

CITY BAR CENTER FOR CLE

THE INS & OUTS OF RECOVERING ASSETS VIA WHISTLEBLOWERS & OTHER TIPSTERS

Thursday, September 27, 2012 / 6:00 p.m. to 9:00 p.m.

This program first analyzes how vast sums of money can be hidden in cases as diverse as tax and securities fraud and divorce. The faculty will then describe the ways whistleblowers or other tipsters may help sniff out these monies. The faculty will also discuss: the problems whistleblowers face in the real world, the advantages and disadvantages of the different whistleblower programs and the difficulty lawyers face in dealing with whistleblowers either as clients or as tipsters. Additionally, the program focuses on the ethical concerns gatekeepers like attorneys, accountants, officers and directors have, in reporting illegal behavior in both the civil and criminal contexts.

Program Chair

Fred L. Abrams
Attorney at Law

Faculty

Jack Blum
Attorney at Law

Jordan A. Thomas
Labaton Sucharow LLP

Agenda

- 6:00 - 6:10 **Introduction & Opening Remarks**
- 6:10 - 7:00 **The Ubiquitous Problem of Hidden Assets**
• How Ponzi schemers, tax cheats, divorcing spouses, etc., may hide assets from domestic authorities and everyone else
• Recovering assets by using whistleblowers/tipsters in your client's court case
 - Following a money trail with spurious or contaminated tips
 - Some civil & criminal law tools
 Fred L. Abrams
- 7:00 - 7:05 **Break**
- 7:05 - 7:55 **Tippling the IRS Via Its Whistleblower Program**
• Swiss Bank Julius Baer whistleblower, Rudolf Elmer
• LGT Group's former Liechtenstein computer technician, Heinrich Kieber
• Dangers and real life consequences of becoming a whistleblower
• Ethical obligations a lawyer has to advise a whistleblower of the risks of whistleblowing
 Jack Blum
- 7:55 - 8:00 **Break**
- 8:00 - 8:50 **The New SEC Whistleblower Program and Other Relevant Dodd-Frank Whistleblower Provisions**
• Overview of the Dodd-Frank whistleblower provisions: the new framework of monetary awards and employment protections
• General requirements: common securities violations, applicable statute of limitations, materiality and procedural rules
• Gatekeeper eligibility: attorneys, accountants, officers, directors and others
• Culpable whistleblowers: the risks and rewards for whistleblowers with potential liability
• Best practices for establishing a culture of integrity and encouraging internal reporting within your organization
 Jordan A. Thomas
- 8:50 - 9:00 **Q & A**

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