



GIR

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2018

**WOMEN IN
INVESTIGATIONS**

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This year GIR once again shines a spotlight on female practitioners in our second Women in Investigations special. The white-collar world is filled with female investigations practitioners whose reputations and résumés speak for themselves, and this special serves to demonstrate the wide variety of talented women – from government enforcers to the next generation of investigators – who form part of the worldwide investigations community and we think GIR readers should get to know. The final 100 were chosen following an open nomination process where we encouraged GIR readers to present up to three names along with compelling reasons for why those individuals deserved to be featured.

The special comes after almost a year of unprecedented dialogue around systemic problems female professionals contend with in the workplace, ranging from pay disparities to sexual harassment to an institutional lack of opportunities afforded to women and minorities.

Part of that conversation was sparked by the #MeToo movement that rose up following reports in late 2017, from both *The New York Times* and *The New Yorker* on the decades of alleged sexual assault and harassment by Hollywood film producer Harvey Weinstein.

The legal community has not been immune to the problems with

sexual harassment and diversity. Since the first reporting on Weinstein, a survey of 1,000 lawyers by a UK trade publication revealed that 42% of respondents had experienced sexual harassment in the workplace. Meanwhile, research management consulting firm McKinsey & Company in 2017 showed that women in North American law firms are 29% less likely to reach partnership in law firms compared to their male colleagues.

In February 2018, research by GIR Just Anti-Corruption revealed that, since 2004, the US Department of Justice (DOJ) has awarded compliance monitorships in FCPA matters to 40 men and just three women. The issue has not gone unnoticed, and in a recent settlement with Japanese electronics company Panasonic Avionics Corporation, the DOJ for the first time ever added a clause that monitor selections shall be made in keeping with the department's commitment to diversity and inclusion, a development lauded as a milestone.

While casting more light on these issues can only be seen as positive, these reports also show how much work remains to be done.

When we launched GIR's first Women in Investigations survey in 2015, we featured individuals including the head of corruption at Norway's anti-corruption body Økokrim, Marianne Djupesland;





the head of global compliance at Baker McKenzie, Mini vandePol; and recent GIR Lifetime Achievement Award winning Steptoe & Johnson partner Lucinda Low.

Several of the previous nominees have gone on to scale greater heights since featuring in the 2015 special. For example, Louise Hodges at Kingsley Napley was appointed head of criminal litigation at the firm in 2017 and, in 2018, Freshfields Bruckhaus Deringer promoted Hong Kong partner and 2015 nominee Georgia Dawson to managing partner for the Asia-Pacific region.

Other 2015 nominees have left established firms to open their own investigations shops. Former Trench Rossi Watanabe associate Erica Sellin Sarubbi left the firm in 2016 to open investigations boutique Maeda Ayres & Sarubbi Advogados, while in 2018, Lalive counsel Sonja Maeder Morvant left the Swiss firm to launch an investigations practice at Geneva firm OHER.

One of our main aims for this special has been – and continues to be – to showcase the breadth and depth of talent among the women in the international investigations space. Since the inaugural 2015 special, many of those featured told that their inclusion had helped build lasting professional relationships. It is our hope that the nominees on the 2018 list will be welcomed to the fold to continue to foster that network of female investigations practitioners.

In the 100 profiles in the 2018 special, the nominated women tell us what they bring to the table as

investigators, their biggest career accomplishments to date, and their thoughts on how to create and promote inclusivity at work. We hear from individuals including Isabel Costa Carvalho at Hogan Lovells in São Paulo, Deborah D'Aubney at Rolls-Royce, and former US Deputy Attorney General Jamie Gorelick, now a WilmerHale partner, who said that “women need to make sure that other women have opportunities and more men need to see the talents that women bring to the table.” From the UK’s Serious Fraud Office, prosecutor Emma Luxton shares why the prosecution of a UK printing company was the highlight of her career so far.

We also asked the nominees to comment on the other side of their lives: what do they do outside work that makes them a better investigator? What are the facts about them that not people may know? And as the investigations world seems to attract the adventurous, we’ve also got lawyers to tell us the most exciting place their work has taken them.

In the profiles, lawyers recount raking wet concrete in Mongolia, visiting the home of the UK’s prime minister at 10 Downing Street, and being in Cairo during the Arab Spring. One lawyer created an award-winning rum cocktail recipe while seven-months pregnant; another once beat Daniel Day-Lewis in an acting competition.

Read on for the full list nominees and abridged versions of their profiles. The full-length profiles are available on: globalinvestigationsreview.com



Jenny Kramer
Alston & Bird
Partner
New York

Having spent most of my career as a trial attorney, I am constantly required to approach matters with a discerning eye and thoughtful execution. Preparedness for trial is firmly grounded in understanding the investigation that precedes the litigation. As an assistant US attorney, managing and conducting large-scale investigations required me to use analytical skills to figure out the “why”, as opposed to merely asking “why”.

One of the biggest changes I’ve seen as a trial lawyer is technology. Smartphones, Google, tablets, social media – all have created an explosion of types and quantity of data.

I have been incredibly fortunate that my career has been peppered with highlights every step of the way, including becoming an assistant US attorney. Certainly, a highlight was being an integral part of the defence team representing Senator Robert Menendez against charges of bribery and corruption, which were ultimately dismissed following a three-month trial that resulted in a hung jury. Another highlight was securing a unanimous decision from the US Court of Appeals for the Third Circuit overturning a lower court ruling, and vacating a decision to unseal the identity of my client “John Doe” in connection with the Bridgewater scandal in New Jersey. I’d like to think that the highlight of my career is still yet to come.

I have been afforded opportunities since the nascence of my career, beginning with second-chairing a civil Racketeer Influence and Corrupt Organizations (RICO) Act trial as a first-year associate, which resulted in a no-cause verdict on all counts. Later, when I moved to the public sector as an assistant US attorney, I tried numerous cases ranging from complex fraud to public corruption matters. During my tenure at the US Attorney’s Office, I assumed supervisory roles and, almost immediately after returning to private practice, was put in charge of managing a large-scale internal investigation regarding cross-border practices.

As an assistant US attorney, I repeatedly managed large-scale investigations from inception to final disposition for a broad array of cases, from seemingly simple street crimes to complex mortgage fraud, public corruption and insider trading. I like to think that I became both a jack of all trades and master of some.

My professional and personal lives require me to manage a myriad of moving parts. Mornings when I am on trial are often most memorable as they start with making lunches and school drop-offs, and not two hours later I find myself cross-examining witnesses or giving a closing argument. Organising

schedules for a very busy family can get complicated in a hurry – not to mention perfecting the routine and rituals of daily life. The organisational skills required to keep everything moving forward on both personal and professional fronts has undeniably helped shape my skills as an investigator.

I have been told that “when a judge starts talking, shut up.” I love to talk, so this can be challenging for me, but I’ve learned that sometimes the simplest advice is the best advice. I have also been advised to be as keen an observer as I am an advocate and to simply “pay attention.” Ultimately, I consider all advice and determine what makes the most sense for me.

The worst advice I received was to have water in an open cup at counsel table during trial. Not a wise decision, especially when there are computers nearby. Other than that, I am very fortunate not to have received any terrible advice (so far).

The direction of government investigations in the midst of a new administration is the biggest talking point in US investigations. How will new policies be implemented? What will happen to the Yates Memo? The compliance space is ever-changing, as are the scope and expectation for institutions self-reporting, and the timeliness of such reporting. Following the current trends in Sessions’ US Department of Justice and advising clients in real time as to significant directives are all talking points in investigations.

Creating more leadership roles that can be assumed by women will help foster greater visibility and, in turn, greater gender equality in the legal community. In addition, women should continue to promote one another by identifying and celebrating successful women who serve as role models to those just beginning their careers. We can’t be what we don’t see, which is why it’s important that we recognise women leaders and the inspiration they provide in those roles.

Not many people know that I was a concert pianist who attended a conservatory of music for my undergraduate studies. Performing on stage is not unlike litigating in court. It has been an integral part of my life and has taken me everywhere from Lincoln Center to Italy. Over the years I have spent countless hours in practice rooms memorising scores of music to perform before live audiences. The resulting discipline has helped shape my experiences as a trial attorney and has taught me that, when things do not go as planned, it’s the recovery that matters as much as the execution.

As a litigator with a practice focused mostly on white-collar work, my job has taken me from the doorsteps of corporate executives in the wake of the execution of a search warrant, to parking lots in rural Pennsylvania interviewing witnesses on their lunch break. As a result, I can easily say that every place my job has taken me has proven to be the most interesting place.