

[Lawyer Admonished for Helping Client Leak GE Docs to Media](#)

A prominent attorney to whistle-blowers was admonished by a Washington disciplinary panel for helping a fired General Electric in-house attorney leak damaging information about GE to law enforcement officials and journalists, according to a [Bloomberg Law report](#).

Plaintiffs' lawyer Lynne Bernabei represented Adriana Koeck, who was also a respondent in this case. The ethics charges against Bernabei, Koeck, and a third lawyer—Notre Dame Law Professor G. Robert Blakey—were tied to events that occurred after GE fired Koeck in 2006, explains reporter Samson Habte.

Bernabei and Blakey allegedly advised Koeck to leak confidential GE documents that Koeck downloaded to support a whistle-blower retaliation claim against the company under the Sarbanes-Oxley Act.

[Read the Bloomberg article.](#)

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Developments in Employee Whistleblower Litigation

Jackson Lewis has posted an [on-demand webinar](#) exploring recent developments and important decisions in whistleblower litigation under the Sarbanes-Oxley Act and the Dodd-Frank Act.

Presenters are [Richard J. Cino](#) and [Joseph C. Toris](#).

Topics for the free webinar include:

- The expansion of the definition of a whistleblower;
- The weakening of the standard of proof in employee whistleblower cases;
- The necessity for an effective policy and a thorough and prompt investigation.

[Watch the on-demand webinar.](#)

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Managing Legal Risks and Cultural Issues in Cross-Border and Whistleblower

Investigations



AltaClaro will present a complimentary [webinar](#) focusing on managing legal and cultural risks in cross-border investigations. The event will be Wednesday, July 26, 2017, beginning at noon Eastern time.

Expert panelists Jon Abernethy (Partner, Cohen & Gresser LLP) and Andrew Curtin (Global Head of Investigations, AIG) will join AltaClaro Founder & CEO and former Deputy General Counsel of Mitsubishi UFJ Financial Group, Abdi Shayesteh, will be presenters.

In this interactive, live webcast, Abdi will moderate Abernethy's and Curtin's discussion of the following topics:

(1) Handling multi-jurisdictional approaches to privileged communications in the aftermath of the recent U.K. decisions in Eurasian Natural Resources Corporation Ltd. and The RBS Rights Issue Litigation

(2) Identifying potential cultural challenges and local laws that may impede an effective investigation and prevent a one-size-fits-all approach to designing internal processes and procedures within multinational organizations

(3) Implementing best practices when preparing for and coordinating effective internal investigations across international lines

[Register for the webinar.](#)

Bio-Rad to Pony Up \$3.5m in Legal Fees for Ex-GC/Whistleblower

Bio-Rad Laboratories has agreed to pay \$3.5 million in legal fees for the team that represented former general counsel Sanford Wadler during a whistleblower retaliation lawsuit Wadler brought against his former employer, [reports MassDevice.com](#).

The agreement came after a federal jury in California awarded Wadler \$11 million in the lawsuit he brought against Bio-Rad. The jury awarded Wadler \$2.9 million in back pay and stocks and \$5 million in punitive damages, with the back pay award slated to be doubled, bringing the total award to \$10.8 million, reports [Sarah Faulkner](#).

“Wadler, who was fired in 2013, alleged that he was let go right before the company was planning to present findings from a bribery investigation in Russia, Thailand and Vietnam. Wadler accused the company of stonewalling his efforts to uncover evidence of similar bribery in China,” Faulkner writes.

Writing about the case on the website of Baker Donelson, shareholder [Robert E. Hauberg Jr.](#) explains that the court had ruled Wadler could use as evidence otherwise privileged materials, because the Sarbanes-Oxley Act’s protection of whistleblowers pre-empted the attorney-client privilege. (See [“Whistleblower General Counsel Prevails Through Use Of Attorney-Client Privileged Information.”](#))

[Read the MassDevice.com article.](#)

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Katz, Marshall & Banks Partner Co-Authors Whistleblower Law Practitioners Guide



[Lisa J. Banks](#), co-founding partner of [Katz, Marshall & Banks, LLP](#), is co-author of the recently released book “Whistleblower Law: A Practitioner’s Guide.”

Available in eBook and print formats from its publisher, ALM’s Law Journal Press, the book is a practical, comprehensive guide to rapidly evolving whistleblower law and the numerous and often complex issues facing practitioners today from both sides of the whistleblower bar, the firm said in a release. Banks, along with Gibson, Dunn & Crutcher LLP Partner Jason Schwartz, have written a balanced view of the law useful to both whistleblower advocates and defense counsel alike.

The book’s topics include:

- Major legislation, including the False Claims Act of 1863, the Sarbanes Oxley Act of 2002, and The Dodd-Frank Act;

- Whistleblower protection for employees across a broad spectrum of industries, including the nuclear and environmental, consumer and investor, and transportation fields;
- Survey of state whistleblower laws in the 50 states and the District of Columbia;
- Whistleblower incentive programs, including those from the U.S. Securities and Exchange Commission (SEC), U.S. Commodity Futures Trading Commission (CFTC), and Internal Revenue Service;
- Unique challenges faced by whistleblowing attorneys and compliance officers; and
- Employer considerations, including preventative measures, investigations, disclosures, privilege and settlements.

In her review of the book, Danielle Brian, Executive Director of the Project on Government Oversight, said: "As a federal government watchdog, I often work with corporate and government insiders with first-hand knowledge of matters vital to the public interest. Whistleblowers are the first and best line of defense against waste, corruption, and other misconduct by the government and its contractors. This book is simply without equal as a comprehensive, non-biased guide to the current landscape of federal and state whistleblower law."

Roel Campos, former Commissioner of the U.S. Securities and Exchange Commission and current Chair of the Securities Enforcement Practice at Hughes Hubbard & Reed added: "Lisa Banks and Jason Schwartz have given lawyers an excellent resource for navigating the growing maze of whistleblower laws that impact on nearly every practice area today. For attorneys involved in the heavily regulated financial markets, where whistleblowers are playing an increasing role, the authors not only equip practitioners with an in-depth knowledge of statutes and case law, but they also provide insightful

practice tips for that can help both sides of the bar counsel their clients on the handling of whistleblower issues as they arise and unfold. This fresh look at whistleblower law and practice is a go-to resource for in-house counsel, compliance officers and whistleblowers alike.”

CFTC Issues \$10M Whistleblower Award



The U.S. Commodity Futures Trading Commission (CFTC) Whistleblower Office [announced](#) on April 4 that it would issue an award of more than \$10 million to a whistleblower whose information led to a successful CFTC enforcement action, reports Katz, Marshall & Banks [on its website](#).

“The award was the largest the agency has ever issued. The recipient of the award and the company penalized were not disclosed – steps purposefully taken by the CFTC to protect the confidentiality of whistleblowers who are concerned about the effect that blowing the whistle may have on their career,” the firm wrote.

“Awards like this one show whistleblowers that blowing the whistle is worth the risk, and will go a long way toward solidifying the CFTC Whistleblower Program,” said [Lisa J. Banks](#) a partner in the firm.

[Read the article.](#)

