



Investigations & White-Collar Crime

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PROFILED:

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Attorneys at law

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PERSONAL BIOGRAPHY

Daniel Weber is a counsel in Wenger & Vieli's financial services and white-collar crime groups specialising in banking, financial regulatory and FinTech matters, as well as internal, criminal and regulatory investigations, including whistleblowing proceedings. As a former deputy head of investigations at a major Swiss bank and a secondee in the enforcement division of the Swiss regulator FINMA, he has broad experience in solving complex white-collar crime and compliance matters, as well as in conducting high-profile investigations. He serves as prosecutor of the Swiss Military Justice where he is a department head and co-chairs the working group investigations of Ethics & Compliance Switzerland.

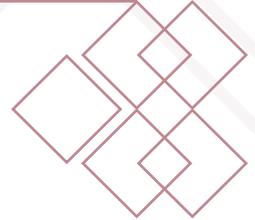
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Q&A WITH DANIEL S. WEBER

**Could you provide an insight into how you approach your work? What drives and motivates you?**

◆ Driving a successful and active white-collar crime and investigations practice takes a commitment like many other legal practices and professions. As this commitment takes up a significant amount of time, it helps to like what you do and to find intellectual satisfaction and stimulation from it. The world of investigations and white-collar crime matters is changing rapidly. The matters have become increasingly complex and demanding. They require solid experience, agility and often technical know-how. This complexity, and the challenges these matters pose, are what drives me to excel in practice. When I guide our clients through their legal and practical challenges, I do so with determination, impact and reliable and pragmatic advice. I attach great importance to combining a highly professional approach and persistence in pursuing my clients' goals with being easy to work with, even in the most demanding situations.

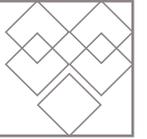
What strengths and characteristics do you, your team and your firm strive to demonstrate to clients?

◆ Wenger & Vieli has represented major financial institutions and multinational corporations, as well as their boards of directors and senior executives, in a broad range of complex and typically high-profile white-collar criminal and regulatory enforcement matters. What sets the firm's white-collar crime and investigations practice apart from other firms is that our clients get maximum attention from a formidable bench of seasoned lawyers, who are well respected for their credibility, judgment and practicality. Our team has a reputation and track record in giving companies comprehensive support in complex internal and regulatory investigations and in significant and sensitive white-collar crime matters, often in a cross-

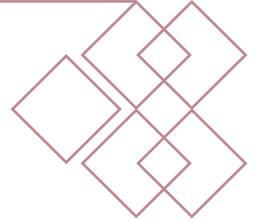


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border context. Our advice is tailor-made, solution-oriented and cost-efficient. The team conducts investigations with full appreciation of the wider regulatory and enforcement context – anticipating and responding to the risks posed in today’s increasingly regulated environment.



Reflecting on your area of expertise, how do you see this sphere of the market shaping up over the coming months? Are any exciting trends or developments on the horizon?

◆ Companies are coming under increasing scrutiny from regulators and prosecutors. They are subject to more stringent compliance requirements and regulation than ever before. Consequently, it is crucial to anticipate and manage the risks facing their businesses and to initiate internal investigations where there is a clear suspicion of fraud or other misconduct by employees within the company. The biggest talking point in Switzerland is how to protect the work product of an internal investigation. Until recently, Swiss law fully recognised legal privilege in the context of an internal investigation. Although the conduct of an internal investigation by Swiss attorneys can potentially qualify as the provision of typical legal advice, the Swiss Supreme Court has held that work product created in investigations involving anti-money laundering (AML) or general banking compliance obligations will not necessarily enjoy blanket legal privilege if the client was under a statutory or regulatory obligation to take investigative steps in any event. ■

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REPRESENTATIVE ENGAGEMENTS

- ◆ Regulatory investigation for a Swiss bank in connection with insider trading by one of its relationship managers.
- ◆ Complex internal investigation for a Swiss private bank in connection with unusual transactions of high-profile clients.
- ◆ Complex internal investigation for a Swiss bank into an independent asset manager operating in South America from US territory.
- ◆ Complex internal investigation for a Swiss financial provider in connection with a data leakage of sensitive client-identifying information.
- ◆ #MeToo-investigation for a Swiss company in connection with sexually improper behaviour by a senior executive.
- ◆ Representation of an independent asset manager in a complex criminal mismanagement investigation conducted by the Zurich Prosecutor's Office.
- ◆ Representation of a FinTech in a complex corporate fraud matter involving cryptocurrencies.

