

WHITE COLLAR CRIME

Criminal company law

Our lawyers regularly advise companies, as well as their officers and shareholders, whether suspects or victims, in matters involving issues of misappropriation of company assets, breach of trust, fraud or presenting or publishing inaccurate financial statements.

- We defended the interests of an officer of the real estate subsidiary of a listed investment company in proceedings initiated on the grounds of misappropriation of corporate assets and bribery, and obtained an acquittal, which has become final.
- We provided legal advice to a plurality of shareholders of an auction house in connection with the decision of the board of directors to open a strategic subsidiary's capital to third-party investors.
- We defended the interests of a French firm in the mining sector that was the victim of a breach of trust committed by an employee for the benefit of one of its commercial partners, consisting in the misappropriation of the victim's know-how for the purpose of developing a major commercial project in Asia.
- We defended the interests of a leading industrial group that was the victim of fraudulent acts by one of its subcontractors, which invoiced the same services twice and failed to pay its own subcontractors before it was placed in court-ordered liquidation.
- We defended the interests of a legal entity and its CEO in connection with criminal proceedings for fraudulent use of judgements that had placed a company in the tourism sector in administration (and approved the sale plan) and subsequently ordered liquidation.
- We defended the interests of a legal entity and its CEO in criminal proceedings initiated on the grounds of forgery and use of forged documents, misappropriation of corporate assets and fraudulent bankruptcy following the takeover of various companies in connection with court-ordered liquidation of a group that specialised in design.
- We defended the interests of an insurance company in connection with embezzlement committed by one of its brokers, involving the creation of fictitious contracts and illicit acceptance of commission.
- We assisted in defending the interests of a leading industrial company following the revelation of acts committed by the director of an Australian subsidiary that were contrary to the terms of his employment contract and potentially criminal.
- We defended the interests of a company that brought to light, following an acquisition, acts of forgery and use of forged documents and misappropriation of company assets within the acquired company.
- We defended the interests of the shareholders of the co-contracting party of an industrial group in connection with a complaint lodged by the group on grounds of misappropriation of company assets, breach of trust, unlawful acquisition of interests and concealment.
- We defended the interests of the minority shareholder of a film production company in a case involving misappropriation of company assets and the presentation of inaccurate accounts, and obtained the conviction of the company officer responsible therefore.
- We defended the interests of an officer of two business aviation companies in a case alleging fraudulent bankruptcy and misappropriation of company assets, and obtained a favourable decision.
- We defended the interests of the majority shareholder of an audio-visual production company in a case filed by a minority shareholder on the grounds of misappropriation of company assets and the distribution of fictitious dividends, and obtained a dismissal of the charges.
- We participated in the defence of the interests of an officer of a major Franco-Yugoslavian bank in proceedings initiated against him on the grounds of misappropriation of company assets, and obtained his release from prison.

- We defended the interests of a private bank whose company name was used fraudulently by a third party, and obtained the conviction of the perpetrator.
- We defended the interests of a Spanish business banker in connection with a major political and financial scandal that led to criminal prosecution on the grounds of misappropriation of company assets and concealment of that offence for acts committed inter alia in France, Switzerland, Japan, Germany, Luxembourg and Spain, and obtained an acquittal on nearly all charges and a fine that was suspended for the remaining charges.
- We defended the interests of a Swiss holding company in proceedings initiated against it by the court-appointed liquidator of its French subsidiary, which operated two physical and sport activities businesses, on the grounds of forgery and use of forged documents and misappropriation of company assets, and obtained a dismissal of the charges.
- We participated in the defence of the interests of a French industrial construction and public works group and of the chairman of its supervisory board, who were indicted on the grounds of aiding and abetting and concealing a misappropriation of company assets, distribution of fictitious dividends and fraudulent bankruptcy by embezzlement of assets, and obtained a dismissal of the charges.
- We defended the interests of a group of investors in connection with proceedings initiated on the grounds of misappropriation of company assets, breach of trust and concealment by a contracting party who terminated a definite-term contract with an investment fund.
- We defended the interests of an officer of a press group in a highly-publicised case alleging misappropriation of company assets, and obtained a dismissal of the charges.
- We participated in the defence of the interests of an officer of a hotel group in connection with proceedings initiated against him by the group's Japanese shareholder on the grounds of breach of trust due to a budget overrun for the renovation of a luxury hotel, and obtained a lenient decision.
- We defended the interests of the chairman of a Swedish automobile group in a matter involving blackmail and attempted extortion based on allegations of company mismanagement, and obtained a conviction of the perpetrator.
- We defended the interests of a public health sector institution in connection with proceedings initiated against (i) one of its employees, on the grounds of embezzlement of public funds, breach of trust and forgery; (ii) her spouse, on the grounds of concealment of breach of trust and concealment of embezzlement of public funds; and (iii) two secondary accountants, on the grounds of negligence by a public accountant which facilitated the embezzlement of public funds, and which resulted in a loss of €8.5 million. The assets of the main perpetrators were seized, and they were convicted by a judgment that has become final.
- We participated in the defence of the interests of the British officers of a pharmaceutical group who were prosecuted on the grounds of fraud, misappropriation of company assets and fraudulent bankruptcy based on presentations made to investors in order to raise funds and which were followed by insolvency proceedings, and obtained their release on bail.
- We participated in the defence of the interests of the officer of a hotel group prosecuted in France and the United States for fraud, and obtained his release from prison in the United States. His release from prison became possible when an international arrest warrant that had been issued against him by a French investigating magistrate was lifted and the request for his extradition was abandoned. These measures were decided in connection with the extension of his indictment in France by videoconference while he was still imprisoned in the United States (first indictment by videoconference).
- We defended the interests of a major French city, which was a civil party in criminal proceedings initiated against the manager of several sport associations on the grounds of forgery and use of forged documents, and obtained his conviction.
- We defended the interests of an insurance company in proceedings initiated on the grounds of concealment of theft against a brokerage and management consulting firm and its representatives, following the discovery of various confidential documents and client files of the insurance company at its offices, employing the procedure available under article 145 of the French Code of Civil Procedure (French discovery proceedings).

- We participated in the defence of the interests of the officers of a German television manufacturer who were prosecuted on the grounds of misappropriation of company assets and fraudulent bankruptcy, and obtained the lifting of the international arrest warrants issued against them, the cancellation of the order setting the matter for trial and a dismissal of the charges against one of them.
- We participated in the defence of the interests of the former chairman of a major French bank who was indicted on the grounds of aiding and abetting in breach of trust, concealment, aiding and abetting in presenting inaccurate accounts, presentation of inaccurate accounts and aiding and abetting in distributing fictitious dividends following a downturn in the real estate market in France, and obtained his release from prison.
- We defended the interests of an officer of the French subsidiary of a Spanish company who was prosecuted on the grounds of misappropriation of company assets, forgery and use of forged documents and aiding and abetting that offence in connection with a case involving the embezzlement of several tens of millions of euros from a public interest association, and subsequently obtained a lenient decision from the judge with jurisdiction over the execution of sentences (first use of an electronic bracelet in France). At the same time, we defended the interest of the wife of this officer, who was prosecuted on the grounds of concealment, and obtained a lenient decision (suspended sentence).
- We participated in the defence of the interests of a Luxembourg clearing house which was targeted in connection with a vast political and financial scandal, and obtained a dismissal of the charges.
- We defended the interests of a major insurance company, which was the victim of various misappropriations of company assets committed by a former officer. The assets of the perpetrator were seized, and he was convicted of the charges.
- We defended the interests of the officers of a British timeshare company based in the Canary Islands who were prosecuted in France on the grounds of fraud, and obtained a dismissal of the charges.
- We defended the interests of an insurance company that was the victim of a breach of trust committed by a former employee, which resulted in a loss of several million euros. The assets of the perpetrator were seized, and his conviction has become final.
- We participated in the defence of the interests of the shareholders of a Cuban real estate promotion company, who were the victims of forgery and breach of trust committed by the company's Italian officers, whose convictions in Italy and Cuba have become final.
- We defended the interests of a major insurance company which was the victim of various breaches of trust committed against it by an insurance agent. A pre-trial seizure of the perpetrator's assets was carried out.
- We defended the interests of a major insurance company which was the victim of various breaches of trust committed against it by an insurance brokerage and asset management consulting firm. A pre-trial seizure of the perpetrator's assets was carried out.
- We defended the interests of a major insurance company which was the victim of various breaches of trust committed against it by a former employee. The assets of the perpetrator were seized, and his conviction has become final.
- We defended the interests of an audio-visual production company that was the victim of a breach of trust committed by a former employee, whose conviction has become final.
- We defended the interests of an officer of a company in the energy sector in connection with a matter alleging distribution of fictitious dividends and concealment of fraud, and obtained a dismissal of the charges.
- We defended the interests of an officer of a major communication group in a breach of trust case that was dropped.
- We defended the interests of an armaments company that was the victim of various breaches of trust committed by an employee who disclosed confidential financial information to the press without prior authorisation.
- We defended the interests of the statutory auditors of a hotel group who were indicted, following the group's insolvency, on the grounds of failure to report criminal acts and certification of misleading accounts and balance sheets, and obtained an acquittal on appeal.
- We defended the interests of a multinational in the energy sector, which filed a complaint on the grounds of fraud by an organised gang and attempted fraud by an organised gang, following sham arbitration proceedings initiated in Sweden against a former subsidiary.

- We defended the interests of a multinational in the energy sector after two Russian regions filed a criminal complaint against it on the grounds of breach of trust, in which it was alleged that the company had sabotaged a production-sharing contract supposedly causing a lost opportunity of over \$170 billion, and obtained a dismissal of the charges.
- We defended the interests of a major insurance company which was the victim of the theft of confidential documents and the use thereof by a former employee, whose conviction for concealment has become final.
- We defended the interests of an officer of a company that organises horse races in France in a case of alleged over-billing of thoroughbred horses, and obtained his release from prison and then a dismissal of the charges against him, as well as substantial compensation on the grounds of his pre-trial detention.
- We participated in the defence of the interests of the chairman and chief executive officer of an industrial group that is a leader in the electric power distribution sector, who was prosecuted by the Belgian courts on the grounds of fraud and laundering of the proceeds of that offence, and obtained a lenient decision.
- We participated in the defence of the interests of an individual who was prosecuted in connection with a large-scale VAT fraud case and the laundering of the proceeds thereof, and obtained an acquittal.
- We participated in the defence of the interests of a Swiss sport marketing company, which was a civil party in a highly-publicised case involving sales of forged tickets during the football World Cup held in France, and obtained the conviction of the perpetrators of the fraud.
- We participated in the defence of the interests of a UAE bank that was defrauded of \$243 million. The conviction of the perpetrator of the fraud has become final and his assets were seized in various European countries and in the United States.
- We defended the interests of a leading French insurer, which was a civil party in a case filed following the embezzlement of several million euros by one of its general agents and the subsequent concealment and laundering of the proceeds, which had been committed primarily in Spain. The seizure of the perpetrator's assets was ordered in France and Spain.
- We defended the interests of the chairman of a major business bank who was prosecuted in connection with the insolvency of the bank inter alia for presenting falsified accounting records and making fraudulent public offerings to investors, and obtained a dismissal of the charges.
- We defended the interests of a leading armaments company that was the victim of a fraud in which payments it made to a supplier, which declared bankruptcy, were embezzled and transferred to a shell company created for the purposes of the fraud.
- We defended the interests of an automobile equipment manufacturer that filed a complaint after discovering acts of forgery and use of forged documents, publication of inaccurate financial statements, fraud and inputting fraudulent data into a data processing system, concealment and aiding and abetting, as a result of which it sustained a loss in connection with an acquisition transaction, and obtained the final conviction of the perpetrators of the fraud.
- We defended the interests of a leading insurance company that was the victim of various frauds committed by a former employee and her partner, whose convictions have become final. The assets of the perpetrators were seized.
- We defended the interests of a leading insurance company that was the victim of various frauds committed by a former employee, whose conviction has become final. The assets of the perpetrator were seized.
- We defended the interests of a leading insurance company, which was a civil party in a case filed on the grounds of forgery and use of forged documents against an employee, whose conviction for acts committed in France and Spain has become final.
- We defended the interests of a leading insurance company that was the victim of a large-scale scheme involving the falsification of cheques and the use of falsified cheques by foreign perpetrators, whose convictions have become final.
- We defended the interests of two insurance companies in proceedings initiated against them by a former employee on the grounds of concealment of stolen documents, and obtained a dismissal of the charges.
- We defended the interests of a leading insurance company that was the victim of a fraud committed by a former employee, whose conviction has become final. The assets of the perpetrator were seized.

- We defended the interests of an officer of a Spanish construction and public works company in a case filed on the grounds of misappropriation of company assets, in which the officer was extradited and indicted in France, before we obtained his release from prison and a dismissal of the charges.
- We defended the interests of an insurance company that was the victim of a vast health insurance fraud scheme organised by health professionals.
- We defended the interests of an investment fund in connection with a criminal investigation initiated following two complaints filed, respectively, for breach of professional secrecy and fraud on the court committed by a former member of the supervisory board of an operator of ski lifts and mountain residences that was the subject of court-ordered liquidation proceedings, and of which the investment fund was a shareholder and supervisory board member.
- We defended the interests of a major pharmaceutical group in connection with a criminal investigation initiated on the grounds of presenting and publishing inaccurate accounts and financial statements and aiding and abetting therein, against its Chief Administrative and Financial Officer, as well as against its Chairman and Sales Director.
- We represented a political party that was the victim of an alleged breach of trust, and obtained compensation therefore.
- We provided legal advice, based on Belgian and French law, in relation to a misappropriation of company assets to an armaments company.
- We participated in the defence of the interests of the officer of a subsidiary of a leading manufacturer of electrical appliances who was prosecuted for misappropriation of company assets following a transfer of cash from the subsidiary to its parent company, and obtained a dismissal of the charges.
- We defended the interests of a senior executive of an IT company after he was charged in connection with an alleged fraud consisting of embezzling quotations in the IT hardware distribution sector.