

CAPABILITY STATEMENT

COMPLIANCE

At Nardello & Co., we help you protect your business by identifying practical solutions to transform compliance weaknesses into opportunities for continuous improvement.

Nardello & Co. offers a dedicated practice that conducts efficient, independent assessments of existing compliance programs. We provide practical guidance to enhance our clients' governance and management of compliance and regulatory risk.

We bring our global knowledge and wealth of in-house and government experience to provide our clients with practical compliance and regulatory advice tailored to their needs.

Our team is composed of former chief compliance officers, in-house counsel for global financial services firms, former US Department of Justice prosecutors, multilingual in-house staff, field experts, and analysts. Our staff has built and managed programs that strengthen core compliance functions, including policy and code of conduct governance, anti-money laundering, anti-corruption, training, documentation, and concern reporting.

We collaborate with clients to identify the relevant ethical, legal, regulatory, and resource considerations and then structure our assessments and advice to help the compliance program address those considerations efficiently and effectively.

We follow developing industry, political, and regulatory trends to enhance a company's ability to monitor and mitigate risk and to respond to regulators around the globe,

Our Services

With Nardello & Co. as your best kept secret, we've got you covered with worldwide capabilities working in your best interest:

- Due Diligence
 - Third-Party Agent & Intermediaries
 - Board & C-Suite Vetting
- Anti-Corruption & Fraud Investigations
 - Foreign Corrupt Practices Act
 - UK Bribery Act Investigation
 - Fraud Investigation Services
 - Forensic Accounting Services
- Litigation & Arbitration Support
 - White Collar Criminal Defense
 - Civil Litigation Support
 - Arbitration Support
- Asset Tracing
- Activist Defense
- Political Risk & Strategic Intelligence
- Digital Investigations & Cyber Defense
- Monitorships & Independent Investigations
- Compliance

in a range of areas, including financial services, securities, anti-corruption, export controls, and economic sanctions. We identify substantive gaps in compliance procedures and develop achievable solutions to address regulatory developments.

Nardello & Co.'s compliance practice assesses whether a company maintains a functioning, governed, documented, and independent compliance program that includes elements recognized by regulators as crucial to proper regulatory risk management. We have expertise in:

- Structuring compliance departments, governing bodies, and governance relationships
- Assessing stakeholders' relationships with compliance functions
- Responding to changing regulatory standards and establishing change management processes
- Reviewing core compliance processes and systems against legal requirements to identify gaps and weaknesses
- Assessing and strengthening the mission, policies, procedures, and training to be clear and appropriately tailored to applicable legal requirements
- Evaluating the sufficiency of compliance monitoring, auditing, and testing
- Preparing companies for regulatory review
- Formulating reasonable and effective plans for remediating process gaps

We also help clients implement risk assessment processes by developing effective monitoring and audit programs. In conducting reviews, we:

- Isolate risks inherent to the client's industry
- Identify risks in all jurisdictions in which the client operates
- Evaluate whether a client's risk assessment incorporates regular input from employees in relevant functions
- Determine whether a client's risk assessment appropriately assigns responsibility to managers in every risk area

At Nardello & Co., compliance is not a checklist. Good compliance is good business. We help you strengthen compliance processes so that your company succeeds.

Why risk it?

Whether you have an urgent situation today or something looming on the horizon, whenever, wherever you need us, we'll work with you to develop custom solutions to meet your needs.

SELECT COMPLIANCE EXPERIENCE



Case Study | **Assessing Global Company's Compliance Program**

Nardello & Co. conducted a review of the European compliance program of a publicly traded global financial services company. The review included a complete evaluation of the program's risk assessment processes and strategic plans, regulatory and enforcement relationships, corporate governance structure, code of conduct, training and communications, compliance testing and auditing procedures, and other policies and procedures such as those related to independent concern reporting, investigation, and documentation. The assessment and recommendations were reported to the client's primary regulator, which received them favorably. As a result of our European compliance program review, Nardello & Co. was retained by the client to review its Asia Pacific and Americas compliance programs as well.



Case Study | **Anti-Corruption Compliance Review in Mauritania**

Nardello & Co. was retained by a European logistics company to assess its compliance with the FCPA, UK Bribery Act, and other anti-corruption legislation. The client wanted to focus on facilitation payments, with an emphasis on the actions of an intermediary in Mauritania. As part of our investigation in Mauritania, Nardello & Co. investigators interviewed key staff members to assess their understanding of anti-corruption legislation. Our team evaluated anti-corruption and anti-bribery policies, procedures, and training materials to ensure they addressed relevant regulatory requirements. We audited records maintained during the ordinary course of business, reviewing customs invoices, petty cash receipts, and other supporting documentation. Finally, we performed a gap analysis and determined that the client lacked formal policies, a code of conduct, and structured training to mitigate corruption risks. At the recommendation of Nardello & Co., the company implemented a formal, documented anti-corruption program.



Case Study | **Overhaul of Fortune 500 Company's Global Compliance Program**

A Fortune 500 manufacturing company retained Nardello & Co. to assess its risk exposure and its intermediaries' compliance with anti-corruption regulations. Nardello & Co. performed an FCPA-focused due diligence investigation to vet numerous prospective intermediaries around the world. As part of this assessment, our team reviewed program governance policies and procedures, training standards, and the results of intermediary due diligence assessments. The investigative team audited high-risk intermediaries in half a dozen countries. These audits included background investigations, site visits, interviews, an analysis of contracts, and on-site transaction testing and forensic review. We also worked with the client to revise and strengthen its risk matrix. Nardello & Co.'s findings led the client to restructure certain regional distributor and intermediary networks, terminate several intermediary contracts, review internal staffing structures, and revise its training program in high-risk jurisdictions.



Case Study | **Probing Internal Controls in Chinese Distribution Network**

Nardello & Co. was engaged by a foreign car-parts manufacturer to conduct an investigation into its distribution network in China amid non-specific corruption concerns within the industry. We conducted interviews with the management of the distribution intermediaries to discuss their business operations and compliance procedures, and compare the dealers' own descriptions of their operations and networks with the findings from our investigation. The interviews revealed that a number of intermediaries had poor or nonexistent internal controls, demonstrated little understanding of the client's anti-corruption and compliance requirements and, in two cases, provided false or misleading testimony about their businesses to us during the interviews. The client used these findings to restructure its compliance program and distribution network.

WHAT SETS US APART

Nardello & Co.'s adherence to core values has led clients to retain us time and again on matters of the utmost importance and sensitivity. Our relationships are built on:

- **Integrity.** Acting ethically and legally is of paramount importance to us. We respect the laws of the countries and the jurisdictions in which we work. We regard our clients' confidences as sacrosanct and we rigorously screen for conflicts.
- **Analysis. Creativity. Thoroughness.** We don't believe in menu-driven investigations or a democracy of facts. Our investigations are exhaustive but focused. We are adept at teasing out inferences, providing corroboration, and separating "information" from evidence.
- **Responsiveness. Hands-on management.** We focus on our clients' objectives and tailor our investigative strategies accordingly. There are no layers between the professionals who do the work and the clients we serve.
- **Client focus.** We communicate with our clients clearly, succinctly, and in real time. We respect budgets and deadlines.
- **Independence. Collaboration.** We are independently owned and answer only to our clients—not to investors, not to shareholders. Instead of competing, our offices collaborate to provide our clients with seamless service.

No parachutes needed

We're already on the ground with in-country resources worldwide. We speak the language, we're on top of the politics, we understand the regulatory environment, and we know the key players.

About our firm

Nardello & Co. is a global investigations firm whose experienced professionals handle a broad range of issues including due diligence, anti-corruption & fraud investigations, civil and white collar criminal litigation and arbitration support, asset tracing, activist defense, political risk and strategic intelligence, digital investigations and cyber defense, monitorships and independent investigations, and compliance.

Our clients include the world's leading law firms and financial institutions, Fortune 500 and FTSE 100 companies, high-net-worth individuals and family offices, governments, NGOs, sports organizations, and academic institutions.

With offices in New York, London, Washington DC, Hong Kong, Tokyo, Milan, and Dubai, Nardello & Co. maintains a professional staff that includes former US federal prosecutors, US and international lawyers, former law enforcement personnel and intelligence operatives, licensed investigators, research analysts, former journalists, financial crime specialists, forensic accountants, and computer forensic experts.

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