

The background of the cover is a dark, abstract composition. It features a large, dark silhouette of a woman's head and shoulders in profile, facing left. Overlaid on this and the background are various patterns of leaves and foliage, some in shades of green and blue, others in purple and pink. The leaves are semi-transparent, creating a layered effect. The overall aesthetic is artistic and modern.

GIR

Global Investigations Review

2018

**WOMEN IN
INVESTIGATIONS**

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This year GIR once again shines a spotlight on female practitioners in our second Women in Investigations special. The white-collar world is filled with female investigations practitioners whose reputations and résumés speak for themselves, and this special serves to demonstrate the wide variety of talented women – from government enforcers to the next generation of investigators – who form part of the worldwide investigations community and we think GIR readers should get to know. The final 100 were chosen following an open nomination process where we encouraged GIR readers to present up to three names along with compelling reasons for why those individuals deserved to be featured.

The special comes after almost a year of unprecedented dialogue around systemic problems female professionals contend with in the workplace, ranging from pay disparities to sexual harassment to an institutional lack of opportunities afforded to women and minorities.

Part of that conversation was sparked by the #MeToo movement that rose up following reports in late 2017, from both *The New York Times* and *The New Yorker* on the decades of alleged sexual assault and harassment by Hollywood film producer Harvey Weinstein.


The legal community has not been immune to the problems with

sexual harassment and diversity. Since the first reporting on Weinstein, a survey of 1,000 lawyers by a UK trade publication revealed that 42% of respondents had experienced sexual harassment in the workplace. Meanwhile, research management consulting firm McKinsey & Company in 2017 showed that women in North American law firms are 29% less likely to reach partnership in law firms compared to their male colleagues.

In February 2018, research by GIR Just Anti-Corruption revealed that, since 2004, the US Department of Justice (DOJ) has awarded compliance monitorships in FCPA matters to 40 men and just three women. The issue has not gone unnoticed, and in a recent settlement with Japanese electronics company Panasonic Avionics Corporation, the DOJ for the first time ever added a clause that monitor selections shall be made in keeping with the department's commitment to diversity and inclusion, a development lauded as a milestone.

While casting more light on these issues can only be seen as positive, these reports also show how much work remains to be done.

When we launched GIR's first Women in Investigations survey in 2015, we featured individuals including the head of corruption at Norway's anti-corruption body Økokrim, Marianne Djupesland;



the head of global compliance at Baker McKenzie, Mini vandePol; and recent GIR Lifetime Achievement Award winning Steptoe & Johnson partner Lucinda Low.

Several of the previous nominees have gone on to scale greater heights since featuring in the 2015 special. For example, Louise Hodges at Kingsley Napley was appointed head of criminal litigation at the firm in 2017 and, in 2018, Freshfields Bruckhaus Deringer promoted Hong Kong partner and 2015 nominee Georgia Dawson to managing partner for the Asia-Pacific region.

Other 2015 nominees have left established firms to open their own investigations shops. Former Trench Rossi Watanabe associate Erica Sellin Sarubbi left the firm in 2016 to open investigations boutique Maeda Ayres & Sarubbi Advogados, while in 2018, Lalive counsel Sonja Maeder Morvant left the Swiss firm to launch an investigations practice at Geneva firm OHER.

One of our main aims for this special has been – and continues to be – to showcase the breadth and depth of talent among the women in the international investigations space. Since the inaugural 2015 special, many of those featured told that their inclusion had helped build lasting professional relationships. It is our hope that the nominees on the 2018 list will be welcomed to the fold to continue to foster that network of female investigations practitioners.

In the 100 profiles in the 2018 special, the nominated women tell us what they bring to the table as

investigators, their biggest career accomplishments to date, and their thoughts on how to create and promote inclusivity at work. We hear from individuals including Isabel Costa Carvalho at Hogan Lovells in São Paulo, Deborah D'Aubney at Rolls-Royce, and former US Deputy Attorney General Jamie Gorelick, now a WilmerHale partner, who said that “women need to make sure that other women have opportunities and more men need to see the talents that women bring to the table.” From the UK’s Serious Fraud Office, prosecutor Emma Luxton shares why the prosecution of a UK printing company was the highlight of her career so far.

We also asked the nominees to comment on the other side of their lives: what do they do outside work that makes them a better investigator? What are the facts about them that not people may know? And as the investigations world seems to attract the adventurous, we’ve also got lawyers to tell us the most exciting place their work has taken them.

In the profiles, lawyers recount raking wet concrete in Mongolia, visiting the home of the UK’s prime minister at 10 Downing Street, and being in Cairo during the Arab Spring. One lawyer created an award-winning rum cocktail recipe while seven-months pregnant; another once beat Daniel Day-Lewis in an acting competition.

Read on for the full list nominees and abridged versions of their profiles. The full-length profiles are available on: globalinvestigationsreview.com



Jodi L. Avergun
Cadwalader Wickersham & Taft
Chair of white-collar defence and
investigations practice
Washington, DC

I knew that a defence and investigations practice was right for me because it offered me the perfect combination of things I love and things I am highly skilled at. I have always been very good at figuring out why things go wrong and coming up with solutions to prevent them from happening again. In addition, I am naturally and by training an excellent judge of character and an intuitive investigator as a result of my lengthy tenure as a federal prosecutor.

The practice still requires those skills, though, of course, changes in technology – such as artificial intelligence for document review – have materially improved how we can narrow issues and get to the crux of a matter sooner than before.

I have been very fortunate to have many highlights in my career, and it is hard to limit it to just one. Certainly, being elected to the partnership of Cadwalader was the pinnacle of my professional life in private practice. Being part of the storied 225-year history of Cadwalader, which was the first Wall Street firm to elect a woman to equity partnership in the 1940s, is a dream come true. But perhaps a different kind of highlight was running a number of sensitive investigations in Colombia which, combined, ultimately brought down the leadership of the Revolutionary Armed Forces of Colombia (FARC) and the Norte de Valle cartel. These were extremely dangerous but incredibly important assignments at that time and, at least in part, these cases helped move Colombia from a war-torn narco-state to the thriving western democracy it is today.

My first big opportunity came quite early in my career. I was given the responsibility to handle an important and somewhat challenging firm client. Ultimately, I tried a case in federal court on his behalf when I was just two years out of law school. That case led me to my move to the government and my work as a federal prosecutor and then ultimately to Cadwalader.

I have been fortunate not to have faced many barriers. I have worked for and with male and female colleagues who appreciated me for my skills and strongly supported me throughout my career. I can cite one self-inflicted barrier: I never served as a judicial clerk. In retrospect, working

day-to-day with a judge would have been intellectually and professionally challenging and would certainly have helped me in my career.

I am a highly pragmatic person. This enables me to advise a client as to how to fashion a reasonable investigation that is designed to get to an efficient answer. I am also an outstanding listener and rarely prejudge an outcome. I find that too many attorneys who conduct interviews during investigations approach their tasks with a pre-conceived notion of what occurred and, as a result, they focus their questions on supporting that judgement. I have learned over the years to carefully listen to what the witness is saying and how they are saying it. This enables me to follow up on responses without losing track of the ultimate goal of the interview.

I am a mum to young adults who live in different cities from me. Keeping track of them and reading between the lines of their communications with me and their dad keeps my investigative skills quite sharp.

I'll never forget that a former employer told me that situational awareness was the most important skill that I could bring to my job. She meant that having a deep understanding of my client and the key elements that impacted it – whether that client was a business, an individual, a professional sports league or a US federal agency – would allow me to provide the best advice possible to that client. She also told me to never go into a meeting without knowing the most recent news about that client.

The worst advice I ever received was from a partner at my first law firm. He told me that I was too short to command the respect of a jury, so that I should not strive to be a trial attorney. Twenty years and countless successful verdicts later, I think I have proven him wrong.

Unquestionably, the big talking point is the GDPR and how it will impact how we can collect data in cross-border investigations. All of my clients are putting in place processes and procedures to comply with the new law without sacrificing their ability to review emails and other data pertinent to an investigation. I rarely have a conversation with other colleagues in investigations that does not address GDPR readiness.

I would like to see law firms and other legal industry participants emulate what we have done at Cadwalader. We have an award-winning sponsorship initiative – the task force for women's issues. Identifying sponsors for highly performing women, and then planning with those sponsors and their women protégées as to how to enable them to reach

the heights of success in their own legal careers, has been a tremendous opportunity for me. I work with subject matter experts, firm leaders, many of the top women partners in the firm and the next generation of successful attorneys all at once. Critical to the success of the task force has been the absolute commitment that firm management has to the idea of gender equality. Looking broadly at the industry, a commitment in words accompanied by an investment of resources to train women lawyers, plus a series of financial incentives to law firms that comply with gender equality goals, would all help move us much closer to gender equality.

When I was a child I was terrified of dialling the operator to ask for telephone numbers. Now I make my living asking probing questions! How ironic.

Egypt in the midst of the Arab Spring is the most interesting place my job has taken me. A client suspected misconduct by one of its employees, and it needed to be stopped immediately before reputational harm and potential criminal liability ensued. Having braved Colombian jungles, narco-terrorists and death threats from angry defendants, I was not daunted by the thought of the protests taking place throughout the Middle East. Perhaps that was naïve of me. But it was by far the most interesting, meaningful place in terms of time and place than anything I did before or will likely do in the future.