



Greta Lichtenbaum

Partner

Washington, DC

D: +1-202-383-5249

glichtenbaum@omm.com

Greta Lichtenbaum's practice focuses on compliance with US laws that govern international business transactions and trade. Greta represents and advises clients in matters related to US economic sanctions, export controls, anti-corruption (the Foreign Corrupt Practices Act, or "FCPA"), foreign investment, money laundering, antiboycott, and customs laws. In addition to advising clients on the application of these laws to on-going business and potential acquisitions, Greta assists clients in all aspects of managing compliance with these laws, including developing corporate compliance programs, conducting internal investigations relating to potential violations of these laws, and representing companies before the relevant agencies in connection with enforcement proceedings, clearances, license requests, and government inquiries. These include the Treasury Department's Office of Foreign Assets Control (OFAC), the Committee on Foreign Investment in the United States (CFIUS), the Departments of Justice, Commerce and State, the Securities and Exchanges Commission (SEC), and the US Bureau of Customs and Border Protection.

Greta is highly ranked by both *Chambers USA* and *Chambers Global*. *Chambers* describes her as the "dean of the sanctions bar" and notes that in the area of export controls she "combines experience with technical knowledge to provide extremely valuable counsel," is "very knowledgeable about the arcana in this area" and "very skilled at helping the client get that end result."

Admissions

Bar Admissions

District of Columbia

Education

Harvard University, J.D., 1990:

Managing Editor, *Harvard Human*

Rights Journal; Member, International Law Society

Haverford College, B.A., 1986: Phi

Beta Kappa, Departmental Honors

Experience

Enforcement Proceedings and Internal Investigations

- Conducts internal investigations relating to potential violations of economic sanction laws, antiboycott laws, the FCPA, the Export Administration Regulations (EAR), and the International Traffic in Arms Regulations (ITAR) and Customs rules.
- Represents US and foreign companies in connection with internal investigations and enforcement matters arising from potential violations of economic sanctions, export control, and customs laws, including assisting clients in responding to subpoenas and other information requests from the Department of Justice, the SEC, the Commerce Department's Office of Export Enforcement, the State Department, and OFAC, and in settling pending enforcement matters before such agencies.
- Recent illustrative examples include:
 - Represented oilfield services company in connection with SEC inquiry related to corruption risks in countries subject to US economic sanctions.
 - Represented engineering firm in connection with internal investigation in the Middle East related to its interactions with employees of state-owned enterprises.

Compliance Risk Assessments and Audits

- Conducts assessments and audits of compliance programs in a variety of industries.
- Recent illustrative examples include:
 - Conducted an FCPA risk assessment for a US publicly-traded semiconductor manufacturer, with a particular focus on its Asian operations.
 - Managed a worldwide risk assessment for a multinational chemical company covering anti-corruption, economic sanctions, and antitrust laws.

Due Diligence and Post-Investment Planning

- Advises parties on FCPA and trade controls due diligence within the context of mergers and acquisitions, financings, and IPOs. Assists with due diligence, appropriate contractual protections and undertakings, as well as post-acquisition planning.
- Recent illustrative examples include:
 - Advised petrochemical firm on measures and strategies for mitigating anti-corruption risk in prospective minority-held joint venture in China.
 - Assisted private equity firm with developing plan to enhance new portfolio company's compliance program for anti-corruption, economic sanctions and export controls.
 - Conducted anti-corruption due diligence on Brazilian target for US software company.

Development of Compliance Programs and Procedures

- Advises companies in a wide range of sectors on the development and implementation of corporate compliance programs in the areas of FCPA, export controls, economic sanctions, customs, and the antiboycott laws.
- Recent illustrative examples include:
 - Advised a Chinese manufacturer on the type of program necessary to comply with the FCPA when the company became an "issuer" for purposes of US securities laws and assisted in the implementation of that program.

- Assisted a US water treatment company with enhancements to its FCPA compliance program.
- Assisted a reinsurance broker with establishing worldwide anti-bribery program and training materials.

Licensing, Classifications, and Advisory Opinions

- Represents US and foreign companies in obtaining a range of authorizations, licenses and advisory opinions under the EAR, the ITAR, as well as the economic sanctions regulations governing trade with Cuba, Iran, Iraq, Libya, Sudan, and Syria.
- Recent illustrative examples include:
 - Licenses authorizing activities associated with terminating operations in Iran
 - Technical Assistance Agreements for defense-related activities
 - Export control authorizations for encryption and oilfield service products
 - OFAC licenses for reinsurance activity
 - Commodity classification ruling requests
 - Commodity jurisdiction filings

Counseling

- Advises companies in various sectors (including semiconductor, oilfield services, energy exploration, hospitality, insurance and reinsurance, and a range of other financial services) on legal issues arising under trade controls, anti-bribery, antiboycott, customs, and anti-money laundering laws.
- Recent illustrative examples include:
 - Provide advice on anti-bribery risks associated with marketing plans that include the provision of business courtesies to government officials.
 - Advise numerous companies on intermediary due diligence strategies designed to mitigate anti-corruption and economic sanctions risks.
 - Advise on the consequences of changes in economic sanctions laws, including the recent Russia/Ukraine sanctions and changes in the Iran and Cuba sanctions programs.

Government Proceedings and Inquiries

- Prepared a number of voluntary notices and mandatory declarations to CFIUS on behalf of both non-US investors and domestic firms.
- Represented US companies in connection with "focused assessment" audits conducted by the US Bureau of Customs and Border Protection.

Professional Activities

Publications

- One of the lead authors of the Firm's Fifth, Sixth and Seventh Editions of this well-regarded Handbook
- "US Economic Sanctions Laws - Opportunities And Compliance Challenges," *Risk and Compliance Magazine* (April 2017) (with McAllister Jimbo)

- “Iran Nuclear Agreement: Compliance Strategies for Companies Considering Doing Business with Iran,” *Corporate Counsel* (January 2016) (with Hayley Ichilcik)
- “The Extraterritorial Scope of the FCPA as Addressed in New Government Guidance,” in *Competition Policy International Antitrust Chronicle* (December 2012) (with Beth France)
- “Iran Sanctions Mean Multinationals Need To Prepare for Close Scrutiny,” *Corporate Counsel* (March 2012)
- “Economic sanctions laws: the European Union and the United States,” a chapter published in *Serious Economic Crime: A Boardroom Guide to Prevention and Compliance*. Published by White Page Ltd in association with the Serious Fraud Office (December 2011) (with James Barratt and Hayley Ichilcik)
- Chapters, “Export Controls” and “FCPA/Antibribery,” *Corporate Compliance Practice Guide: The Next Generation* (Matthew Bender/LexisNexis, 2009)

Speaker

- “Expansion of Regulatory Oversight on Overcoming National Security Concerns and Trends,” ACI’s European Forum on Foreign Investment Security Reviews and CFIUS (June 2019)
- “CFIUS and the Expanding Scope of Foreign Direct Investment Reviews.” PLI One-Hour Briefing (May 2019)
- “Complying with U.S. Sanctions in a Time of Change,” ACI’s 12th Flagship Conference on Economic Sanctions Enforcement & Compliance (May 2019)
- “Taking Your Compliance Program to the Next Level,” PLI’s The Foreign Corrupt Practices Act and International Anti-Corruption Developments 2019 (April 2019)
- “Beyond Europe - The Screening Schemes of Major EU Trade Partners,” A Common European Law on Investment Screening: Foreign Investment in Times of Change (March 2019)
- “Complying with U.S. Sanctions in a Time of Change,” UNC’s Banking Institute (March 2019)
- “Real World Contract Management Scenarios: How to Build-in Contingency Plans When Drafting Contracts,” ACI’s 4th Asia Pacific Summit on Economic Sanctions (October 2018)
- “Real World Compliance Issues and How to Solve Them,” PLI’s The Foreign Corrupt Practices Act and International Anti-Corruption Developments 2018 (April 2018)
- “Cross-Border Enforcement: US Economic and Trade Sanctions Prosecutions,” American Bar Association’s 32nd Annual National Institute on White Collar Crime (March 2018)
- “Ethics and Compliance Considerations for Trade Controls Lawyers,” Practising Law Institute’s Coping with US Export Controls and Sanctions 2017, Washington, DC (December 2017)
- “Key Issues in Developing and Maintaining an Effective Compliance Program: Taking Your Program to the Next Level,” Practising Law Institute’s The Foreign Corrupt Practices Act and International Anti-Corruption Developments 2017, New York, NY (April 2017)
- “Ethics Considerations in Trade Control Practice,” Practising Law Institute’s Coping with US Export Controls and Sanctions 2016, Washington, DC (December 2016)
- “Key Issues in Developing and Maintaining an Effective Compliance Program: Taking Your Program to the Next Level,” Practising Law Institute’s The Foreign Corrupt Practices Act and International Anti-Corruption Developments 2016 (May 2016)

- “Economic Sanctions Enforcement and Compliance,” ACI (April 2016)
- “Liability for Cross-Border Activity: Increasing Enforcement of Economic Sanctions and Export Control Laws,” ABA White Collar Crime National Institute (March 2016)

Client Alerts (Most Recent)

- “China Creates an ‘Unreliable Entities List’” (O’Melveny & Myers Regulatory & Government Affairs Alert, June 2019) (with Philip Monaghan, Courtney Dyer, Scott Schaeffer, Lining Shan)
- “Expansion of US Economic Sanctions Measures on Iran, Venezuela, and Other Jurisdictions Compel Companies Operating Internationally to React Quickly” (O’Melveny & Myers International Trade Alert, May 2019) (with Ted Kassinger, David Ribner, Mary Pat Dwyer)
- “CFIUS Update: Interim Regulations, FIRRMA Pilot Program, and Proposed Rulemaking on Emerging Technologies” (O’Melveny & Myers International Trade Alert, November 2018) (with Ted Kassinger, David Ribner, McAllister Jimbo, Mary Pat Dwyer)
- “US Completes Withdrawal from Iran Nuclear Deal with Conclusion of Wind-Down Period, Imposition of New Sanctions” (O’Melveny & Myers Mergers & Acquisitions Alert, November 2018) (with Ted Kassinger, David Ribner, Mary Pat Dwyer)
- “Venture-Backed M&A: Hot Topics and Recent Developments in 2018” (O’Melveny & Myers International Trade Alert, November 2018) (with David Makarechian, AJ Talt, Scott Pink, Ted Kassinger, David Ribner, Eric Amdursky, Heather Meeker)
- “New Russian Sanctions Restrict Exports of Sensitive Goods; Additional Sanctions Likely in Three Months” (O’Melveny & Myers International Trade Alert, August 2018) (with Ted Kassinger, David Ribner, McAllister Jimbo, Mary Pat Dwyer)
- “Second Circuit Decision Limits FCPA Jurisdiction as to Foreign Nationals Outside the United States” (O’Melveny & Myers White Collar Alert, August 2018) (with Ronald Cheng, Steve Olson, Mark Racanelli, Sharon Bunzel, Jeremy Maltby, Ben Singer)
- “DOJ Criminal Division Launches One-Year Pilot Program as Part of Enhanced FCPA Enforcement Strategy” (O’Melveny & Myers White Collar Alert, April 2016) (with Mary Patrice Brown, Ronald Cheng, Jeremy Maltby, Mark Racanelli, Katherine Betcher, Mai Gonzalez, and Emilie Winckel)
- “The Iran Nuclear Deal: Nuclear Sanctions Lifted for Foreign Companies, Restrictions on US Firms Remain” (O’Melveny & Myers International Trade Alert, January 2016) (with Ted Kassinger and McAllister Jimbo)

Honors & Awards

- Ranked Band 1 Nationwide by *Chambers Global* and *Chambers USA* for International Trade: Export Controls & Economic Sanctions (2009-2014; 2016-2019)
- Named a “Super Lawyer” in International Law in *Super Lawyers* - Washington, DC edition (2013-2014; 2017)
- Recognized by *The Legal 500 US* for having expertise in International Trade (2014-2019)
- Named a Trade & Customs Expert by *Who’s Who Legal* (2018)
- Recognized by *BTI* as a “Client Service All-Star” (2013)
- Recognized in *The Guide to the World’s Leading Women in Business Law* (2012)

-
- Named a “Super Lawyer” in *Super Lawyers - Corporate Counsel Edition* (2010-2012)
 - Recognized in *The Guide to the World’s Leading International Trade Lawyers* (2010 and 2012)