



## O'MELVENY & MYERS LLP

### Richard Grime

PARTNER



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**Richard W. Grime** is a partner in O'Melveny's Washington, DC office and a member of the White Collar Defense and Corporate Investigations Practice. He represents clients in internal investigations and on a full range of securities enforcement, regulatory, and compliance matters. He routinely represents companies and individuals in investigations before FINRA, the Securities and Exchange Commission and other government agencies. Recent Foreign Corrupt Practices Act (FCPA) investigations and counseling have covered activities in many countries including Australia, Cameroon, Canada, China, Democratic Republic of the Congo, France, India, Korea, Namibia, Nigeria, Russia, Saudi Arabia, and Turkey. He is a longstanding and frequent speaker at conferences and seminars covering the FCPA and securities enforcement and is frequently quoted in news publications. He also counsels clients in establishing FCPA compliance programs, and advises on complex FCPA issues.

#### Illustrative Professional Experience

- Representation of a major bank in FCPA investigation regarding activities in Middle East
  - Representation of individuals in various DOJ/SEC FCPA investigations
  - Representation of a company in FCPA investigation regarding activities in West Africa
  - Representation of oil company in FCPA due diligence
  - Representation of a company in an FCPA investigation regarding activities in India, Indonesia and the Middle East
  - Representation of a company in an FCPA investigation regarding activities in Turkey and India
- Advising hedge funds, public companies and mutual funds regarding FCPA compliance
  - Assisting independent consultant in connection with Securities and Exchange Commission Final Judgment for financial fraud
  - Advising private equity firm on insider trading issues
  - Representation of broker-dealer in FINRA investigation
  - Representation of major bank in auction rate securities investigation before the Securities and Exchange Commission and other government agencies

Before he joined O'Melveny, Richard spent over nine years in the Division of Enforcement at the U.S. Securities and Exchange Commission in Washington, DC. In his last four years at the Commission he was an Assistant Director. While at the SEC, Richard supervised the filing of over 70 enforcement actions covering a wide range of the Commission's activities.

Some of the more complex and notable cases include:

- A series of FCPA cases including the first FCPA case involving SEC penalties for violations of a prior Commission order
- Numerous financial fraud cases including the second largest penalty assessed by the Commission for accounting fraud
- Regulated entity cases including:
  - settlement involving the largest assessed penalty against a registered broker-dealer for failure to establish, maintain and enforce written policies designed to prevent insider trading;
  - one of the Commission's principal cases against a major securities firm for failure to promptly produce email; and
  - the Commission's only recent cases against foreign transfer agents for failure to register as a transfer agent with the Commission
- Numerous insider trading cases, including one of the Commission's largest cases involving over \$10 million in recovered profits and penalties
- Boiler room, offering frauds and ponzi scheme enforcement actions

While at the SEC, Richard played a prominent role in the Commission's FCPA program, spoke at FCPA conferences, and participated or supervised many of the Commission's FCPA cases. He also worked closely with the Department of Justice on countless parallel investigations. Richard was also designated by the United States as one of its experts for the OECD Convention on Combating Bribery of Foreign Public Officials' peer monitoring process for Japan and Canada.

Prior to working at the Commission, Richard spent ten years in private practice.

#### Professional Activities

#### TV Interviews

#### professional focus

Securities Enforcement  
Foreign Corrupt Practices Act  
White Collar Defense and Corporate Investigations  
Regulation of Cross-Border Trade and Investment  
India

#### education

**College of Law (Guildford)**, 1987:  
Law Society Final Examinations

**University of Oxford**, BA, 1986: First Class Honors

#### admitted

District of Columbia

#### publications

**Implications of the U.K. Bribery Bill for Individuals and Corporations Already Subject to the FCPA**

**SEC Levies \$300,000 FCPA Penalty for Misrecording Gifts and Entertainment** (O'Melveny Foreign Corrupt Practices Act Alert)

**New Bribery Act Creates Additional Liability Risk for Corporations Doing Business in the U.K.** (O'Melveny Foreign Corrupt Practices Act Alert)

**FCPA and Extortion: The NATCO Settlement** (O'Melveny Foreign Corrupt Practices Act Alert)

**Money Laundering Indictment of Thai Government Official Underscores DOJ Efforts to Punish Recipients of Foreign Bribes and the Increasing Intersection Between Money Laundering and FCPA Charges** (O'Melveny Foreign Corrupt Practices Act Alert)

**Financial Services Industry and Individual Investors Face Increasing Scrutiny and Risks Under the Foreign Corrupt Practices Act** (O'Melveny Foreign Corrupt Practices Act Alert)

**FCPA Trend: Derivative Actions Based on Alleged FCPA Violations the Latest Example of Enforcement Through Private Lawsuits** (O'Melveny Foreign Corrupt Practices Act Alert)

- PBS FRONTLINE/World: Interviewed for Documentary “Black Money” (aired April 7, 2009; see <http://www.pbs.org/wgbh/pages/frontline/blackmoney/>)
- “Discussion of FCPA Compliance Matters,” Bloomberg TV interview by Catherine Yang (May 30, 2008)

### Selected Speaking Engagements

- “Remediation Programs: How to Clean Up After an FCPA Investigation or Penalty, and When to Start.” 22<sup>nd</sup> National Forum on FCPA sponsored by American Conference Institute (November 18, 2009)
- “Complying with FCPA In a Heightened Enforcement Environment - What Advice You Need to Give Your Clients & When.” New York City Bar (October 28, 2009)
- “Key Issues Facing Boards of Directors: International Business Regulation and Enforcement,” Directors Roundtable Panel (July 20, 2009)
- “Designing Effective Internal Accounting Controls to Meet FCPA’s Books and Records Provision,” C5 Group and American Conference Institute’s India Summit on Anti-Corruption Compliance and Enforcement in Mumbai. (June 4, 2009)
- “The Foreign Corrupt Practices Act 2009: Coping with Heightened Enforcement Risks,” Practising Law Institute (May 29, 2009)
- “Identifying and Correcting Books and Records Violations,” American Conference Institute’s FCPA and International Anti-Corruption for the Pharmaceutical and Medical Device Industries (April 29, 2009)
- “The Reality of Having a Special Compliance Monitor: Setting the Boundaries and Making the Relationship Work,” 21st National Conference on Foreign Corrupt Practices Act sponsored by American Conference Institute (March 24, 2009)
- “The Reality of Having A Special Compliance Monitor: Setting the Boundaries and Making the Relationship Work.” 20<sup>th</sup> Anniversary Conference on FCPA, sponsored by American Conference Institute (November 18, 2008)
- “FCPA: Complying and Implementing Risk Management Strategies,” New York City Bar (September 19, 2008)
- “Second Annual European Forum on Anti-Corruption,” sponsored by American Conference Institute, London (June 17-18, 2008)
- “FCPA Overview: Insights Into Heightened SEC, DOJ Enforcement,” Strafford Publications FCPA (June 11, 2008)
- “Waiver vs. Protection of Attorney-Client Privilege: Ensuring a Deliberate Approach,” Panelist, American Conference Institute’s Sixth National Forum on Conducting, Managing and Responding to Corporate Investigations (May 20, 2008)
- “The Foreign Corrupt Practices Act: Developing a Compliance Program,” webcast, sponsored by West Legalworks (May 5, 2008)
- “Practical Guide to the Foreign Corrupt Practices Act,” sponsored by the District of Columbia Bar (May 5, 2008)
- “Identifying and Correcting Books and Records Violations” panel presentation at the FCPA and International Anti-Corruption for Pharma & Life Sciences conference, sponsored by the American Conference Institute (April 29-30, 2008)
- “The Nuts and Bolts of Conducting an Internal Investigation,” panel presentation at the Foreign Corrupt Practices Act 2008: Coping with Heightened Enforcement Risks, sponsored by the Practising Law Institute (April 23, 2008)
- “Voluntary Disclosures: How the Government Evaluates Them and What to Include,” panel presentation at the 19<sup>th</sup> National Conference on the Foreign Corrupt Practices Act, sponsored by the American Conference Institute (March 27, 2008)
- “The Foreign Corrupt Practices Act at 30 Years,” panel presentation at the 22<sup>nd</sup> Annual National Institute on White Collar Crime, sponsored by the American Bar Association (March 7, 2008)
- “Foreign Corrupt Practices Act Voluntary Disclosures - Strategies to Minimize Penalties, Policies to Avoid Violations,” teleconference presentation, sponsored by Strafford Publications (January 9, 2008)
- “Foreign Corrupt Practices Act In India - Compliance Strategies Given India’s Unique Cultural and Governmental Intricacies,” teleconference presentation, sponsored by Strafford Publications (December 19, 2007)
- “Insider Trading Issues,” panel presentation at the Hedge Fund Enforcement Issues and Regulatory Developments 2007, sponsored by the Practising Law Institute (November 19, 2007)
- “Voluntary Disclosures: How the Government Evaluates Them and What to Include,” panel presentation at the 18<sup>th</sup> National Conference on the Foreign Corrupt Practices Act, sponsored by the American Conference Institute (November 13, 2007)
- “Lessons Learned from Recent DOJ and SEC Enforcement Actions,” panel presentation “Doing Business Under the Foreign Corrupt Practices Act,” sponsored by the New York City Bar (November 9, 2007)
- “Roundtable of Hypothetical Cases with Enforcement Officials and Defense Counsel,” panel presentation at The Foreign Corrupt Practices Act: Coping with Heightened Enforcement Risks seminar, sponsored by the Practising Law Institute (September 17, 2007)

### Publications

- *Implications of the U.K. Bribery Bill for Individuals and Corporations Already Subject to the FCPA*, co-authored with Katie Buchanan (2010)
- *Disgorgement of Profits in FCPA Enforcement Actions — Seeking a Rational Basis*, co-authored with G. Gelberg (2010)
- *Conducting Anticorruption Due Diligence in M&A Deals*, co-authored with B. Guo, China Business Review (2009)
- *Why the Accounting Provisions of the Foreign Corrupt Practices Act Should Concern You*, co-authored with S. Rogers, 23<sup>rd</sup> Annual National Institute on White Collar Crime (2009)
- “Expanding Boundaries: FCPA Jurisdiction Over Foreign Entities and Individuals,” *Criminal Litigation* (Vol. 9, No. 1, Fall 2008), co-authored with A. Savage
- *Obvious and Not-So-Obvious Consequences from the Rise in FCPA Enforcement*, co-authored with A. Fischer, 22<sup>nd</sup> Annual National Institute on White Collar Crime (2008)
- *New Issues And Old Tools; How The SEC Is Responding To Insider Trading By Hedge Funds*, Hedge Fund Enforcement Issues and Regulatory Developments, Practising Law Institute (2007)
- *Voluntary Disclosure -- Evaluating the Benefits and Burdens*, co-authored with L. Lunskeya included at the 18<sup>th</sup> National Conference Foreign Corrupt Practices Act, sponsored by the American Conference Institute (2007)
- *Ramifications of Recent FCPA Enforcement Cases for Compliance Programs*, co-authored with G. Lichtenbaum,

**Lawsuits Against UltraShort Bond Funds Highlight The Enforcement Risks Of Valuing Illiquid Portfolio Assets In An Uncertain Economic Environment** (Securities Enforcement & Regulatory Counseling Alert)

**Foreign Corrupt Practices Act Alert: SEC Settles FCPA Action with Con-Way Inc. -- Payments to Foreign Customs Agents and Employees of State-Owned Airlines** (Foreign Corrupt Practices Act Alert)

**Recent Forfeiture Action Underscores The Convergence of Anti-Bribery and Anti-Money Laundering Provisions** (Foreign Corrupt Practices Act Alert)

**Aon Settles corruption case with the FSA for £5.25m** (Foreign Corrupt Practices Act Alert)

**Foreign Corrupt Practices Act Handbook** (Sixth Edition)

The Foreign Corrupt Practices Act: Coping with Heightened Enforcement Risks, Practising Law Institute (2007)

**Newspaper Interviews**

- "China's Tricky Terrain on the Foreign Corrupt Practices Act," Wall Street Journal (June 10, 2008)