



Alexander Birkhold

Partner

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A significant case I've worked on

From 2019 to 2023, I had a lead role in and managed the day-to-day operations of the first FCPA monitorship of a Russian company, Mobile TeleSystems, imposed by the DOJ and the SEC. During the monitorship, I helped the company and its approximately 100 subsidiaries design and implement an enhanced anti-corruption compliance program, including new investigative procedures and reporting mechanisms. It was a privilege to work collaboratively with different stakeholders from the government, the company's leadership and the company's compliance, audit and business functions to develop effective compliance improvements. In contrast to purely investigatory work, I spent significant time testing and measuring the effectiveness of our team's remedial recommendations and the company's corrective actions to ensure the root causes of the underlying issues were addressed in a sustainable manner. It was a challenging engagement – especially considering the pandemic and geopolitical conflict – but I am proud of the result. I am also in awe of the hardworking people who were engaged in this project and it renewed my belief that a strong compliance function can help transform an organisation and simultaneously support its business operations.

A significant person in my career

Peter Unger, partner at ArentFox Schiff, who was appointed counsel to the monitor by the DOJ and SEC in the FCPA monitorship, changed my career. Peter set the tone for a productive – rather than defensive – engagement and brooked challenges with patience and pragmatism. Peter trusted me to play a leading role in that project and gave me the opportunity to regularly interact with the US government and the company's management team. I also worked almost daily with the monitored company's compliance and audit teams. Peter's leadership taught me crucial lessons about how to collaboratively and creatively approach compliance challenges with different stakeholders.

A piece of advice I would give to my 25-year-old self

Do not forget to be yourself. I started work at one of the world's largest law firms just after turning 26. My docket was filled with international bribery and corruption investigations, and I was working closely with brilliant and supportive practitioners. At the time, however, it felt like this work was dominated by straight, white and male former prosecutors. As a young gay man, I worried that I did not sound like everyone else at the table. I wondered if I should emulate the men leading these cases. Eventually, I learned that being the exception in the room was an asset; I had a different ability to connect with the individuals we were interviewing, and they often asked that I shepherd them through interactions with the government and not the senior partners. I would encourage my younger self to be authentic, master the facts and law, and believe that there is room at the table for everyone.

My favourite movie is...

One of my favourite movies is *Drop Dead Gorgeous*.

If my job wasn't a lawyer/investigator, I would probably be...

A not-very-well-paid violinist. I play every week with the Pasadena Community Orchestra and my husband teaches at The Juilliard School and University of Southern California, so our home is filled with music.

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References

“ I worked closely with Alexander during my time as the DOJ and SEC-appointed anti-corruption compliance Monitor for a global company (from 2019 to 2023). In addition to possessing all the key tools in an investigator's toolbox, he showed an outstanding ability to deploy sound monitorship strategies. He could effectively marshal resources and teams to drive results while protecting the integrity of the process. I witnessed his organisational skills as he managed the daily operations of our four-year project and saw his commitment to maintaining a fair and deliberate approach to his work – often in difficult circumstances. ”

Leonard McCarthy

Former head of the World Bank's Integrity Vice Presidency

“ I have worked with Alex for years on monitorships and investigations. His ability to manage complex workflows and diverse teams has been essential to our success. Alex is always in command of the strategic context of his work and the details. Alex is a dynamic and flexible investigator and I have seen him overcome challenges (including working with a Russian company through a pandemic and a war) to perform thorough and credible work. He is a skilled fact-finder with an uncanny ability to connect with individuals in different jurisdictions. People enjoy working with him, even those on “the other side”. ”

Peter Unger

Partner at ArentFox Schiff