

## David Smyth Quoted in Forbes on SEC Private-Sector Bribery Charges

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The article discussed the SEC's expansion of its enforcement program by charging FalconStor Software, Inc. under the Foreign Corrupt Practices Act's books and record provisions for failing to accurately document domestic, commercial bribes.

"From the SEC's perspective, they want investors to have a full picture of company information. If a company is generating revenue not through the strength of its products, but through kickbacks and bribery, the SEC is going to want investors to know that," says Smyth, who authors *Cady Bar the Door*, offering commentary on SEC and related issues.

Smyth served on the staff of the SEC for six years, ultimately as Assistant Director in the Division of Enforcement. He now represents corporate clients in financial services litigation and in response to government enforcement proceedings by federal and state authorities.