

WHITE-COLLAR AND INVESTIGATIONS

AS CRIMINAL PROSECUTION INCREASED IN RECENT YEARS, CRIMINAL LAW HAS STARTED TO HAVE A MORE DIRECT IMPACT ON COMPANIES AND ON THE DECISION-MAKING PROCESS OF THEIR MANAGEMENT.

Parallel to this trend, globalization and the advancement of technology have highly contributed to the increased legal cooperation in criminal matters, resulting in the possible involvement of different jurisdictions to investigate the same case.

Keeping in mind these changes, Machado Meyer has expanded its legal services and created its White-Collar Crime practice area, whose joint work with the other specialized practices of our firm now allows us to offer complete and customized advice according to the specific needs of each client, such as the industry in which the company operates, the scope of its national or international operations, and other peculiarities of the case.

CONSULTING

Current legislation in Brazil and in several countries imposes on companies the need to prevent corporate crimes, especially in interactions with the Public Administration.

LITIGATION

We offer companies and their representatives criminal consulting in sanctioning administrative proceedings, investigations, and criminal actions, through the following activities:

- Preparation of requests for opening and

We offer our clients consulting services in criminal matters in order to allow them to comply with strict legal requirements of an environmental, tax, consumer, commercial, labor, and any other nature and to prevent criminal consequences that may affect their business. Our services include:

- Due diligence in criminal matters
- Drafting of anti-corruption and anti-money laundering policies
- Preparation of legal opinions on criminal matters
- Employee training for interactions with public authorities
- Legal advice on the cooperation with public authorities and self-reporting
- Internal corporate investigations (preparation of investigation plan, review of documents, interviews, preparation and presentation of final report)
- Legal advice on leniency agreements

These laws are applied and enforced through the intensive exchange of information between authorities of different countries. It is, therefore, crucial that companies be advised by a legal team that is prepared and experienced in foreign matters.

Our team has the necessary expertise to advise domestic and foreign companies and their

- monitoring police investigations
- Follow-up on testimonies before police authorities
- Criminal defense during investigation and trial phases
- Follow-up on provisional procedures
- Drafting, filing, and monitoring of complaints (private criminal actions)
- Advice on and monitoring of plea bargain agreements

FOREIGN MATTERS

The Foreign Corrupt Practices Act (FCPA) and the UK Bribery Act also impose obligations on companies and stipulate severe penalties for non-compliance.

management in cases involving several jurisdictions. Our services include:

- Preparation of memoranda on Brazilian criminal and sanctioning administrative laws for foreign clients
- Assistance in negotiations with Brazilian authorities in conjunction with negotiations conducted with foreign authorities (DOJ, SEC, SFO, among others)
- Collaboration in internal investigations conducted by foreign offices in national subsidiaries
- Training of foreign teams on Brazilian criminal and sanctioning administrative laws

RELATED PARTNERS



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