



Brian T. Markley

PARTNER

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Brian Markley is a litigator advising companies and boards of directors on commercial disputes, corporate governance matters, and internal investigations. Brian has led investigations into a wide range of allegations including bribery, corruption, money laundering, sanctions violations, tariff evasion, accounting fraud, workplace harassment, and other misconduct. He is Chair of Cahill's Anticorruption & FCPA practice group.

Brian has led FCPA diligence on hundreds of mergers, acquisitions, and other investments in jurisdictions with high corruption risk and regularly works with clients to design and implement effective post-acquisition policies, procedures, and controls.

"Brian's command of the subject matter is encyclopedic, and his awareness of how industry peers approach similar matters is instructive." – *Chambers USA*

Brian has been recognized as a leading FCPA lawyer by *Chambers USA*. In speaking with *Chambers*, sources remarked, "he is a thoughtful, disciplined, strategic lawyer who brings an extraordinary breadth of knowledge to the matters he works on," and praised Brian's "anticorruption vision that is out of this world," noting, "he evaluates all of our risks and provides precise advice." Clients quoted in *Chambers USA* went on to say that he is "very prompt, smart and well-versed," "solutions oriented and great to work with," and "extremely knowledgeable in his craft." Brian has been named a *Legal 500* recommended lawyer in the Corporate Investigations & White Collar Defense and Corporate Governance areas and a Litigation Star by *Benchmark Litigation*.

Brian began his legal career at Cahill in 2000 and currently serves as the firm's Operating partner and Co-Chair of the Ethics Committee.

SELECTED MATTERS

- Represents private equity firms, asset managers, and their portfolio companies in connection with internal compliance investigations, M&A diligence, development of policies and employee training programs, and other regulatory matters, including FCPA and trade sanctions compliance.
- Obtained injunctive relief in the Southern District of New York on behalf of Microsoft to shut down a once-thriving online marketplace based out of Vietnam, which sold tools to cybercriminals for use in ransomware and other attacks.
- Represented StraightPath Venture Partners and relevant individuals in connection with DOJ and SEC investigations of alleged \$400M securities fraud and related civil enforcement action.
- Counsel to S&P Global in connection with investigations, internal compliance, litigation, regulatory examinations, and testimony before U.S. Senate and House committees.
- Represented the Audit Committee of Wal-Mart Stores in an FCPA investigation relating to activities in Brazil, China, India, and Mexico.

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- Counsel to the Audit Committee of Qualcomm in an investigation by the DOJ and SEC, and a related internal investigation, into the company's FCPA compliance.
 - Counsel to the Audit Committee of Diageo in connection with an internal investigation and an SEC enforcement action concerning the company's FCPA compliance.
 - Counsel to the Monitor for Toyota Motor Corporation in connection with a Deferred Prosecution Agreement entered into with the United States Attorney's Office for the Southern District of New York.
 - Represents a leading fund manager in pre-litigation disputes and breach of contract and fraud actions.
 - Represented multiple global companies in the oil service and equipment industry in connection with investigations in Asia and Latin America.
 - Prevailed on behalf of officers and directors of S&P Global and its then-parent company in two derivative suits brought by shareholders alleging breaches of fiduciary duty and other claims relating to S&P's credit ratings practices.
 - Counsel to one of the nation's largest telecommunications companies in numerous disputes related to affiliation and retransmission agreements.
 - Prevailed in AAA arbitration concerning a dispute over interpretation of a Purchase Agreement earn-out provision, securing an award of attorneys' fees from the petitioner.
 - Represented financial services company against wrongful termination and other claims before a FINRA arbitration panel.

Education

New York University School of Law, J.D., 2000

Rutgers University, B.A., 1997

Practices

Anticorruption & FCPA

Commercial Litigation

Corporate Governance & Compliance Advisory

Environmental, Social and Governance (ESG)

Securities Litigation, Regulation & Enforcement

White Collar Defense & Investigations

Project Finance, Energy & Infrastructure

International Trade & Investments

Congressional Investigations

Technology, Data Breach, and Privacy Litigation

Admission

New York