

# Sara Holzschuh

## Partner



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## Overview

Sara Holzschuh is a member of Dentons' White Collar and Government Investigations practice, advising and representing entities and individuals that are targets or subjects of government investigations or enforcement actions, and leading or conducting internal investigations into potential or alleged violations of cross-border anti-bribery and anti-money laundering laws, trade sanctions and export controls. Where a government investigation has resulted in initiation of a formal enforcement action, Sara has vigorously defended clients against actions brought under the anti-bribery provisions of Foreign Corrupt Practices Act, federal anti-money laws and regulations, as well as cases alleging mail, wire or tax fraud or violations of the federal False Claims Act.

Sara regularly counsels and represents individuals under investigation or already charged by the US Department of Justice (DOJ), the Securities and Exchange Commission (SEC), the Federal Bureau of Investigation, the US Department of Commerce, the Department of Homeland Security and other agencies; and has conducted or directed internal investigations for, and zealously defended in administrative criminal and civil proceedings, both domestic and multinational companies and their senior management, boards of directors and special committees, across a range of sectors, including energy, mining, construction, manufacturing, transportation, software, textile, food processing, pharmaceutical and healthcare.

A former prosecutor herself, Sara understands the full spectrum of compliance risks companies face in the current enforcement environment, and her practice includes counseling clients on risk avoidance and mitigation wherever they do business. In coordination with her colleagues around the world, Sara conducts risk assessments and compliance program benchmarking reviews, recommending enhancements as needed; assists with the development and implementation of US national and global compliance programs; creates compliance training programs for employees and compliance officers; and conducts investigations into suspected violations of compliance policies and standards; as well as defending clients in enforcement actions that stem from compliance failures.

Prior to entering private practice, Sara was a special assistant US attorney (SAUSA) on the Organized Crime Strike Force / Violent Crimes Unit of the US Attorney's Office for the Western District of Missouri, where she served as prosecutor on Project Ceasefire, a Project Safe Neighborhoods initiative comprising federal and state enforcement agencies dedicated to the pursuit, capture and prosecution of violent criminals found to be in illegal possession controlled firearms or explosive devices. Sara represented the government in all phases of prosecution, including investigations, complaint procedures, grand jury practice, post-indictment hearings, legal research, pretrial motion practice, courtroom advocacy through verdict, appellate brief drafting and argument, and responding to alleged

violations of supervised release. Prior to joining the US Attorney's Office, she was employed by The Tax Institute at H&R Block.

Currently, she is co-leader of an innovative online legal reference tool she helped develop to facilitate clients' awareness and understanding of global anti-bribery and anti-corruption laws. In connection with this, she regularly works with colleagues worldwide to review the web of anti-bribery and anti-corruption laws.

## Experience

### Global anti-bribery investigations and compliance

- **Global health care/medical device company:** Represented the company in connection with various multi-jurisdictional investigations into alleged FCPA and US economic sanctions violations; conducted and oversaw compliance risk assessments of hundreds of transactions in more than 50 countries; and conducted internal investigations of subsidiaries in Europe and Asia.
- **Multinational electronics and technology company:** Operated as an interim compliance officer, advised on compliance program design and implementation for a company undergoing multiple enforcement agency investigations for violations of foreign bribery laws.
- **Multinational energy companies:** Provided US anti-corruption advice to international energy consortiums regarding consortium-funded social infrastructure projects at the request of the government of Kazakhstan under production sharing agreements.

### Internal investigations and defense

- **Defense contractor:** Conducted an internal investigation in parallel with a grand jury investigation into alleged criminal violations of the False Claims Act, achieving a criminal declination.
- **Food processing company:** For a board of directors, co-led an internal investigation for into allegations of human trafficking.
- **Global insurance organization:** Managed internal investigation into accounting irregularities for the audit committee of the board of directors.
- **Hospital client:** For the board of directors, co-led an internal investigation into allegations of improper conduct by a physician employed by a nationally-recognized hospital.
- **Global Fortune 500 company:** Developed a global internal investigations protocol and provided training in investigation best practices to the in-house counsel team, located in dozens of countries.
- **Confidential clients:** Represented clients in connection with fact investigations by the US government, including managing responses to subpoenas and civil investigative demands and preparing clients called as witnesses in depositions and interviews.
- **Confidential clients:** Advised clients on self-disclosures of unlawful conduct to the DOJ and supported them through attorney proffers.
- **Manufacturing company:** Defended a US company in an export controls investigation by the DOJ.
- **Tax preparation company:** Represented a franchise owner during an interview by the Internal Revenue Service, Criminal Investigative Division.
- **Chemicals company:** Defended an importer of Chinese chemicals in a federal investigation into alleged violations of anti-dumping import restrictions and transshipment rules, falsification of import documentation, and other customs law violations.
- **Technology company:** Acted as pool counsel for C-level executives who were under investigation for

alleged violations of export control laws focused on "dual-use" technologies.

## Securities enforcement investigation and defense

- **Chief financial officer:** Supported trial counsel in obtaining a complete defense verdict for Stephen M. Kovzan, CFO of NIC, Inc., who was accused, along with others, of failing to accurately disclose compensation of NIC's co-founder and former CEO. After a three-week trial in US District Court in Kansas, the trial team obtained a verdict exonerating Mr. Kovzan on all 12 charges (*U.S. Securities and Exchange Commission v. Stephen M. Kovzan*, Civ. Case No. 11-CV-2017, D. Ct. Kan.)

## AG and OIG investigations

- **Chief executive officer:** Represented the CEO of a publishing and communication services company in response to a state AG's Consumer Protection Division's civil investigative demands for documents and testimony.
- **Telecommunications company:** Represented the company in responses to subpoenas by the Office of Inspector General regarding organizational conflicts of interest.

# Recognition

## Honors and Awards

- *Missouri Super Lawyers*, Rising Star, White Collar Criminal Defense, 2014-2020

# Insights

- Co-author, "Anti-corruption (joint ventures) Q&A: US," Thomson Reuters Practical Law, August 31, 2020
- Co-author, "Newly released edition of the resource guide to the US Foreign Corrupt Practices Act signals upcoming enforcement priorities and positions," Dentons client alert, July 20, 2020
- Co-author, "Updated Evaluation of Corporate Compliance Programs Guidance (DOJ) and its Impact on US and Canadian Companies," Dentons client alert, June 30, 2020
- Co-author, "Preparing for law enforcement investigations in the COVID 19 environment," Dentons client alert, April 3, 2020
- Co-author, "Thinking about compliance as an essential tool in our new business world," Dentons client alert, March 27, 2020
- Co-author, "DOJ announces publication of guidance on evaluating corporate compliance programs," Dentons client alert, May 9, 2019
- Co-author, "Managing corruption risk: A global approach for a global problem," Dentons client alert, May 7, 2019
- Co-author, "Chapter 17: Corporate Compliance Programs in the Context of Deferred and Non-Prosecution Agreements," *Lexis Nexis Corporate Compliance Practice Guide: The Next Generation of Compliance* (2017 update)
- Co-author, "It's Like Anti-Corruption Gremlins Out There," *For the Defense*, June 2016
- Co-author, "Want the government to give you credit for cooperating with their investigation? Get ready to certify your investigation disclosures," Dentons client alert, February 9, 2016
- Co-author, "Are your sponsorship and hospitality controls enough to satisfy the FCPA? Maybe not," Dentons

client alert, June 10, 2015

- Co-author, "DOJ FCPA pilot program pushes self-disclosures," Dentons client alert, April 12, 2016

## Activities and Affiliations

### Presentations

- Co-presenters, "The Biden Administration, Recent Case Studies, and Legal Risk Mitigation Techniques," Beijing International Exchange Association of China's International Forum on Protection of Overseas Interests of Chinese STI Enterprises: Current Situation, Difficulties and Breakthroughs, April 15, 2021
- Co-presenter, "Compliance Hotspots for Companies Operating in the US and China and Risk Mitigation Strategies," Dentons CLE Seminar for In-House Counsel webinar series, August 26, 2020
- Co-presenter, "DOJ China initiative-emerging criminal trends in US enforcement," Dentons webinar, July 1, 2020
- Co-presenter, "Preparing for law enforcement investigations during the COVID-19 pandemic," Dentons webinar, March 31, 2020
- Presenter, "Criminal risk management for Chinese businesses under US law," Dentons webinar, December 19, 2018
- Presenter, "The focus on individual prosecutions in the US and the impact in other countries," and "Best practices guidance for meals, gifts, entertainment and hospitality to reduce FCPA risk" International Chamber of Commerce, Costa Rica, December 7, 2017
- Presenter, "Mitigating my client's global enforcement legal risk: is there a different and cost-effective approach that I can use?," Dentons In-House Counsel Seminar, Kansas City, MO, May 5, 2017
- Presenter, "Emerging risk radar," Dentons Agribusiness Compliance Roundtable, Kansas City, MO, June and December, 2016, and Chicago, September, 2016
- Moderator, "Due diligence and integration post-acquisition war game," Dentons Agribusiness Compliance Roundtable, Chicago, September, 2016
- Presenter, "Emerging risks for companies doing business internationally," Dentons In-House Counsel Seminar, Kansas City, MO, May 9, 2016, and St. Louis, June 3, 2016

### Memberships

- The Kansas City Missouri Bar Association
- The Missouri Bar Association
- The American Bar Association

## Areas of focus

### Practices

- Corporate Governance
- Global Anti-Corruption
- Internal Investigations

- Public Policy and Regulation
- Tax Litigation and Dispute Resolution
- Trade Sanctions
- White Collar and Government Investigations

## Industry sectors

- Energy
- Defense and Space
- Life Sciences and Health Care
- Mining
- Technology

## Region

- United States

## Education

- University of Missouri School of Law, 2010, JD, Robert Scholars Honors Admissions Program, CALI Excellence for the Future Multi-Year Award Winner
- University of Missouri-Columbia, 2007, BA, *cum laude*, Economics, Dean's List, Departmental Honors

## Admissions and qualifications

- Kansas
- Missouri
- US District Court for the District of Kansas
- US District Court for the Western District of Missouri