

Internal and Government Investigations

Krieg Devault's Litigation team regularly represents clients in internal investigations and investigations by state and federal governmental authorities. These investigations typically arise in heavily regulated industries like financial services and health care, where highly technical regulations and licensing requirements can create minefields for those who operate in that space. These investigations can also stem from extremely sensitive situations involving personnel, company ethics, or allegations of misconduct that are of general concern to businesses across all industries.

Our litigators understand that an investigation – whether it is internal or external – can often be a precursor to litigation, and how an investigation is handled can make a significant difference in the client's exposure and ultimate resolution of the matter. With a team that includes a former U.S. Attorney, a former Indiana Deputy Attorney General, and former state agency lawyers, in-house counsel and executives, we are well-equipped to guide our clients through the process. If a substantive area of the law is at play in a particular investigation, we will collaborate with our seasoned colleagues who practice and have a sophisticated grasp of the legal and regulatory aspects of that industry.

Importantly, many investigations lead to operational changes for our clients. As a prime example, our internal review of the policies and procedures of USA Gymnastics culminated in a landmark 2017 report (commonly referred to as the "**Daniels Report**") that recommended improvements beginning with a "complete cultural change" within the organization. Businesses, too, can benefit from the implementation of best practices, preferred forms, and revised policies and procedures designed to minimize the recurrence of future incidents and investigations. Thus, our representation does not stop when the investigation is concluded. Rather, we will work with our clients to develop recommendations and strategies that will fit their needs and address potential areas of concern for the long term.

Focus Areas

Compliance with company policies and procedures

General business ethics

Sexual harassment and other allegations of sexual misconduct

Employee theft and embezzlement

Misappropriation of company trade secrets, intellectual property and other assets

Fraud

Compliance with banking rules and regulations

Compliance with antitrust and anti-bribery laws, including the Foreign Corrupt Practices Act

Compliance with the Anti-Kickback Statute, Stark Law, and Medicare and Medicaid reimbursement rules

Compliance with laws and regulations regarding the prescribing, dispensing, and administering of opioid controlled substances



Responding to government subpoenas for documents and requests for interviews