**White Collar Crime (Winter 2011)**

*Readings in the 2009 Statutory, Documentary and Case Supplement are noted below with Supp. before the page numbers. Almost every statute referred to in the casebook is reprinted, at least in part, in the Supplement, and you should review the full statute. Certain assignments include cases that are not in the casebook or Supplement, and are available on TWEN. In preparing for class, be sure to think particularly about how a case can be a means to counsel a client (or investigator) in the scenario presented in the problem(s). Readings noted as “Background” will not be discussed in detail during class.*

**I. Federal Criminal Law Principles**

1. *Introduction to White Collar Crime*: **1-22; 29-38**
2. *Statutory Interpretation*: **89-117**; 285-293 [Background only]

**II. Statutory Bases for White Collar Prosecutions**

1. *Public Corruption – Bribery & Unlawful Gratuities:* **22-28; 117-144**
2. *Right of Honest Services*: **147-158; *United States v. Skilling*, 130 S.Ct. 2896**
3. *Private Sector Fraud*: **145-147; 158-70; 190-195; *United States v. Walters* 997 F.2d 1219**
4. *Elements of Mail/Wire Fraud & Money Laundering*: **196-219**
5. *RICO Enterprise*: **220-227; Supp. 4-7 (*Boyle v. United States)*; 230-253**
6. *RICO & Conspiracy*: **85-88; 253-268**; ***United States v. McDermott* 277 F.3d 240**
7. *Perjury, False Statements & Obstruction of Justice*: **321-346**
8. *Corporate Criminal Liability:* **50-76;** Supp. 216-234 (Bristol-Myers Squibb Deferred Prosecution Agreement) [Background]

**III. The Investigation of White Collar Crime**

1. *Grand Jury Subpoenas for Records & Evidence*: **347-390;** Supp. 260-261 (Grand Jury Subpoena) [Background]
2. *The Act of Production Doctrine*: **391-424**
3. *Grand Jury Access to Corporate Records:***424-449**; ***In re Subpoena Duces Tecum (Variety Distributing)* 927 F.2d 244**
4. *Review and Catch-up*
5. *Challenging the Grand Jury:* **450-475**
6. *Prosecutorial Misconduct*: **475-502**
7. *Searches in White Collar Cases:* **503-550**
8. *The Privilege Against Self-Incrimination*: **556-601**
9. *Regulatory Agency Investigations ( Im from the Government and Im Here to Help)*: **602-643;** Supp. 252-259 (SEC Form 1662) [Background]
10. *The Parallel Proceedings Problem*: **643-680**
11. *The Attorney-Client Privilege and Work Product Doctrine*: **681-718**
12. *The Limits of the Privilege: Voluntary Disclosure, Crime-Fraud, & Joint Defense Agreements:* **718-760**; Supp. 248-251 (Model Joint Defense Agreement) [Background]
13. *The Lawyer-Client Relationship:* **762-793; *United States v. Kellington*, 217 F.3d 1084**; Supp. 301-305 (IRS Form 8300) [Background]
14. *Prosecutors v. Defense Counsel*: **793-826**
15. *Final Exam Discussion*

**Final Exam Wednesday, April 27, 1:30 p.m.**