



## Due Diligence in Acquisitions, Recent Enforcement Actions and Upcoming Conferences on Mexico, Russia and CIS

### FCPA Due Diligence in Acquisitions

With recent increases in Foreign Corrupt Practices Act (FCPA) enforcement investigations by the Department of Justice (DOJ), due diligence has become a requirement for US-based companies engaged in acquisitions outside the United States. Requirements include investigating consultants, limiting travel expenditures for "foreign officials" and drafting contract provisions that provide post-acquisition protection.

In the article "[FCPA Due Diligence in Acquisitions](#)," Squire Sanders lawyers Rebekah J. Poston, David A. Saltzman and Gregory W. Bates present a real life scenario to demonstrate the lengths to which a publicly traded US-based company must go in performing FCPA due diligence when it decides to acquire an enterprise in another country known for its corruption.

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### 2009 FCPA Enforcement Actions

For those who may have missed it, the Squire Sanders anticorruption compliance and FCPA team recently put together in-depth summaries of the enforcement actions resolved last year, "[2009 FCPA Enforcement Actions](#)." The reverberations caused by the DOJ's and

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#### Contacts:

[Donald T. Bucklin](#)  
+1.202.626.6816

[George N. Grammas](#)  
+1.202.626.6234

[Rebekah J. Poston](#)  
+1.305.577.7022

[David A. Saltzman](#)  
+1.650.843.3336

[Amy L. Sommers](#)  
+86.21.6103.6308

[Ritchie T. Thomas](#)  
+1.202.626.6686

[Carol M. Welu](#)  
+44.20.7189.8105

[Gregory W. Bates](#)  
+1.305.577.7053

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SEC's enforcement of the FCPA in 2009 continue, with the DOJ reporting last month that it has 140 ongoing investigations. We hope these summaries are helpful in identifying noteworthy trends emerging from the 2009 enforcement actions.

### **Foreign Corrupt Practices Act in Mexico – Implementing FCPA Compliance Programs and Mitigating Risk**

With Mexico as the third largest trading partner of the United States, US-based companies conducting business there must take steps to minimize the risk of FCPA violations. Corruption and bribery are part of conducting business in Mexico, and recent enforcement activity aimed at operations there demonstrates the importance of implementing a comprehensive FCPA compliance program.

Join an authoritative panel of FCPA lawyers, including Rebekah J. Poston, partner in the Squire Sanders Miami office, in a teleconference examining recent FCPA enforcement focused on business activity in Mexico, discussing the FCPA challenges of conducting business in Mexico and outlining strategies for FCPA compliance.

The teleconference will take place March 4, 2010. For further information and to register, please visit the [Strafford Publications website](#).

### **2nd Russia and CIS Summit on Anti-Corruption**

Companies around the globe that conduct business in Russia and the Commonwealth of Independent States (CIS) face complex anticorruption challenges. Since the new Anti-Corruption Law went into effect last year, more than 6,000 criminal cases have been initiated. Additionally, enforcement activities under the FCPA have significantly expanded and FCPA compliance is a top priority for US companies and non-US companies registered on US stock exchanges, particularly in high risk markets such as Russia and the CIS.

Carol M. Welu, partner in the Squire Sanders London office, will be participating in the 2nd Russia and CIS Summit on Anti-Corruption presented by the American Conference Institute (ACI) and C5 Group, which takes place March 11-12, 2010 at the Ararat Park Hyatt in Moscow. The Summit will provide a comprehensive update on the antibribery landscape in Russia and the CIS, the intersection of local antibribery laws and how to implement robust anticorruption policies to comply with local and foreign antibribery laws. Ms. Welu will be on the panel "Detecting Patterns of Bribery: How to Conduct a Corruption Risk Assessment to Identify

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A discount of 10 percent is available. Please use code 953L10.SS when registering.

For further information about the Summit and to register, please visit the [ACI website](#).

### **Global Anticorruption and White Collar Practices**

The best way for a company to avoid an FCPA-induced headache is to implement and enforce a robust and proactive compliance plan. Lawyers in the Squire Sanders global anticorruption and white collar practices regularly counsel clients on FCPA compliance, training and enforcement issues. If you have any questions about FCPA issues, please contact one of the individuals listed in this Update.

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The contents of this update are not intended to serve as legal advice related to individual situations or as legal opinions concerning such situations. Counsel should be consulted for legal planning and advice.

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