

CRISIS AND REPUTATIONAL INJURY MANAGEMENT

The stakes involved in the matters in which we are appointed and their urgency require us to react quickly. Our team is accustomed to immediate mobilisation in all fields, and is able to rapidly present possible solutions to our clients, in France and other countries. We work with high-quality contacts throughout the world, whom we have selected in conjunction with our clients and from whom we demand the same degree of availability.

- We prepared and filed, within a very short time, emergency summary proceedings against NGOs in Paris, Lyon and Amsterdam, which were filed and heard the same day, and obtained various injunctions intended to protect highly sensitive transports of nuclear materials between the United States and France, as well as within France.
- We prepared and filed, within a very short time, civil and criminal actions in France and Australia following the publication of confidential information stolen from our client, and obtained various orders to withdraw said information and prohibiting any further publication thereof.

The procedural strategy must be consistent with the communication our clients wish to make to protect the image of their group, officers and teams, as well as of the activities that are the basis of their reputation.

In all matters, we work preventively and in an ongoing manner with the persons who produce communications for our clients. This cooperation continues throughout the proceedings. We have established privileged relationships with the most important crisis communication agencies in the market, with which we are accustomed to work on matters that create a risk of reputational risk for companies and their personnel.

Lastly, we regularly contribute to the drafting of press releases when the developments in the proceedings warrant, we draft rights of response, and we file the actions required in the event of insults or defamation and to obtain the withdrawal of illicit content, in France and in other countries.

- We defended the interests of an asset manager and its chairman who were victims of defamation and public insults in parallel with an investigation conducted by the French financial market authority.
- We provided legal advice to a leading armaments company on possible actions against an employee and trade union representative who made comments detrimental to the company's honour and image.
- We provided legal advice to a public administrative establishment in the health sector on possible actions against a former employee who made defamatory comments about it.
- We defended the interests of an energy/nuclear group that was the subject of numerous attacks in the press about the operating conditions of a uranium mine in Gabon.
- We provided legal advice to a public administrative establishment in the health sector on possible actions against the authors of a letter sent to the Minister of Health that was made public and that contained defamatory allegations.
- We defended the interests of a famous navigator who was defamed during an ocean rowing crossing of the Atlantic, and who responded with insulting remarks, and obtained a lenient decision (symbolic damages of one euro).
- We defended the interests of an energy/nuclear group that was the subject of numerous attacks in the press about the operating conditions of its industrial installation in Niger.
- We defended the interests of a construction and public works group following the posting on-line, on multiple websites, of defamatory comments about it and its officers, and obtained the removal of all illicit content.

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 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 therefor.
- 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 therefor.
- 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.

Criminal banking and financial law

The Bougartchev Moyne Associés team has been involved in numerous criminal stock market law cases, such as insider trading, price manipulation and disclosure of false or misleading information. We also advise banks and financial institutions, as well as their officers, in matters involving issues of usurious interest rates, illegally exercising a profession, illegal solicitation and deceptive sales practices.

- We participated in the defence, at first instance, of the interests of an individual who was prosecuted for insider trading in connection with a tender offer made by a major French metallurgical group for the shares of a US company, and obtained a lenient decision.
- We defended the interests of a well-known banker in a case involving alleged insider trading, and were able to have the case dropped.
- We defended the interests of a well-known banker in a case involving alleged price manipulation, and obtained a dismissal of the charges.
- We defended the interests of an individual who was prosecuted for insider trading in connection with a financial scandal that implicated a major company in the insurance, and obtained a lenient decision (suspended fine).
- We participated in the defence of the interests of the chairman and chief executive officer of a US record publishing group in connection with criminal proceedings initiated in both France and the United States inter alia on the grounds of insider trading, and obtained a lenient decision.
- We participated in the defence of the interests of a leading French group in the luxury goods industry in connection with a criminal investigation initiated on the grounds of insider trading, concealment of insider trading and disclosure of false or misleading information.
- We participated in the defence of the interests of the former chairman of a French bank in connection with proceedings initiated against him in the United States in relation to the acquisition of a California life insurance company, and obtained a lenient decision (Alford plea) after various international letters rogatory issued by the US authorities were rejected on the grounds of the French Blocking Statute.
- We participated in the defence of the interests of a leading French public financial institution in connection with a criminal investigation initiated on the grounds of insider trading, concealment of insider trading and disclosure of false or misleading information.
- We defended the interests of a leading French business bank that was the victim of a fraud in the warrants market, which involved a false counterparty in Panama and the complicity of an executive of the bank, and obtained the conviction of the perpetrators of the plan and the seizure of their assets in France and Belgium.
- We defended the interests of a well-known insurance company that was the victim of a large-scale fraud committed by the head of an insurance brokerage and asset management consulting firm, which caused the insurance company losses of several tens of millions of euros, after 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 a leading French bank in criminal proceedings initiated in the US and the UK in connection with the manipulation of the Libor and Euribor rates, and which led to various international letters rogatory being executed in France that raised difficulties under the French Blocking Statute.
- We defended the interests of a private bank that was the subject of a complaint filed on the grounds of concealment of the illegal exercise of a commercial activity or independent profession, concealment of the exercise of the profession of financial investment advisor, concealment of money laundering and usurious lending, and obtained a dismissal of the charges.
- We participated in the defence of the interests of a Spanish infrastructure construction and real estate promotion company following a complaint filed against it by a French competitor on the grounds of concerted action and disclosure of false information.

- We defended the interests of a former officer of a subsidiary of a major French bank that is a leader in the consumer loan sector, and which was prosecuted on the grounds of deceptive consumer practices for having made loans repayable in foreign currencies, and obtained a dismissal of the charges.
- We advise the Paris office of a Belgian cooperative that does business in the interbank transactions field in connection with the judicial requests that it regularly receives.
- We advised a leading airline that became aware that a national daily planned to publish erroneous information about its financial position, which would constitute the offence of disclosure of false information and price manipulation, and prevented said information from being published.
- We defended the interest of an investor who was swindled as a result of investments made in foreign markets by a company that did not have the necessary approval, which constituted the offence of illegally exercising the profession of investment services provider and solicitation with a view to transactions on the futures market.

Criminal tax law and related offences

The firm's lawyers regularly defend the interests of companies and their officers in proceedings initiated on the grounds of tax fraud, laundering the proceeds of tax fraud and customs infractions.

- We defended the interests of a lawyer in a case involving tax fraud, laundering the proceeds of tax fraud, misappropriation of company assets, bankruptcy and complicity also implicating the Luxembourg directors of a real estate group.
- We defended the interests of a mayor in a case involving alleged tax fraud.
- We defended the interests of the chairman and chief executive officer of a leader in the hardware and software distribution sector who was prosecuted for VAT fraud, and obtained the quashing of the indictment and then a dismissal of the charges.
- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Switzerland and Singapore by a former Budget Minister.
- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Switzerland and Singapore, and obtained two favourable decisions (charges dismissed against the officer and the first plea bargain ("CRPC") negotiated by the national financial crimes prosecutor ("PNF") and the French government in this field).
- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Luxembourg, Singapore and Switzerland.
- We defended the interests of an aircraft manufacturer in proceedings initiated on the grounds of laundering of the proceeds of tax fraud against a Russian citizen who was a customer of the company, and obtained a dismissal of the charges.
- We defended the interests of two former managers of customer accounts opened with a well-known Swiss institution that appeared on the Falciani lists, and obtained a dismissal of the charges.
- We defended the interests of a former officer of a leading Swiss bank in proceedings initiated against the bank on the grounds of aggravated laundering of the proceeds of tax fraud and illegal solicitation, and against its French establishment on the grounds of aiding and abetting these two offences, for acts committed in France and Switzerland.
- We participated in the defence of the interests of a former president of the Ivory Coast in proceedings for tax fraud initiated in France and Switzerland, and obtained a dismissal of the charges in both cases.
- We participated in the defence of the interests of an officer of a French equipment manufacturer in the aeronautics sector that is based in Malta in a tax fraud case, and obtained a lenient decision.
- We defended the interests of the head of various Swiss foundations in proceedings initiated in France on the grounds of tax fraud and laundering of the proceeds thereof.
- We defended the interests of a world-renowned jeweller in customs proceedings initiated against it on the grounds of customs duties owed in France, and obtained the release of the customs seizures exercised and a lenient decision (low customs fine).
- We defended the interests of a French manufacturer and importer of pins in customs proceedings initiated against it on the grounds of customs duties owed in France, and negotiated a favourable settlement.

We were consulted in connection with a whistle-blower's disclosure of false information to a foreign judicial authority investigating a tax fraud matter, in breach of the French Blocking Statute.

Bribery and related offences

Bougartchev Moyne Associés advises clients in the most sensitive matters, whether involving French, foreign or international public officials, private bribery or influence peddling.

- We defended the interests of a French engineering company and its director in connection with criminal proceedings commenced in the United States of America (New York State) for alleged corruption under business relationships forged in Mali, Morocco, the United Arab Emirates, Saudi Arabia, Tunisia and Ivory Coast.
- We defended the interests of a member of a parliamentarian's family in a case of alleged concealment of embezzlement of public funds.
- We defended the interests of a major business bank and its chairman in connection with bribery proceedings initiated in Germany following the sale to a German lender of the investment of a French company, which was a client of the bank, in a German company, which led to the service of international letters rogatory in France, and obtained a dismissal of the charges.
- We defended the interests of a leading investment fund in connection with highly publicised criminal and civil actions initiated in France and Belgium by a minority shareholder seeking the cancellation of the investment fund's takeover of a major retailer, on the grounds that the sale price had been knowingly over-evaluated to enable the payment of bribes, and obtained several dismissal decisions.
- We defended the interests of two officers of a leading company in the energy sector in connection with a criminal investigation initiated on the grounds of bribery of Libyan public officials, and obtained a dismissal of the charges.
- We defended the interests of a leading construction and public works group in a matter of alleged bribery in Russia, and obtained a dismissal of the charges.
- We defended the interests of a major retailer that was a civil party in a bribery case, and obtained the conviction of the perpetrators of the fraud.
- We defended the interests of a subsidiary of a French industrial group that was a civil party in a misappropriation of company assets and bribery case involving acts committed in Pakistan, Switzerland and France.
- We defended the interests of the subsidiary of a French public financial institution and its head in connection with a criminal investigation initiated in Reunion Island inter alia on the grounds of concealment of the illegal acquisition of interests and paying bribes, and obtained a dismissal of the charges.
- We defended the interests of an innovation and advanced engineering consulting company that was a civil party in a case involving fraud and paying and accepting bribes.
- We defended the interests of an officer of a major construction and public works company in a case alleging aiding and abetting bribery, and were able to have the case dropped.
- We defended the interests of a public industrial and commercial establishment in an action filed by a subcontractor whose tender was not selected, and which alleged the illegal acquisition of interests and the granting of unjustified benefits, and obtained a dismissal of the charges.
- We defended the interests of two leading companies in the defence sector in a case alleging the bribery of Taiwanese public officials, and obtained a dismissal of the charges.
- We defended the interests of a leading company in the engineering field in a criminal investigation initiated on the grounds of forgery and use of forged documents and attempted fraud in connection with the actions of a sales consultant acting on its behalf in Russia, and obtained a dismissal of the charges.
- We participated in the defence of the interests of an industrial company in proceedings initiated on the grounds of the bribery of Malaysian public officials.
- We defended the interests of the chairman of several subsidiaries of a leading lifting and handling equipment company who was prosecuted on the grounds of influence peddling and bribery.

- We defended the interests of an officer of an industrial group in a case alleging the bribery of a public official with decision-making authority in Papeete, and obtained a lenient decision.
- We defended the interests of a mayor in a case filed on the grounds of illegal acquisition of interests, and obtained a lenient decision.
- We participated in the defence of the interests of an industrial company in proceedings initiated on the grounds of the bribery of Colombian public officials.
- We defended the interests of two executives of a medical services group who were charged inter alia with the law prohibiting making gifts.
- We advised a leading insurance company concerning an employee who had a conflict of interest.
- We advised an industrial group in connection with the discovery of possible bribes paid to foreign public officials to obtain contracts in Asia.
- We provided legal advice on the possible consequences in France for a major French company if it entered into a Deferred Prosecution Agreement (DPA) with the US DOJ, and monitored the implementation thereof.
- We provided legal advice to a leading defence company on the consequences of bribes suspected to have been paid by a former officer of an entity in which the company was a minority shareholder.
- We provided legal advice to a leading insurance company on the criminal risk it incurred for the offence of private bribery, in the event it entered into a partnership with brokerage firms in which chartered accountants would be partners.
- We provided legal advice to the French distribution subsidiary of a leading Swiss cosmetics group on compliance with French law applicable to commissions paid to its employees, in particular with respect to the offence of bribery of employees.
- We advised a major pharmaceutical laboratory on the compliance of its internal regulations with the anti-bribery statutes.
- We provided legal advice on the offence of money laundering to an international group in the luxury goods sector.
- We provided training to the members of the executive committee of an international agri-food group on anti-bribery statutes in France, the UK and the US.
- We drafted an anti-bribery bill and its implementing decrees on behalf of an African country.
- We participated in the defence of the interests of an industrial company in connection with administrative and criminal proceedings initiated in Brazil after it obtained a major contract.

International criminal law

Our team has developed solid expertise in the field of international criminal law and assists its clients in connection with the execution of international letters rogatory, mutual legal assistance requests or extradition requests, as well as in the event international arrest warrants are issued.

For these purposes, we have developed close ties with law firms throughout the world.

We also have extensive experience in multi-jurisdictional cases and transnational proceedings.

- We defended the interests of a lawyer in a case involving tax fraud, laundering the proceeds of tax fraud, misappropriation of corporate assets, bankruptcy and complicity also implicating the Luxembourg directors of a real estate group.
- 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 French engineering company and its director in connection with criminal proceedings commenced in the United States of America (New York State) for alleged corruption under business relationships forged in Mali, Morocco, the United Arab Emirates, Saudi Arabia, Tunisia and Ivory Coast.
- We participated in the defence of the interests of a leading French bank and assisted it in connection with a multiplicity of requests for information and international letters rogatory issued against it by foreign judicial authorities, and implemented the French Blocking Statute.
- We defended the interests of an officer of a Greek tobacco company who was charged with allegedly bribing a foreign public official with an interest in the execution of an international letter rogatory sent to the French courts, and obtained a decision allowing the transfer of the information requested.
- 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 embezzlement 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 leading armaments company in connection with a criminal investigation followed by an indictment on the grounds of murder and unintentional homicide in relation with a terrorist enterprise and involuntary homicide and injuries in connection with an attack in Karachi.
- We defended the interests of a subsidiary of a French industrial group that was a civil party in a misappropriation of company assets and bribery case, for acts committed in Pakistan, Switzerland and France.
- We participated in the defence of the interests of the former chairman of a French bank in connection with proceedings initiated against him in the United States in connection with the acquisition of a California life insurance company, and obtained a lenient decision (Alford plea) after various international letters rogatory issued by the US authorities were rejected on the grounds of the French Blocking Statute.
- 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 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 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 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 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 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 the proceeds of that offence, and obtained a lenient decision.
- We advised an industrial group in connection with the discovery of possible bribes paid to foreign public officials to obtain contracts in Asia.
- 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 an officer 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 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 defence group following a search conducted on the premises of its representation office in Greece.
- We participated in the defence, at first instance, of the interests of an individual who was prosecuted for insider trading in connection with a tender offer made by a major French metallurgical group for the shares of a US company, and obtained a lenient decision.
- We participated in the defence of the interests of the chairman and chief executive officer of a US record publishing group in connection with criminal proceedings initiated in both France and the United States inter alia on the grounds of insider trading, and obtained a lenient decision.
- We defended the interests of a leading French business bank that was the victim of a fraud in the warrants market, which involved a false counterparty in Panama and the complicity of an executive of the bank, and obtained the conviction of the perpetrators of the plan and the seizure of their assets in France and Belgium.
- We participated in the defence of the interests of a leading French bank in criminal proceedings initiated in the US and the UK in connection with the manipulation of the Libor and Euribor rates, which led to various international letters rogatory being executed in France that raised difficulties under the French Blocking Statute.
- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Switzerland and Singapore by a former Budget Minister.
- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Switzerland and Singapore, and obtained two favourable decisions (charges dismissed against the officer and the first plea bargain ("CRPC") negotiated by the national financial crimes prosecutor ("PNF") and the French government in this field).

- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Luxembourg, Singapore and Switzerland.
- We defended the interests of two former managers of customer accounts opened with a well-known Swiss institution that appeared on the Falciani lists, and obtained a dismissal of the charges.
- We defended the interests of a former officer of a leading Swiss bank in proceedings initiated against the bank on the grounds of aggravated laundering of the proceeds of tax fraud and illegal solicitation, and against its French establishment on the grounds of aiding and abetting these two offences, for acts committed in France and Switzerland.
- We participated in the defence of the interests of a former president of the Ivory Coast in proceedings for tax fraud initiated in France and Switzerland, and obtained a dismissal of the charges in both cases.
- We participated in the defence of the interests of an officer of a French equipment manufacturer in the aeronautics sector that is based in Malta in a tax fraud case, and obtained a lenient decision.
- We defended the interests of a major business bank and its chairman in connection with bribery proceedings initiated in Germany following the sale to a German lender of the investment of a French company, which was a client of the bank, in a German company, which led to the service of international letters rogatory in France, and obtained a dismissal of the charges.
- We defended the interests of a leading investment fund in connection with highly publicised criminal and civil actions initiated in France and Belgium by a minority shareholder seeking the cancellation of the investment fund's takeover of a major retailer, on the grounds that the sale price had been knowingly over-evaluated to enable the payment of bribes, and obtained the dismissal of both cases.
- We defended the interests of two officers of a leading company in the energy sector in connection with a criminal investigation initiated on the grounds of bribery of Libyan public officials, and obtained a dismissal of the charges.
- We defended the interests of a leading construction and public works group in a matter of alleged bribery in Russia, and obtained a dismissal of the charges.
- We defended the interests of two leading companies in the defence sector in a case alleging the bribery of Taiwanese public officials, and obtained a dismissal of the charges.
- We defended the interests of a leading company in the engineering field in a criminal investigation initiated on the grounds of forgery and use of forged documents and attempted fraud in connection with the actions of a sales consultant acting on its behalf in Russia, and obtained a dismissal of the charges.
- We participated in the defence of the interests of an industrial company in proceedings initiated on the grounds of the bribery of Malaysian public officials.
- We participated in the defence of the interests of a leading French airline which was prosecuted in the United States on the grounds of illicit concerted practices, for which it was exonerated after several international letters rogatory were issued that raised difficulties under the French Blocking Statute.
- 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 participated in the defence of the interests of an industrial company in connection with administrative and criminal proceedings initiated in Brazil after it obtained a major contract.
- We defended the interests of a multinational in the energy sector, which filed a criminal 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 participated in the defence of the interests of an industrial company in proceedings initiated on the grounds of the bribery of Colombian public officials.
- We defended the interests of an insurance company that was the victim of various acts of embezzlement of funds by inputting fraudulent data into a data processing system and altering data in said system. This case led to an international ring being dismantled, and the perpetrators were identified, extradited and convicted at first instance (appeal pending).

- We defended the interests of the head of various Swiss foundations in proceedings initiated in France on the grounds of tax fraud and laundering of the proceeds thereof.
- We provided legal advice, based on Belgian and French law, in relation to a misappropriation of company assets to an armaments company.
- We provided legal advice on the possible consequences in France for a major French company if it entered into a Deferred Prosecution Agreement (DPA) with the US DOJ, and monitored the implementation thereof.
- We advise the Paris office of a Belgian cooperative that does business in the interbank transactions field in connection with the judicial requests that it regularly receives.
- We advised a worldwide leader in the IT field on Interpol Red Notices.
- We drafted an anti-bribery bill and its implementing decrees on behalf of an African country.

Criminal competition and consumer law

Our lawyers frequently advise industrial groups and their officers on all types of criminal competition and consumer law matters.

- We defended the interests of an industrial company in connection with an investigation carried out by the DGCCRF concerning misleading commercial practices.
- We defended the interests of an officer of a company that specialises in the distribution of beef in a case alleging false information about the material qualities thereof, and obtained a dismissal of the charges.
- Represented an administrative public establishment in the health sector in connection with a dispute with an association in the same sector that falsely claimed to be affiliated with it.
- We defended the interests of a syndicate of animal flour manufacturers in the “mad cow” case, and obtained a dismissal of the charges.
- We defended the interests of a leading agri-food group in a case alleging false information about the material qualities of dairy products, and obtained a dismissal of the charges.
- We defended the interests of a leading agri-food group in a case alleging false information about the material qualities of cheeses, and obtained a dismissal of the charges.
- We defended the interests of a leading agri-food group in a case alleging false information about the material qualities of crème de cassis, and obtained the cancellation of the proceedings.
- We defended the interests of a leading agri-food group in a case alleging false information about the material qualities of boxed milk, and obtained a lenient decision.
- We defended the interests of a leading cigarette manufacturer in various cases alleging violations of the Evin Act during various sporting events in France and Monaco.
- We defended the interests of a leading cigarette manufacturer in various cases alleging violations of the Evin Act on the grounds of point-of-sale advertising.
- We defended the interests of a leader in the packaging sector that was prosecuted on the grounds of deceptive advertising and wrongful use of a qualification certificate or certification, and were able to have the case dropped.
- We defended the interests of a leading cigarette manufacturer in various cases alleging violations of the Evin Act on the grounds of the content of health warnings on cigarette packs.
- We participated in the defence of the interests of a leading French airline which was prosecuted in the United States on the grounds of illicit concerted practices, for which it was exonerated after several international letters rogatory were issued that raised difficulties under the French Blocking Statute.
- We defended the interests of a major insurance company in an action filed by an association before the Anti-Discrimination Authority on the grounds of allegedly discriminatory sales practices, and obtained its exoneration.
- We represented a leading luxury goods group in connection with various matters alleging deceptive advertising and/or breaches of the Toubon Act.
- We provided legal advice on the French law provisions governing the labelling of cosmetics to a leader in the cosmetics sector.
- We provided advice to a leading French bank on the risks of indictment on the grounds inter alia of participation in illicit anti-competitive practices due to alleged manipulations of the money market reference rate.

Criminal labour law and unintentional offences

The firm's lawyers assist industrial groups and their officers in cases involving allegations of involuntary homicide or injuries, or endangering the lives of third parties. Moreover, our team has extensive experience in matters involving criminal labour law offences, such as hindering the work of employee representatives, employee lending agreements, illicit subcontracting, harassment and endangering the health of workers.

- We defended the interests of an officer of a manufacturer of hygiene products following a fire at its warehouses, and obtained a dismissal of the charges.
- We participated in the defence of the interests of the mayor of a municipality who was prosecuted for involuntary homicide following the death of a user of sport infrastructure, and obtained an acquittal.
- We defended the interests of a public decision-making authority in connection with a fatal accident that occurred during the 1992 Universal Exhibition of Seville.
- We defended the interests of a renowned saddle-maker and its company officers in connection with a fatal accident that occurred in its production workshop, and obtained a dismissal of the charges.
- We defended the interests of a French cultural institution and its representatives in connection with an enquiry for involuntary homicide following the accidental death of a visitor to its workshops, and obtained a dismissal of the charges.
- We defended the interests of an armaments company and its officers in connection with actions initiated by an employee who claimed to be a victim of harassment and discrimination.
- We defended the interests of a well-known theatre and its officers in proceedings initiated against them by the employees of the theatre on the grounds of forgery and use of forged documents and hindering the work of employee representatives, and obtained a dismissal of the charges.
- We participated in the defence of a French leader in the electric power generation and supply sector in connection with a criminal investigation and an indictment on the grounds of involuntary homicide following the death of two persons in a transformer owned by the company, which ended in the dismissal of the charges against the company and its officers.
- We defended the interests of an officer of an oil group that was prosecuted pursuant to a criminal investigation initiated inter alia on the grounds of involuntary homicide following a fatal explosion in its Provence refinery, and obtained a lenient decision.
- We defended the interests of an energy/nuclear group that was indicted on the grounds of endangering the lives of others by storing spent fuel and glass packets, and obtained a dismissal of the charges.
- We defended the interests of a leading armaments company following the exposure of two of its employees to asbestos during a technical service call at one of its buildings, and were able to have the case dropped.
- We defended the interests of a leading armaments company in three cases initiated by the victims of the attack in Karachi and/or their families against their employers, subcontractors and the State before the Social Security Tribunal, and were able to have our client exonerated in each of these cases.
- We defended the interests of the head of a company who was prosecuted for involuntary homicide following an occupational accident that occurred in a factory that produced beetroot pulp, and obtained a dismissal of the charges.
- We defended the interests of an officer of a German paper producer in connection with a fatal occupational accident that occurred at one of its factories in France, and obtained a dismissal of the charges.
- We defended the interests of the chief executive officer of a leading aircraft manufacturer in connection with a complaint filed in Greece on the grounds of endangering air safety and involuntary homicide by the families of seven persons killed in an airplane crash, and obtained a dismissal of the charges following two successive reversal decisions.

- We defended the interests of a leading group in the field of assistance services to persons who was prosecuted for involuntary homicide following the death of a person who became ill abroad and did not receive adequate care before being repatriated, and obtained an acquittal.
- We participated in the defence of the interests of the subsidiary of an Australian archiving company in connection with a criminal investigation initiated on the grounds of destruction by fire and non-compliance with regulatory requirements following the accidental destruction of an archives warehouse.
- We defended the interests of a company that specialises in electronic security systems and of one of its officers in proceedings initiated by the works council on the grounds of the offence of hindering the work of employee representatives, and obtained a dismissal of the charges.
- We defended the interests of an insurance company that owned a building whose pediment collapsed and injured two tourists, in connection with the criminal enquiry initiated on the grounds of involuntary injuries following this accident, and were able to have the case dropped.
- We defended the interests of a leading aircraft manufacturer that was indicted on the grounds of involuntary homicide following the crash of an aeroplane of the Patrouille de France that caused the death of its pilot, and obtained a dismissal of the charges.
- We defended the interests of a French public scientific research organisation and its representatives following the suicide of an employee alleged by his heirs to have been due to harassment, and obtained a dismissal of the charges.
- We defended the interests of a leading armaments company in connection with a criminal investigation followed by an indictment on the grounds of murder in relation with a terrorist enterprise and homicide and involuntary injuries in connection with an attack in Karachi.
- We defended the interests of a French public scientific research organisation and its representatives following the death of a worker at its installations in French Guyana, and obtained a dismissal of the charges.
- We defended the interests of a leading armaments company in an action initiated against it by a bailiff it had appointed and who suffered an accident at the construction site of one of its suppliers, and were able to have it exonerated.
- We defended the interests of an aircraft manufacturer and its officers in connection with a preliminary enquiry initiated on the grounds of endangering the lives of others by keeping an aircraft in use despite the fact that its airworthiness certificate was no longer valid, and were able to have the case dropped.
- We defended the interests of a leading insurance company and its officers in a matter in which the insurance company owned a building where a construction accident occurred that caused the death of an employee of one of its subcontractors.
- We participated in the defence of the interests of the executives of a manufacturer of electronic components in connection with an action initiated against it on the grounds of the offence of hindering the work of employee representatives, and obtained a lenient decision.
- We participated in the defence of the interests of an audio-visual production company and the head of the company in an action initiated against them for allegedly illegally hiring staff on fixed-term employment contracts and the offence of hindering the work of employee representatives, and obtained a dismissal of the charges.
- We defended the interests of a leading armaments company in connection with an enquiry initiated following an occupational accident that occurred at one of its industrial sites.
- We defended the interests of a leading automobile manufacturer and its representative in connection with a criminal investigation initiated on the grounds of involuntary injuries and homicide following an accident that occurred during the road trial of a prototype, and obtained a dismissal of the charges.
- We defended the interests of an officer of a major agri-food group involved in a traffic accident that caused the death of several persons, and obtained a lenient decision.
- We defended the interests of a tyre manufacturer which was charged in connection with a fatal traffic accident allegedly caused by defects in the tyres it had placed on the market, and obtained a dismissal of the charges.

- We defended the interests of a medical equipment manufacturer and its chairman charged in connection with the death of several patients allegedly due to defects in said medical equipment, and obtained a dismissal of the charges.
- We defended the interests of the department head of a Tunisian clinic and his team of anaesthesiologists in an involuntary homicide case filed following the death of a patient, and obtained a dismissal of the charges.
- We defended the interests of several managers of a major food group who were the victims of a traffic accident that occurred during a business trip due to the fault of the carrier.
- We defended the interests of an executive of an automobile manufacturer who was charged with involuntary homicide following a traffic accident he caused, and obtained his release from prison and then a lenient decision.
- We provided advice to a foreign telecommunications company on the risk of indictment, in particular for involuntary homicide, based on the fact that it allowed operators of military drones based in a third country to fire the drones in the theatre of operations and used submarine cables located in France.
- We advised a French public financial institution on the civil and criminal risks it faced in the event of a major earthquake in a seismically active area where said institution held investments in local social housing companies.
- We advised a French listed site on the criminal risks it faced in the event of an accident in the areas of the site open to the public.
- We advised a robotics group following the discovery of significant safety problems at various sites of its customers where it had made improvements that could lead to fatal accidents.
- We participated in the drafting of delegations of powers within a major foreign insurance company.
- We participated in the drafting of delegations of powers and signature authority within a major French insurance company.

Environmental criminal law

Our firm has proven expertise in environmental criminal law matters. Our lawyers advise major industrial, energy and nuclear groups in matters involving pollution, the abandonment of waste and the unlawful operation of environmentally sensitive or nuclear facilities.

- We defended the interests of an energy/nuclear group and its officers in five separate proceedings for water, air and ground pollution and abandonment of waste that were initiated by Greenpeace, and obtained a general dismissal of the charges.
- We defended the interests of an executive of an oil group in a major water pollution case, and obtained a dismissal of the charges.
- We defended the interests of an energy/nuclear group that was prosecuted for water pollution and abandonment of waste following the closure of various uranium mining sites, and obtained an acquittal.
- We participated in the defence of the interests of a leading chemical group in connection with a criminal investigation initiated after an environmental protection association filed two complaints on the grounds of water pollution, abandonment of waste and illegal discharges into the atmosphere, and were able to have the head of the company exonerated and obtained a lenient decision for the company.
- We defended the interests of an energy/nuclear group at the stage of a preliminary enquiry initiated following the discovery of a quantity of plutonium higher than expected during the dismantling of a nuclear fuel production plant, and were able to have the case dropped.
- We defended the interests of an officer of an energy/nuclear group in a case alleging failure to report a nuclear incident, and obtained a lenient decision.
- We defended the interests of a nuclear energy group in connection with various matters it filed for hindering road, sea and rail circulation, illicit entry into a protected enclosure or zone and property damage, in both summary and criminal proceedings, and obtained the conviction of the perpetrators.
- We defended the interests of an energy/nuclear group at the stage of a preliminary enquiry initiated following an accidental spill of uranium into a river.
- We defended the interests of a company officer who was charged in criminal court with continuing to operate an environmentally sensitive facility that failed to comply with a cease and desist order, and obtained the cancellation of the proceedings.
- We defended the interests of a well-known person who was charged with having works performed in wetlands without filing the required prior documentation and for allegedly destroying wetlands, and were able to have each of the cases successively dropped.

Cybercrime, computer fraud and protection of company secrets

The lawyers of Bougartchev Moyne Associés regularly advise companies that are the victims of breaches of their data processing systems, thefts of their secrets, industrial espionage and frauds committed by impersonating their chairman.

- We defended the interests of a leading aircraft manufacturer that was the victim of a theft at one of its sites, which was secured, protected by an enclosure and to which access was strictly regulated and required authorisation.
- We defended the interests of a defence group following a search conducted on the premises of its representation office in Greece.
- We defended the interests of an insurance company in connection with a criminal investigation initiated on the grounds of fraudulently accessing and remaining on a data processing system, fraudulently altering data in a data processing system, forgery and use of forged documents, falsification of cheques, use of falsified cheques, fraud, concealment, laundering the proceeds of these offences and aiding and abetting, which had been committed by two former employees. All assets of the perpetrators were seized, and their convictions have become final.
- We defended the interests of a leading insurance company in connection with a criminal investigation initiated on the grounds of fraudulently accessing and remaining on a data processing system, fraudulently altering data in a data processing system, forgery and use of forged documents, falsification of cheques, use and acceptance of falsified cheques, fraud, concealment and laundering the proceeds of these offences, which had been committed by an employee. All assets of the perpetrators were seized, and they were convicted at first instance (appeal pending).
- We defended the interests of an insurance company that was the victim of various acts of embezzlement of funds by inputting fraudulent data into a data processing system and altering data in said system. This case led to an international ring being dismantled, and the perpetrators were identified, extradited from various African countries and convicted at first instance (appeal pending).
- We defended the interests of a leading energy company that was the victim of several attempted frauds by impersonating its chairman, in particular by using IT resources.
- We defended the interests of an insurance company that was the victim of several instances of embezzlement of funds by employees who fraudulently altered data in a data processing system before said embezzlements.
- We defended the interests of a private bank that was the victim of an attempted fraud of €110 million perpetrated by inputting fraudulent data into its data processing system (changing the final payees of six SWIFT transfer orders to an international criminal organisation), and obtained the conviction of the perpetrators.
- We defended the interests of an air transport company that was the victim of a usurpation of identity and an attempted fraud using IT resources (false LinkedIn profiles, cybersquatting, etc.).
- We defended the interests of a leading armaments company that was the victim of several attempted frauds by impersonating its chairman.
- We defended the interests of a leading geosciences company that was the victim of several usurpations of identity and attempted frauds by impersonating its chairman, in particular by using IT resources.
- We defended the interests of a subsidiary of a multinational in the energy sector that was the victim of industrial espionage by two foreign citizens.
- We defended the interests of a leading armaments company, in France and several regions of the world (Latin America, Asia, Oceania), that was the victim of a theft of confidential documents that constituted breach of trust and concealment of said offence.
- We provided legal advice to a leading insurance company following discovery of a vulnerability in its IT system that led to irregularities in the taxation of the redemptions of life insurance contracts.
- We defended the interests of a leading 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 participated in the defence of the interests of an automobile equipment manufacturer in connection with a criminal investigation initiated on the grounds 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, which were committed against it in connection with an acquisition transaction, and obtained the final conviction of the perpetrators of the fraud.
- We obtained a landmark decision from the Criminal Chamber of the Court of Cassation that expanded property damage to include all intangible property that may be appropriated, including all audio-visual recordings.
- We defended the interests of an armaments company whose IT equipment was misappropriated for purpose of storing illicit data.
- We defended the interests of two leading companies in the energy sector following the inputting and exchanging of illicit data in their respective data processing systems, which led to a major temporary unavailability of said systems.
- We defended the interests of worldwide energy leader whose IT equipment was misappropriated for purpose of storing illegal data.
- We provided advice to a worldwide energy leader on the disclosure of classified data.
- We provided advice to a leading aircraft manufacturer on the disclosure of classified data.
- We provided advice to a leading armaments company on the disclosure of classified data.

Criminal and political proceedings

Our team has acted as counsel in many sensitive political and financial matters and defended well-known persons and groups subject to media scrutiny.

- We defended the interests of a mayor in a case involving alleged tax fraud.
- We defended the interests of a member of a parliamentarian's family in a case of alleged concealment of embezzlement of public funds.
- We defended the interests of an insurance company and its directors in a case involving misappropriation of company assets, breach of trust, unlawful acquisition of interests and concealment of such presumed offences by signing a consultancy agreement with a future member of parliament.
- We defended the interests of the heirs of a public personality, who were civil parties in a case concerning illegal government wiretaps ordered by a unit in the offices of the President of the French Republic.
- We defended a public figure who was charged along with various other sport and entertainment personalities in a matter charging aggravated prostitution, rape and sexual aggressions, and obtained the invalidation of a portion of the proceedings and then a dismissal of the charges.
- We defended the interests of a French Member of Parliament in a matter of allegedly illegal wiretaps.
- We defended the interests of a Swiss bank and its chief executive officer who were prosecuted in France on the grounds of aggravated laundering of the proceeds of tax fraud for acts committed in France, Switzerland and Singapore by a former Budget Minister.
- 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 participated in the defence of the interests of a former president of the Ivory Coast in proceedings for tax fraud initiated in France and Switzerland, and obtained a dismissal of the charges in both cases.
- We defended the interests of a mayor in a case filed on the grounds of illegal acquisition of interests, and obtained a lenient decision.
- We defended the interests of an officer of an industrial group in a case alleging the bribery of a public official with decision-making authority in Papeete, and obtained a lenient decision.
- We participated in the defence of the interests of a well-known mercenary following a failed coup d'état in the Comoros.
- We defended the interests of an armaments company in connection with a criminal investigation on the grounds of murder in relation with a terrorist enterprise and homicide and involuntary injuries in connection with an attack in Karachi.
- We represented a political party that was the victim of an alleged breach of trust, and obtained compensation therefor.
- We participated in the defence of the interests of the chief of staff of a French minister in a matter involving forgery of public documents.
- We defended the interests of a political party against a newly created movement created on the grounds of the confusion created by its use of a name, and obtained, on appeal, an injunction against such use subject to significant fines for non-compliance.
- We defended the interests of a French Member of Parliament in a case alleging breach of privacy of an inmate.

- We defended the interests of a French Member of Parliament who was sued for defamation by a businessman who became Minister of Urban Affairs, and obtained the cancellation of the proceedings.
- We defended the interests of a French Member of Parliament who was sued for defamation by a trade union and its representatives, and obtained a judgment of non-liability.
- We participated in the defence of the interests of the publisher of a general newspaper and its journalists who were sued for defamation by the mayor of a town, and obtained the cancellation of the proceedings.

CIVIL AND COMMERCIAL LITIGATION

Litigation concerning company law and liability of company of officers

The firm's lawyers advise clients in company law litigation involving issues of shareholder disputes, disputes concerning equity and actions to make good shortfalls in assets.

- 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 the majority shareholder of an audio-visual production company who was sued for alleged breach of management duties by the company's minority shareholder, and obtained a judgement against that minority shareholder for abuse of process following the dismissal of his claims, which was followed by the redemption of his shares.
- We defended the interests of a leading investment fund in connection with highly publicised criminal and civil actions initiated in France and Belgium by a minority shareholder seeking the cancellation of the investment fund's takeover of a major retailer, on the grounds that the sale price had been knowingly over-evaluated to enable the payment of bribes. All claims of the minority shareholder were dismissed after an expert valuation confirmed the sale price.
- We defended the interests of the subsidiary of a leading company in the energy sector in a dispute concerning the assets and liabilities warranty granted in connection with the sale of the shares of an IT engineering services company, and obtained a favourable decision.
- We defended the interests of an investment fund in an action filed by the buyer of one of its subsidiaries in the medical sector who sought to implement the assets and liabilities warranty granted to him, and entered into a settlement favourable to our client.
- We defended the interests of a French leader in the electric power generation and supply sector in connection with disputes with the managers of an investment fund that resulted in a deadlock in the investment fund's governance, and obtained several favourable decisions against them after the appointment of an ad hoc trustee.
- We defended the interests of an automobile equipment manufacturer that was the victim of a fictitious overvaluation of inventory in connection with the acquisition of a competitor, and obtained the cancellation of the acquisition on the grounds of fraud.
- We advised a leading insurance company in relation to excessive remuneration received by a former officer, and obtained the reimbursement thereof.
- We advised a leading insurance company in relation to excessive remuneration received by a former officer, and obtained the reimbursement thereof after a judgment was obtained against the officer.
- We defended the interests of an officer of a construction and public works company in an action to make good a shortfall in assets initiated against him, and entered into a favourable settlement agreement with the company's court-appointed liquidator.
- We defended the interests of the chairman of a group that specialises in manufacturing equipment for the refrigeration sector in an action initiated against him to make good a shortfall in assets, and obtained a favourable decision.
- We defended the interests of the chairman of a group in the wood sector in an action initiated against him to make good a shortfall in assets, and obtained a favourable decision.
- We defended the interests of a major French city following the insolvency of various sport associations due inter alia to their manager's breaches of management duties (appointment of an ad hoc trustee, monitored the insolvency proceedings initiated against the associations, settlement with the associations' liquidator and obtained the conviction of the manager at fault).
- We participated in the defence of the interests of a public industrial and commercial establishment in a case seeking the cancellation of a public procurement contract and a claim for compensation initiated by a company that was not awarded the contract, and obtained a favourable decision for our client.

Pre-contractual, contractual and extra-contractual disputes

Bougartchev Moyne Associés offers groups and their officers pre-litigation advice and, if negotiations are unsuccessful, advises them on all disputes arising from the non-performance or improper performance of contracts.

Our team also advises clients in other disputes involving civil liability, in particular in the field of infringement.

- 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 defended the interests of an international luxury hotel chain that was sued for €22 million on the grounds of loss of an opportunity, and obtained the rejection of all claims.
- We defended the interests of an agricultural cooperative in connection with the end of negotiations for its acquisition of a Spanish cigarette manufacturer, which resulted in a manifestly wrongful call of a demand guarantee, and obtained a favourable decision after a reversal and remand.
- We defended the interests of a worldwide leader in the luxury goods industry in connection with the termination of a commercial relationship established with one of its agents in South America, and entered into a settlement agreement.
- We defended the interests of a worldwide leader in the luxury goods industry in connection with the termination of a commercial relationship established with certain of its agents in the Middle East, and entered into a favourable settlement agreement for our client after the statement of claim was held to be invalid twice.
- We defended the interests of an insurance company in a lawsuit against an automobile expert on the ground of a sudden termination of an established commercial relationship, and obtained a favourable result that led to the conclusion of a settlement agreement.
- We defended the interests of a leading insurance company in an action filed against it by the clients of an insurance agent and asset management advisor who were victims of embezzlement committed by the manager thereof.
- We defended the interests of a leading insurance company in an action filed against by the clients of an insurance brokerage and asset management advisor who were victims of embezzlement committed by the manager thereof.
- We defended the interests of an industrial company in arbitration proceedings against a Pakistani company on the grounds of an alleged termination of a relation commercial relationship with it, and entered into a settlement agreement.
- We defended the interests of a US chemical group that was sued by a leading winery on the grounds that the products it manufactured to treat vineyards were allegedly toxic, and obtained a favourable decision.
- We defended the interests of a leading automobile equipment manufacturer in connection with the sudden termination of an established commercial relationship by an Italian automobile manufacturer, and obtained a favourable decision.
- We defended the interests of a well-known Italian automobile manufacturer in connection with the wrongful termination of a technology transfer contract, and obtained a favourable decision.
- We defended the interests of an IT group in connection with a breach of contract that led to its insolvency and an action to make good a shortfall in assets against the head of the company, and obtained a favourable decision.
- We advised a Swiss bank in connection with negotiations with its insurance company on an extension of cover in the event of criminal proceedings were initiated against the bank and/or its officers and the conclusion of a settlement agreement.
- We defended the interests of a public industrial and commercial establishment in connection with a contractual dispute concerning the lease of a group of villas in French Guyana, and entered into a favourable settlement agreement for our client.

- We defended the interests of a public industrial and commercial establishment following its termination of negotiations in connection with the renovation of a hotel complex in French Guyana, and obtained favourable decisions before the ordinary and administrative courts.
- We defended the interests of a public industrial and commercial establishment in connection with a contractual dispute concerning the lease of a group of a residential property complex in French Guyana, and entered into a favourable settlement agreement for our client.
- We defended the interests of a group of investors in connection with a case for wrongful termination of an indefinite-term contract that caused a loss of several hundred million euros.
- We defended the interests of a public industrial and commercial establishment in connection with a dispute that arose from a set of contracts that had been the subject of a settlement agreement, which was terminated after its signature on the alleged grounds that it was unbalanced, and filed a counterclaim and obtained a judgment against the claimant for its breach and for abuse of process.
- We defended the interests of a Turk conglomerate that is the majority shareholder of several companies in the restaurant sector in London, Dubai and Paris, and which was a party to a joint venture agreement whose governance and operations were threatened by the acts of a minority shareholder.
- We assisted a public industrial and commercial establishment in connection with the negotiation of a commercial lease with the operator under a short-term lease of a real property complex it owned.
- We assisted a public industrial and commercial establishment in dealing with the consequences of the non-renewal of a commercial lease of a real property complex it owned, and entered into a favourable settlement agreement for our client.
- We defended the interests of a public industrial and commercial establishment in connection with two actions for damages initiated by two hotels in French Guyana against it on the grounds of contractual liability, and obtained favourable decisions.
- We defended the interests of a leading automobile manufacturer and its CEO following the creation of a website that defamed and denigrated them and obtained, in summary proceedings and then on the merits, the closure of the site and a judgment against its publisher.
- We defended the interests of a worldwide leader in the energy sector following an action initiated by an external service provider on the grounds of article clause 145 of the French Code of Civil Procedure (French discovery proceedings), which sought to compel production of information about a theft allegedly committed by an employee of a subsidiary in Angola, and obtained the abandonment of the case filed without any consideration.
- We defended the interests of a well-known contemporary artist following the infringement of his works by an Italian ready-to-wear company.
- We defended the interests of an illustrator following the infringement of his works by music industry professionals and obtained, in emergency proceedings and then through the payment of fines for non-compliance with the court's order, the deletion of all infringing works on-line and off-line, as well as a judgment against the perpetrators.
- We participated in the defence of the interests of a contemporary artist following the infringement of his works by a Chinese company, and obtained a favourable decision.
- We advised a company in the defence sector in connection with the renegotiation of a contract in Libya.
- We coordinated the drafting of a legal memorandum on the conditions for imposing liability for gross negligence under Chinese law for a company in the defence sector.

Competition and consumer law disputes

Bougartchev Moyne Associés assists its clients before national and European competition authorities.

- We participated in the defence of the interests of a multinational in the electronics/IT sector in connection with an action for damages initiated by an independent reseller on the grounds of abuse of economic dependence, abuse of a dominant position and parasitism.
- We defended an insurance brokerage and management consulting company, as well as an insurer which was its majority shareholder, in connection with an unfair competition matter initiated after implementation of the procedure under article 145 of the French Code of Civil Procedure (French discovery proceedings) led to the simultaneous seizure of documents in relation to the practices alleged at various sites of the alleged perpetrator.
- We participated in the defence of the interests of a multinational in the electronics/IT sector in connections with an action for damages on the grounds of unfair competition.
- We participated in the defence of the interests of a French public industrial and commercial establishment in connection with an action for damages for denigration initiated against it by an insulation manufacturer.
- We participated in the defence of the interests of an international group that specialises in industrial logistics in connection with an appeal it filed against a decision of the Competition Authority which had imposed penalties on it.
- We advised a leading insurance company on a matter alleging unfair competition and entered into a settlement agreement.

Environmental civil disputes

Our lawyers defend energy and nuclear groups in all environmental civil disputes, including summary proceedings requesting the compelled production of documents, the protection of regulated activities and environmental liability.

- We defended the interests of an energy/nuclear group in connection with summary proceedings under article 145 of the French Code of Civil Procedure (French discovery proceedings), which were followed by an action on the merits initiated against it by an NGO seeking to hold it liable for an alleged violation of the prohibition against storing nuclear waste from the Netherlands in France, and obtained a favourable decision.
- We defended the interests of an energy/nuclear group in connection with emergency proceedings filed to ensure the peaceful importation and conversion in France of military nuclear fuel from the United States despite the physical opposition of several members of French and international NGOs headquartered in Paris, Lyon and Amsterdam, and obtained favourable summary decisions in several French courts.
- We defended the interests of an energy/nuclear group in connection with summary proceedings under article 145 of the French Code of Civil Procedure (French discovery proceedings), which were followed by an action on the merits initiated against it by an NGO seeking to hold it liable for an alleged violation of the prohibition against storing nuclear waste from Germany in France, and obtained a favourable decision.
- We defended the interests of a nuclear energy company in connection with summary proceedings initiated by an environmental protection association requesting the suspension of authorisations to discharge liquids granted to one of its establishments, and obtained a favourable decision.
- We defended the interests of an energy/nuclear group in connection with summary proceedings initiated by an NGO requesting the prohibition of the importation into France of spent fuel from Germany for treatment and recycling, and had the action dismissed on the grounds that the NGO lacked standing because it did not have the required authorisations.
- We defended the interests of an energy/nuclear group in connection with proceedings on the merits initiated by an NGO requesting the prohibition of the importation into France of spent fuel from Germany for treatment and recycling, and obtained a decision rejecting all claims of the NGO.

REGULATORY DISPUTES

Bougartchev Moyne Associés appears before all independent administrative authorities, in particular the French financial markets authority (AMF) and the French prudential and resolution supervisory authority (ACPR), at all stages of proceedings, from the investigation stage through the hearing before the Sanctions Commission.

- We defended the interests of a leading business bank in parallel with an investigation initiated by the French financial markets authority (AMF) in connection with a fraud in the warrants market, of which the bank had been a victim.
- We defended the interests of a well-known banker in connection with a case of alleged insider trading, and obtained his exoneration before the French financial markets authority.
- We defended the interests of a well-known banker in connection with a case of alleged price manipulation, and obtained his exoneration before the French financial markets authority.
- We defended the interests of the representatives of a pharmaceutical group before the French financial markets authority (AMF) in connection with the inadequate quality of information it had disclosed, and obtained a lenient decision.
- We defended the interests of an armaments group in parallel with a case of insider trading initiated before the French financial markets authority.
- We defended the interests of a pharmaceutical company and its CEO who were charged by the French financial markets authority (AMF) with insider trading and publishing deceptive information.
- We participated in advising a leading French bank in connection with requests for information made by foreign regulatory authorities to the French financial markets authority (AMF) in connection with the matter involving the manipulation of the Libor and Euribor rates.
- We defended the interests of an officer of a company in the insurance sector before the French financial markets authority (AMF) in connection with an insider trading matter, and obtained a lenient decision.
- We defended the interests of the statutory auditors of a group in the luxury goods industry in connection with the treatment of certain securities transactions, and obtained their exoneration.
- We provided legal advice to a Swiss wealth manager in connection with a proceeding by the French Treasury to recover a financial penalty imposed on it by the sanctions committee of the French financial markets authority.
- We participated in the defence of the interests of the founder of trading offices in China before the sanctions committee of the French financial markets authority (AMF) for alleged price manipulation (use of the layering technique).
- We participated in the defence of a California investment fund in connection with an investigation initiated by the French financial markets authority (AMF) for alleged insider trading.
- We defended the interests of a leading insurance company in connection with an audit of its anti-money laundering procedures ordered by the French prudential and resolution supervisory authority (ACPR), and obtained its exoneration.
- We defended the interests of an insurance company in connection with proceedings before the French prudential and resolution supervisory authority (ACPR) concerning the insurance company's anti-money laundering procedures, and obtained a lenient decision.
- We defended a biotechnology company and its CEO who were charged by the French financial markets authority (AMF) with market manipulation and failure to publish privileged information.
- We defended the interests of a well-known auction house in connection with several investigations in France on the sale of rostra, trading in which is strictly regulated, and were able to have the case dropped.
- We provided legal advice on the possibility of obtaining insurance cover for administrative financial penalties imposed by the French data protection agency (CNIL), to the exclusion of criminal penalties, incurred for possible violations of personal data protection laws.
- We advised a Swiss bank on its relations with its regulatory authority (FINMA) in parallel with a case alleging the laundering of the proceeds of tax fraud.

COMPLIANCE

Our team assists companies in setting up their internal procedures, including for the purpose of complying with anti-money laundering and anti-bribery directives and regulations, and creating a compliance department.

Our lawyers participate in training actions directed by our clients' legal and operating departments, in France and throughout the world.

They assist companies in complying with the provision of the Sapin II Act on transparency in the economic sector.

- We assisted an aeronautics company with implementation of its compliance obligations under the Sapin II Law (drafting of an anti-corruption code and manual, internal whistleblowing procedure, risk map, ...).
- We assisted a German builder in setting up internal procedures and reviewing or terminating contracts it had entered into with various sales agents in anticipation of the entry into force of the OECD Convention–.
- We drafted an anti-bribery bill and its implementing decrees on behalf of an African country.
- We participated in the implementation by an energy multinational of anti-money laundering rules in various French-speaking African countries.
- We advised a group in the energy sector in connection with its signature of a contract with an agent in Chile (anti-bribery clause and implementation of a procedure for verifying the agent's actions).
- We advised a leading defence company on compliance issues in connection with the implementation of an appropriate programme.
- We participated in the implementation of a worldwide training programme focusing on anti-bribery and compliance with competition rules for a worldwide energy leader.
- We participated in the drafting of delegations of powers within a major foreign insurance company.
- We participated in the drafting of delegations of powers and signature authority within a major French insurance company.
- We advised a leading armaments company in connection with the drafting of so-called certification letters in which its officers and the managers of subsidiaries, departments and establishments submit annual reports to their hierarchical supervisors concerning risk prevention and compliance with and oversight of internal rules and procedures concerning inter alia ethics and compliance, and we drafted a legal memorandum of the consequences of such certification letters on the civil and criminal liability of the signatories and recipients thereof, as well as of the legal entities involved in the process.
- We advised a French public financial institution on the civil and criminal risks it faced in the event of a major earthquake in a seismically active area where said institution held investments in local social housing companies.
- We advised a robotics group following the discovery of significant safety problems at various sites of its customers where it had made improvements that could lead to fatal accidents.
- We advised a French listed site on the criminal risks it faced in the event of an accident in the areas of the site open to the public.
- We provided training on preventing the risk of corporate criminal liability (criminal liability of legal entities and their officers; main white collar crime offences, criminal stock market law, public policy infringements - bribery, influence peddling, illegal acquisition of interests, favouritism – criminal labour law and environmental criminal law; requisitions, searches and hearings; fraud by impersonating the CEO; image rights and reputational risk) as part of the training programmed for new officers of worldwide armaments leader.

- We provided training to the officers of an insurance company on preventing money laundering.
- We provided training to the members of the executive committee of a leading insurance company on the criminal liability of its officers and the monitoring of criminal matters.
- We provided training to the members of the executive committee and several departments of a French industrial and technological group on the criminal liability of its officers and the monitoring of criminal matters.
- We provided training to the members of the legal departments of pharmaceutical laboratories on stock market infringements.
- We provided training on preventing the risk of company criminal liability to the members of the executive committee, the legal and sales departments and various industrial establishments of a leading defence company.
- We provided training on preventing bribery to the officers of a worldwide agri-food leader and drafted a case study for its executives.
- We provided training on preventing bribery to the officers of a worldwide transport infrastructures leader.
- We provided training on preventing bribery to the executives of an international airline.
- We produced a training video on preventing bribery for a worldwide energy leader which was to be posted on its intranet for viewing by all employees.
- We provided training on preventing the risk of criminal liability and sanctions by the French financial markets authority (AMF) to the shareholders of a leading business bank.
- We provided training to the members of the executive committee of a foreign business bank on the anti-money laundering laws.
- We provided training to the members of the executive committee of an insurance company on criminal and regulatory investigations (searches, voluntary home inspections, etc.).
- We provided training on handling criminal and regulatory investigations to the shareholders of a leading business bank.
- We provided training on the civil and criminal liability of officers to the members of the executive committee of a public industrial and commercial establishment.

INVESTIGATIONS

Bougartchev Moyne Associés participates in internal investigations undertaken by its clients, whether as a result of events that occur in France or in other jurisdictions.

- We participated in the defence of the interests of a multinational in the electronics/IT sector in connection with its objections to the search and operations conducted by the French competition authority.
- We participated in the defence of the interests of a French public industrial and commercial establishment in connection with its objections to the search and operations conducted by the French competition authority.
- We participated in the defence of an agri-food group in connection with an investigation initiated in the United States on the grounds of illicit concerted practices, which led to the execution of several international letters rogatory in France.
- We interviewed numerous employees of an industrial group following the exposure to asbestos of certain of its employees, in parallel with investigations conducted by the labour inspectorate.
- We interviewed numerous executives of a leading energy group, in parallel with investigations conducted by the judicial authorities on the grounds of alleged bribery of public foreign officials.
- We interviewed numerous employees and executives of a worldwide energy leader that was the victim of a fraud and attempted fraud by an organised gang, in parallel with investigations conducted by the judicial authorities.
- We provided advice on issues of labour law, protection of personal data and compliance with the French Blocking Statute that were raised in connection with an internal enquiry conducted at the request of the Securities and Exchange Commission (SEC) by a US subsidiary of a manufacturer of automation and handling systems, on the grounds of bribery in the public health sector allegedly committed by various European subsidiaries of the group.