

WHITE COLLAR CRIME

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 defended the interests of a Swiss bank, which acted as the arranger for two bond issues and as representative of the bondholders, in insolvency proceedings initiated against the issuer following the discovery of a massive fraud that had caused the company's financial statements to misrepresent the true picture for many years.
- We defended the interests of a group of investors who were victims of illegal solicitation and breach of trust committed by wealth managers based in France and Switzerland, which were the subject of a criminal investigation before the Mulhouse High Court.
- We defended the interests of collectors who were the victims of a merchant's acts breach of trust and money laundering.
- 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 future market.