of assets; criminal “mega-trials”; parallel proceedings and collateral consequences; and government civil RICO. The book also keeps you up to date on Supreme Court cases and the latest judicial interpretations of many important issues, including the survival of RICO actions after death.

Book #00609; looseleaf, one volume, 952 pages; published in 1989, updated as needed; no additional charge for updates during your subscription. Looseleaf print subscribers receive supplements. The online edition is updated automatically.

Whistleblower Laws and Internal Investigations: Strategies and Practical Considerations

Panelists: Jonathan S. Sack, James Brochin, Patrick Gibson, and James R. Stovall

Recent developments in whistleblower laws present challenges to public companies. Because employee allegations of wrongdoing can lead to government investigations, this is an area no corporate counsel can afford to ignore.

The False Claims Act encourages whistleblowing in companies that receive funds from the federal government. The Dodd-Frank Wall Street Reform and Consumer Protection Act provides powerful financial incentives to report wrongdoing in public companies to regulators. It also strengthens laws protecting whistleblowers from retaliation by their employers.

In this webinar, an expert panel of white-collar litigators and corporate counsel discusses the new whistleblower laws, their legal and practical impact, and the best strategies for protecting corporate clients.

Topics covered include:

- The parameters of Dodd-Frank, the False Claims Act and other whistleblower laws
- How to conduct efficient and credible internal investigations in response to whistleblower complaints
- When changes in a whistleblower’s status can result in liability for retaliation
- Attorney/client privilege and work product issues

White Collar Crime: Business and Regulatory Offenses

Edited by Otto G. Obermaier, Robert G. Morvillo

White collar crime continues to make headlines. But many cases that may not make the headlines are just as important to you and your clients.

In White Collar Crime: Business and Regulatory Offenses, Otto G. Obermaier and Robert G. Morvillo have gathered a prestigious group of authors to counsel you on: criminal tax cases; securities fraud; RICO; mail and wire fraud; banking crimes; criminal antitrust actions; bribery and extortion; conspiracy; entrapment and government overreaching; government contract fraud; grand jury practice; perjury and false declarations; and general principles governing the criminal liability of corporations, their employees and officers.

White Collar Crime: Business and Regulatory Offenses also features a discussion of computer crime, including provisions of the Electronic Communications Privacy Act and the creation of Computer Hacking and Intellectual Property Squads designed to combat copyright theft, computer fraud and hacking. There is also valuable information on forfeiture; the Computer Fraud and Abuse Act; and the Supreme Court’s interpretation of the standard of “gross proportionality” as it applies to violations of the Eighth Amendment’s “excessive fines” clause.

Book #00610; looseleaf, two volumes, 1,790 pages; published in 1990, updated as needed; no additional charge for updates during your subscription. Looseleaf print subscribers receive supplements. The online edition is updated automatically. ISBN: 978-1-58852-049-4.

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