

*This is your Release #1 (August 2009)*

# **Securities Investigations**

*Internal, Civil and Criminal*

**by Mayer Brown LLP**  
**(Richard J. Morvillo, Editor)**

This first release to *Securities Investigations: Internal, Civil and Criminal* updates the treatise with the latest information and practical advice about government and internal investigations involving the securities markets. Editor Richard J. Morvillo and an expert group of contributing authors have updated three chapters.

Highlights of Release #1 include:

**New section 4:5.4, New Federal Rule of Evidence 502**, discussing new Rule 502, which was signed into law on September 19, 2008, and enacted to provide further guidance on privilege waivers.

**Updated section 4:6.2, Today's Climate: Rule 502, The Filip Memorandum and Beyond**, discussing the continued criticism of the McNulty Memorandum in light of the enactment of Rule 502, and the resulting Filip Memorandum, which is the Justice Department's latest policy regarding what factors a prosecutor should consider in deciding whether to charge a corporation.

**Updated section 4:6.3, Recommendations**, discussing the kinds of cooperation that can be accomplished short of waiving significant attorney-client and work product protections when cooperating with governmental authorities.

**Updated section 14:4.2[B], The DOJ's New Approach—The McNulty Memorandum**, discussing the McNulty Memorandum and the DOJ's August 28, 2008 issuance of revised Corporate Prosecution Guidelines.

**Updated section 14:4.2[C], The SEC**, discussing the SEC's position on waivers of privilege contained in its October 6, 2008 release, the SEC Enforcement Manual "Red Book."

**New Appendix C, Corporate Charging Guidelines**, containing the August 28, 2008 DOJ Revisions to Corporate Charging Guidelines, and including Deputy Attorney General Mark Filip's remarks at the press conference and the DOJ's press release announcing these revisions.

*(continued on reverse)*

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**Chapter 6, Employment Issues in Securities Investigations** and the **Index** have also been updated.

In addition, a new **Table of Authorities** is included to aid in your research.

Thank you for subscribing to *Securities Investigations*, the essential resource for information and practical advice about investigations involving the securities markets. If you have questions about this book, or would like information on our other products, please contact customer service at (800) 260-4PLI.

**Filing Instructions**

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