

Selected Bibliography of Resources Susan Hackett (hackett@acc.com)

November 2007

"Corporate Counsel in the Crosshairs: Emerging Theories of Liability, Culpability and Responsibility as the Role of In-House Lawyers as Gatekeepers Evolves Post-Enron"

ACC's webpage on gatekeeping / liability issues: http://www.acc.com/php/cms/index.php?id=371

General Reading

ACC Reports: In-House Counsel in the Crosshairs (2007) – a report on liability trends affecting in-house counsel in recent civil and criminal prosecutions http://acc.com/resource/getfile.php?id=8918

How Can Corporate Counsel Avoid Getting Caught in the Crosshairs? (ACC 2005) http://www.acc.com/resource/v6367

Paradise Tarnished: Today's Sources of Liability Exposure For Corporate Counsel (ACC by Lucian T. Pera; Brian S. Faughan, 2004)
http://www.acc.com/resource/v4960

Corporate Crime: New Voices Question Corporate Criminal Liability, by Audrey Strauss, NYLJ 07-05-2007:

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In-House Counsel as Gatekeepers

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Metamorphosis of In-House Counsel Continues, Susan F. Friedman (Law.com February 22, 2007):

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In-House SEC Gatekeepers Should Watch Their Backs, Jay A. Dubow and Jill L. Mandell (Law.com, March 1, 2006):

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Setting an Example, Tamara Loomis (Law.com February 1, 2005) http://www.law.com/jsp/ihc/PubArticleIHC.jsp?id=1105364102703

Blowing the Whistle: Guidance to In-House Lawyers in England and Whales on Whistleblowing and Corporate Governance, Commerce & Industry Group (April 2007): http://www.cigroup.org.uk/assets/whistle-blowing.pdf



Corporate Governance Programs for Reporting Concerns: What Companies are Doing (ACC Leading Practice Profile, 2005): http://www.acc.com/resource/v6527

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Backdating and Exec Comp Cases in the News

Top Ten Lessons Learned by CLOs about Executive Compensation From the Stock Options Crises, by Susan Hackett, Senior Vice President & General Counsel, ACC (2007): http://www.acc.com/resource/v8042

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Former Brocade CEO Found Guilty on All Counts, by Justin Scheck (Law.com, August 8, 2007): http://www.law.com/jsp/ihc/PubArticleIHC.jsp?id=1186563722035

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Webcast): http://acc.com/resource/v6761 (Transcript: http://acc.com/resource/v7089)

SEC's Proposed Rules on Executive Compensation (ACC Webcast): http://acc.com/resource/v6712 (Transcript: http://acc.com/resource/v6820)

Backdating Stock Options (ACC Webcast): http://acc.com/resource/v7479 (Transcript: http://acc.com/resource/v7611)

Once Bitten, Twice Shy: The Impact of the SEC's Proposed Rules on Executive Compensation: (Article 2006) http://acc.com/resource/v7293

Other material on liability related subjects

Lawyers as Whistleblowers: The Emerging Law of Retaliatory Discharge of Inhouse Counsel (Lucian Pera for ACC, 2004): http://www.acc.com/resource/v4951

In-House Counsel as Whistleblower / Sarbanes-Oxley Whistleblowers: Avoiding the Nightmare Scenario (ACC Docket 2006): http://www.acc.com/resource/v7106

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Conflicts of Interest Issues

Conflicts Management Programs (ACC Leading Practice Profile 2003): http://acc.com/resource/v6298

Conflicts of Interest Issues Involving Outside Counsel (ACC Docket 2001): http://www.acc.com/resource/v833

Conflicts & Waivers InfoPAK (ACC InfoPAK 2007): http://acc.com/resource/v4987

Lawyer Mobility Issues

ACC's MJP (Multijurisdictional Practice) Homepage: complete resources and state by state charts on admission and licensing issues for lawyers in general and in-house counsel in specific: http://www.acc.com/php/cms/index.php?id=229

Which Leading GCs Are Operating Without a License? (Elizabeth Amon, Corporate Counsel, April 5, 2007):



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