

INSIGHTS

Jim McLoughlin and Bill Butler's article published by Bloomberg Law

Publications

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Charlotte Litigation Member Jim McLoughlin and Associate Bill Butler's article titled, "INSIGHT: Proffers and Government Reporting—Cause for Comfort and Caution", was published by *Bloomberg Law* on May 5.

The article

Two recent decisions—the Fourth Circuit's *In re Fluor Intercontinental Inc.* and one from the U.S. District Court for the District of Columbia (*SEC v. RPM International Inc.*)—provide comfort and cause for real concern for proffers or reports to government.

Subject matter waiver of privilege and work product protection is a constant concern when conducting an investigation that is of interest to the government, which wants visibility into the findings of the investigation. Disclose too little and the government can view you as uncooperative; disclose too much, and you have waived privilege for future proceedings.

To view the complete article, please [click here](#).