

White Collar Update

September 5, 2008 | Client Update

For two separate but related reasons, August 28, 2008, was an especially significant day for the Department of Justice (“DOJ”), the white collar defense bar, and the corporate community.

First, and most importantly, DOJ issued its third major revision to its corporate charging principles in the last five years. This most recent iteration of DOJ’s corporate charging principles reflects the second effort by DOJ to respond to many of the concerns and issues raised by the legal community in recent years, and was clearly issued, at least in part, in an attempt to fend off proposed legislation intended to address perceived excesses in DOJ’s policies and practices. These newest revised principles effect material changes to DOJ’s corporate charging policy and further undo certain of its prior proclamations.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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