



## JESSICA R. PUATHASNANON

*Advisory Director*

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### Function and Specialization

Jessica advises clients in matters involving forensic investigations, corporate governance, and fraud risk management. Jessica also provides litigation consulting services and compliance and ethics program assessments, development, and implementation.

### Professional Associations

- Association of Securities and Exchange Commission Alumni
- American Bar Association
- Association of Certified Fraud Examiners
- LA County Bar Association

### Languages

English

### Education, Licenses & Certifications

- B.A., University of California, Santa Barbara
- J.D., Pepperdine University
- LL.M., New York University
- Certified Fraud Examiner

### Background

Jessica Puathasnanon is a Director in KPMG's Forensic Practice and has extensive experience investigating and litigating a wide spectrum of complex financial, economic and accounting matters, as well as advising corporations on governance and compliance program design.

### Professional and Industry Experience

As a Director in the Los Angeles office of KPMG's Forensic Advisory Services Practice, Jessica utilizes her broad experience to advise corporate clients during forensic investigations, on risk management, and during commercial litigation. Jessica also works with clients to design, implement, and assess compliance and ethics programs. Jessica has in-depth experience with, and advises clients on matters involving:

- Federal Securities Laws
- Dodd-Frank Wall Street Reform and Consumer Protection Act
- Foreign Corrupt Practices Act
- U.S. Federal Sentencing Guidelines
- Sarbanes-Oxley Act
- UK Bribery Act

Jessica assists company counsel, boards of directors, audit committees, and executive management with complex internal investigations and financial statement restatements involving allegations of accounting errors, bribery and corruption, and other violations of the securities laws. Jessica also provides litigation support services by working with companies and their counsel to: develop financial models, perform accounting and economic analysis, conduct damage and liability assessments, prepare expert witness reports, and develop case strategies.

Prior to joining KPMG, Jessica served in various leadership positions at the Securities and Exchange Commission's Division of Enforcement. In those roles, she specialized in managing complex non-public investigations and federal court litigation involving all aspects of the federal securities laws, including:

- Foreign Corrupt Practices Act
- Broker-Dealers
- Mortgage Fraud
- Insider Trading
- Fraudulent Offerings
- Disclosure
- Hedge Funds
- Accounting Fraud
- Stock Options Backdating
- Market Manipulation
- Investment advisers and companies

Jessica was also a member of the Division of Enforcement's FCPA Unit. In that role, she coordinated with the Department of Justice in conducting several FCPA investigations involving medical device, pharmaceutical, and technology companies.

Jessica regularly negotiated global resolutions to SEC actions with corporations and individuals. In this context, she routinely evaluated corporate compliance programs and worked with outside counsel, company consultants, and company management to develop more robust systems and controls.

Jessica also worked with Enforcement's senior management to evaluate the Division's own system of internal controls and worked with management to

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implement new – more effective – policies and procedures. Jessica also provided training to SEC professionals on issues involving:

- Performance Management
- Dodd-Frank Whistleblower Provisions
- Complaints, Tips, and Referrals
- Deposition Skills
- Legal Writing

### Representative Matters

- As a member of the Division of Enforcement's FCPA Unit, conducted several investigations into possible FCPA violations by U.S. issuers and subsidiaries.
- Investigated financial fraud matter involving inflation of revenues through the use of round-trip transactions. Negotiated global settlements involving the USAO, counsel for 16 defendants, plaintiff's counsel, and the Commission.
- Investigated and resolved options backdating matter with two former senior executives of large homebuilding company.
- Investigated, litigated, and resolved complex, multi-year financial fraud involving improper revenue recognition resulting in charges against the company, CEO, and CFO, among others. Brought the SEC's first stand-alone Rule 102(e) proceeding against an attorney.
- Settled market timing action against CEO of mutual fund advisor in connection with district court litigation.
- Investigated and litigated late trading and market timing matter against registered broker-dealer and three executives. Drafted cross-motions for summary judgment resulting in first district court opinion to validate Commission's interpretation of Rule 22c-1 of the Investment Company Act of 1940.
- Investigated the role of the audit committee, outside counsel, and forensic accountant in material misstatements made in a company press release regarding the findings of an internal investigation.
- Supervised financial fraud investigation of biotechnology firm resulting in settlements with CEO and Chairman of the board involving financial fraud and material misstatements made in earnings release.
- Supervised several investigations and enforcement actions against registered investment advisors for breach of fiduciary duty and fraud and registered broker-dealers for fraudulent offerings.
- Supervised non-public matters involving accounting irregularities, options backdating, disclosure, and insider trading that did not involve filing of enforcement actions. Accounting issues included FAS 144 inventory impairments, accounting for joint ventures, SAB 99 materiality analysis, subsequent material events analysis, transfer pricing, liquidity and going concern disclosures, and use of reserve accounts to manage earnings.

### Speaking Engagements

- LA County Bar White Collar Subcommittee 2010 Forum on FCPA Enforcement: Panelist

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- Paul Hastings/KPMG 2012 Executive Briefing: "Recent Trends in the Civil and Criminal Enforcement of the Federal Securities Laws"
- American Bar Association 2012 National Institute on Internal Corporate Investigations: Panelist, "Internal Investigations at Financial Institutions"
- American Bar Association, White Collar Crime Committee 2012 Spring Conference "E-Discovery in Government Investigations and Criminal Litigation": Panelist, "Cost Effective Approaches to Dealing with ESI"

### **Other Activities**

- Frequent guest lecturer USC Gould School of Law "Major Corporate Civil and Criminal Fraud: Lessons of the Enron Era"
- Board Member, Parent Partnership Group, Northridge Hospital Children's Center