

Greater Pittsburgh Chapter

October 2009
Volume 10 Issue 3



The ACFE is the professional organization for fraud examiners. The mission of the ACFE is to reduce the incidence of fraud and white-collar crime, and to assist the membership in its detection and deterrence.



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October 14, 2009 Meeting

William A. Penrod, Esq. President, Corporate Security & Investigations, LLC Utilizing Private Investigation Firms in Fraud Investigations

William A. Penrod has an extensive history as a risk manager, lawyer, consultant and advisor to corporations, law firms and investment funds. Bill currently is a President at Corporate Security & Investigations, LLC. He manages and assists in the operation of the offices in Pittsburgh, Columbus, Denver and Wilmington, DE.

Bill manages cases for clients internationally. In the past, Bill has worked on projects in China (Foreign Corrupt Practice Act), Korea (internal investigation), Russia (pre-acquisition due diligence) and the United Kingdom (patent infringement) and on cases in 25 states including, California, Colorado, Ohio, Pennsylvania, and Texas.

Prior to taking his current position, Bill was a risk manager, consultant and advisor for Gentile



Upcoming Chapter Events

October 14, 2009

William Penrod, CSI
Private Investigators in Fraud Investigations

November 11, 2009

Patrick Donnelly, Special Agent, Social Security Administration, Office of the Inspector General

Upcoming ACFE Events

www.acfe.com

ACFE Webinar

Sarbanes-Oxley 404 Best Practices & Economic Uncertainty

October 22, 2009 at 2:00 PM EDT

Level: Advanced **Duration:** 100 minutes **CPE Credit:** 2 hours

Prerequisite: None

It has been more than 7 years since the Sarbanes-Oxley Act (SOX) was enacted and even small public companies have at least a few years experience with it. This advanced-level webinar will discuss recent guidance from the SEC, PCAOB and COSO and today's best practices. The goal of the class is to save your company time and expense in compliance efforts by implementing a top-down risk-based approach to preventing or detecting material financial statement fraud and errors.

What You Will Learn:

- Review of recent SOX guidance from SEC, COSO, and PCAOB
- Ways to save time and money on SOX compliance efforts. This includes:

Meinert & Associates, Inc., the parent company of CSI. In that position, Bill conducted numerous investigations and opened and oversaw the Cleveland, Ohio office.

From 1999 – 2005, Bill was the Vice President and General Counsel for Klink & Co., Inc., a risk management firm headquartered in Pittsburgh, PA. In those positions, he was primarily responsible for sales and marketing of risk management products in the Pittsburgh and Cleveland markets, as well as leading and assisting in investigations for corporate clients. During his tenure at KCI, Mr. Penrod led multimillion dollar fraud, litigation and asset recovery investigations in the United States, Caribbean, United Kingdom, Germany and Eastern Europe. He, also, was the lead in several security risk management assessments for public and private corporations and non-profits organizations. In addition, several of Mr. Penrod's clients were venture and equity capital firms, for whom he performed pre-deal due diligence background investigations.

As an attorney, Mr. Penrod's practice focused on litigation. He participated in over 100 trials and was a member of the American Board of Trial Attorneys. He was on the team that successfully argued Ferens v. John Deere, 494 US 516 (1990) before the United States Supreme Court. He was also successful as lead counsel for the plaintiff in Skerski v. Time Warner, 357 F.3d 273 (2001), a reasonable accommodation employment action that was widely cited and discussed in employment and legal publications.

Mr. Penrod is licensed to practice law in the Commonwealth of Pennsylvania and is a licensed private investigator in the State of Ohio.

September 9, 2009 Meeting

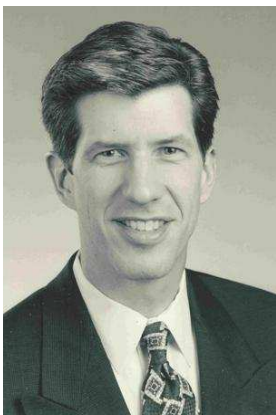
Attorney Charles Bobinis Presents on the Key Elements of E-discovery to Consider When Conducting an Investigation.

- o Ensuring proper project scope
- o Use of monitoring
- o Sub-certification
- o Negotiating SAS 70
- o Performing risk assessment
- o Re-evaluating key controls
- o Obtaining external auditor reliance

Who Should Attend:

- Certified Fraud Examiners, internal and independent auditors who are involved with SOX compliance
- Audit committee members
- Chief Financial Officers
- Controllers
- Business risk consultants
- Internal Auditors and External Auditors
- Corporate Counsel
- Compliance Officers
- SOX Consultants
- Business Risk Consultant

Speaker:



[William Douglas, CFE, CPA, CIA](#)

Licensed Private Investigator Principal
Cost Advisors, Inc. Risk Management,
Fraud & Recovery

Early Bird Pricing:

Member: \$99

Charles Bobinis, a Partner and Senior litigator with the Bernstein Law Firm gave an interesting and informative presentation on the e-discovery issues that one may encounter in conducting investigations, in or outside the context of litigation. Chuck touched on a number of subjects in this important and complex area of investigation. He provided participants with a great deal of food for thought in gathering and utilizing electronic evidence in an investigation. Check explained that electronic discovery refers to the discovery of electronic documents files and data including files, e-mails, web pages, computer databases and the like. Basically it includes obtaining and utilizing virtually anything that is stored on a computer or electronic device. Mr. Bobinis cautioned that e-discovery does not relate only to computers but rather also includes other electronic devices such as PDA's, voicemail systems, flash memory devices and the like. These should not be overlooked in an investigation.

Mr. Bobinis detailed some of the more relevant case law that governs e-discovery issues. He specifically addressed the 2006 E-Discovery Amendments to the Federal Rules of Civil Procedure (2006 Amendments). He also discussed the implications of the Medtronic case.

E-discovery is important because a great deal of all corporate communications never appear in paper format...rather, almost all information is electronically created and utilized in this manner (emails, paperless transactions, etc)

Chuck pointed out that e-discovery can be very costly, as there can be substantial costs to locate, recover, review, and produce relevant information. It is the investigators job to find cost effective ways to handle this for your client.

Mr. Bobinis also explained that there are services and firms out there that can assist in the process. These includes a range of firms that perform services from copying and analyzing hard drives, to using complex programs to search for key documents that may be crucial in an investigation.

Non-member: \$149 Early Bird Pricing ends on October 9

Regular Pricing:

Member: \$129

Non-member: \$179

Membership Renewal Time

In this challenging economy, success depends on staying up-to-date, being relevant and providing value. Your ACFE Pittsburgh Chapter membership enables you to remain a vital resource to your company. Chapter membership also enables you to maintain your CFE designation and provides networking opportunities through our monthly meetings.

Renew your membership now to continue the benefit of membership. To renew, bring your invoice with payment to the August meeting or return it via postal mail as indicated in the invoice. Not a member, complete the attached membership form today.

Please contact Kelvin Pier at kpier@acfe-pgh.org if you have any questions. Thank you for your support of the Pittsburgh Chapter.

Chuck detailed how not only the content of the files are helpful but also the underlying metadata which can provide valuable information in a case. He provided a few interesting stories about situations where metadata was successfully utilized to resolve key issues in a case. We thank Mr. Bobinis for his well received presentation. If anyone has any further questions on this issue or needs assistance with e-discovery issues, Mr. Bobinis can be reached at cbobinis@bernsteinlaw.com.



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