



## GRAND JURY

Responding to a grand jury investigation involves far more than furnishing information to the investigating authorities. While responding to subpoenas and providing witnesses are important and required parts of dealing with a grand jury investigation, successfully navigating the perils associated with an active investigation requires much more, including:

- Preparing a strategic course for collecting and producing documents typically requested by a prosecutor on behalf of a grand jury;
- Discovering and analyzing the information being provided to the grand jury from all sources to glean all the nuances of the case the prosecution is attempting to build;
- Developing theories of defense to the charges being investigated;
- Managing the intricacies of communications with other possible subjects or targets of the investigation and developing effective joint defense agreements;
- Filing motions before the supervising court when the prosecution overreaches, or taking other steps to minimize the burdens and disruption of an investigation;
- Safeguarding legal privileges that protect certain information against disclosure;
- Directly engaging with prosecutors who will make charging decisions to negotiate the terms under which testimony will be provided to the grand jury, including proffers and immunity, and to press legal and factual theories; and
- If needed, advocating against charges being brought, through discussions with and presentations to the prosecutors and their superiors in a U. S. Attorney's Office, the Department of Justice or relevant federal and/or state agency.

On behalf of corporate and individual clients, Diamond McCarthy lawyers have conducted internal investigations to assess potential exposure for a client both proactively and in reaction to a government investigation, handled substantial document productions involving thousands of pages reviewed and produced, managed multi-year, multi-target grand jury investigations involving numerous witnesses and worked with prosecuting and investigating agencies, in many instances to avoid indictment.