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2013 THE **HOSPITALITY LAW**
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**BEST PRACTICES FOR
ATTORNEYS, INTERNAL
AUDITORS,
AND FORENSIC SPECIALISTS
IN EXECUTING FORENSICS
INVESTIGATIONS**

Presented by
Anthony
Campanelli,
Michele Cross,
Veronique
Lanthier, and
Robert Shwartz

PANELIST BIOGRAPHIES



- **Anthony J. Campanelli, Partner, Deloitte Financial Advisory Services LLP**

- Has more than 15 years of experience in consulting on securities litigation, forensic accounting, fraud investigations, anti-corruption investigations, audits of Global SEC registrants
- Has been quoted in *The New York Times*, *Thomson Reuters*, and *Hotel Interactive* on various fraud, environmental, and compliance issues impacting the hospitality industry
- He is a Certified Public Accountant (CPA), Certified in Financial Forensics (CFF), and Chartered Global Management Accountant (CGMA)



- **Michele Cross, Senior Manager, Deloitte Financial Advisory Services LLP**

- Has over 17 years of experience spanning business/financial strategy development, financial management, internal controls assessment, and FCPA compliance and investigations
- Her experience spans a wide range of industries, with a geographic focus on China, Brazil, India, Mexico and other emerging markets
- Has a B.S.B.A. in International Business from Georgetown University and an M.B.A. in Finance from the University of Maryland

PANELIST BIOGRAPHIES



- **Veronique Lanthier, Vice President and Senior Counsel, Marriott International Inc.**
- Provides legal support for the international lodging operations division of Marriott International, legal services to hotels in Europe, the Middle East and Africa, and legal support to Marriott entities and Marriott-branded hotels within these regions
- Specializes in a variety of compliance related subject matter areas including the Foreign Corrupt Practices Act, economic sanctions regulations and competition law.
- Has a J.D. from Stanford Law School and a Masters in International Relations and Economics from Johns Hopkins' School of Advanced International Studies



- **Robert Shwartz, Partner, Orrick LLP**
- Has successfully litigated more than 30 trials and arbitrations in commercial litigation, employment and intellectual property matters
- Experience in employment-related litigation includes defending claims of discrimination, wrongful discharge, retaliation, sexual harassment and breach of contract as well as counseling related to trade secret misappropriation and non-compete/non-solicitation agreements
- Office leader for Orrick's San Francisco Office

QUESTIONS FOR DISCUSSION

- What are the factors you should consider in assessing the credibility of an allegation and your future actions?

QUESTIONS FOR DISCUSSION

- Can you think of examples of where the allegation was not properly assessed?

QUESTIONS FOR DISCUSSION

- Now that you know you have a credible claim, what are the key questions you would consider in your response to address the allegation (eyes/regulation/threshold question)?
 - In other words, how do you develop you initial investigation plan/magnitude?

QUESTIONS FOR DISCUSSION

- How would outside counsel support the development of the investigation plan?

QUESTIONS FOR DISCUSSION

- How would you support the investigation plan as a forensic specialist?

PRACTICAL APPLICATIONS

A Hypothetical:

- **Person of Interest:**
 - Director of Finance at a managed property in Europe
- **Allegation:**
 - The Director of Finance was involving in making large payments to legal advisers to help facilitate the receipts of licenses and permits related to the renovation of the property in Cyprus.
- **Facts on the Ground:**
 - The Director of Finance had transferred from the Property 6 months ago, but is now in a Regional Finance role in South America.

PRACTICAL APPLICATIONS

- **Assuming that it is a credible complaint, how would you structure the investigation?**
 - How would you execute/make decisions about each of the following aspects of the investigation:
 - Privilege
 - Document Preservation
 - Email reviews
 - Interviews
 - Data Analytics
 - Investigatory Analysis.
 - Reporting

PRACTICAL APPLICATIONS

- **What are some of the challenges in performing the investigation?**
 - Cost
 - Data privacy
 - Staffing
 - Disclosure

PRACTICAL APPLICATIONS

- **How do you integrate the findings of your investigation into your overall compliance program?**

PRACTICAL APPLICATIONS

- What characterizes a good collaborative process vs. an unsuccessful process?

PRACTICAL APPLICATIONS

- Questions