

CAPABILITY STATEMENT

# DIGITAL INVESTIGATIONS & CYBER DEFENSE

**We bring a legal discipline to our approach and our professionals understand the evolving threats and challenging regulatory and public relations landscape in which many digital investigations are conducted.**

The digitization of our personal and professional lives has resulted in a rapidly changing threat landscape. Businesses face increased risks on a daily basis. Key evidence lies secreted on hard drives, mobile devices, and the Cloud. Cyber-based threats can come from organized criminal syndicates, hacktivist groups, nation-states, insiders, and even cyber-terrorist organizations. By identifying and understanding these threats, organizations can begin to quantify the risks associated with them and build proper defenses and mitigation plans.

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**We know our clients need a trusted advisor who can speak beyond the “ones and zeros” of cybersecurity and translate the threat into business risk terms.**

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With a premier team of cybersecurity professionals and digital investigators around the world, Nardello & Co.’s dedicated Digital Investigations & Cyber Defense practice offers comprehensive digital investigations, incident response, and cyber defense consulting services to law firms, corporations, financial institutions, governments, and high-net-worth individuals in the US and virtually anywhere on the globe.

## What Sets Us Apart

Nardello & Co.’s adherence to core values has led clients to retain us time and again. Our relationships are built on:

- **Integrity.** Acting ethically and legally is of paramount importance to us. We respect the laws of the countries in which we have offices and the jurisdictions in which we work. We regard our clients’ confidences as sacrosanct and rigorously screen for conflicts.
- **Analysis. Creativity. Thoroughness.** We don’t believe in menu-driven investigations or a democracy of facts. We are exhaustive but focused and adept at teasing out inferences, providing corroboration, and separating “information” from evidence.
- **Responsiveness. Hands-on management.** We focus on our clients’ objectives and tailor our investigative strategies accordingly. There are no layers between the professionals who do the work and the clients whom we serve.
- **Client focus.** We communicate with our clients clearly, succinctly, and in real time. We respect budgets and deadlines.
- **Independence. Collaboration.** We are independently owned and answer only to our clients—not to investors, not to shareholders. Instead of competing, our offices collaborate to provide our clients with seamless service.

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## WE FIND OUT

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### WE PREPARE

Following globally accepted policies and methodologies such as the NIST Cybersecurity Framework, we develop bespoke cyber defense programs designed to help our clients actively manage and mitigate cyber risk, improve their security posture, and prepare for future cyber incidents.

### WE INVESTIGATE

Unlike many of our competitors, Nardello & Co.'s Digital Investigations & Cyber Defense practice benefits from the insight of professionals who are former federal prosecutors, cybercrime law enforcement officials, US Department of Homeland Security personnel, and white collar lawyers and litigators with extensive experience managing complex cyber matters and utilizing the results of digital investigations. This allows us to offer an additional perspective throughout the process, staying alert to nuances that could be legally relevant down the road.

### WE RECOVER

Our post-incident remediation services help clients navigate the legal and regulatory aftermath of a major data breach. We are there to assist at every stage of the breach notification process, providing expert witness services as well as responding to post-incident litigation and regulatory inquiries.

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## OUR SERVICES

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- **Incident Response & Crisis Management.** We help clients respond tactically and strategically to unplanned cyber events by deploying a multidisciplinary team of digital investigators and breach responders that contain and eradicate the threat actor from a client's environment, all while focusing on business continuity and minimizing financial impact.
- **Computer Forensic Investigations.** We can image, preserve, and investigate all manners of digital data, including data on hard drives, publicly available websites, mobile devices, flash drives, network servers, and the Cloud.
- **Cyber Threat Assessments.** We provide clients with a customized, comprehensive analysis of the cyber threat landscape as it applies to their business, their industry, and their geographic footprint, enabling them to make informed, risk-based decisions.
- **Cyber Simulation Exercises.** Our scenario-based "table-top" exercises are highly tailored to reflect the true cyber-based threats facing our clients and are designed to exercise and strengthen their organization's plan and ability to respond quickly and effectively to cyber or other crisis-related incidents.
- **Cyber Due Diligence.** We provide our clients with the insight and intelligence they need to properly assess and evaluate the cyber-based risk associated with future business partners, M&A deals, or other third-party relationships.
- **Cyber Defense Consulting.** Leveraging our legal-focused approach, we help clients translate cyber threats into business risk, allowing them to make informed, strategic, and risk-based decisions.
- **Social Media Analysis & Deep Web/Dark Web Research.** We help our clients analyze and resolve social media-related challenges, including dealing with social media harassment or libel campaigns, analyzing social media relationships of third parties, and capturing social media evidence.
- **Compliance & Best Practices Guidance.** We provide digital compliance counseling and best practices guidance, working closely with law firms to help our clients ensure that their online practices mitigate against risk and remain cutting edge.

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## SELECT DIGITAL INVESTIGATIONS & CYBER DEFENSE EXPERIENCE

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### Case Study | **Cyber Investigation in the Middle East**

Nardello & Co. was retained by a US law firm on behalf of one of the largest companies in the Middle East. The company had suffered a serious data breach and had already retained other investigative firms, all of which provided inaccurate conclusions due to their inability to analyze certain key digital evidence. Through inquiries with confidential sources in the cybercrime community, extensive research, and careful analysis, Nardello & Co. correctly identified the parties responsible for the security breach.



### Case Study | **Senior Executive's Elaborate Embezzlement Scheme**

An international engineering company engaged Nardello & Co. to investigate a former senior employee suspected of embezzlement. Nardello & Co. examined internal documents and evidence collected through computer forensic work, interviewed key witnesses, and conducted research into the activities of the relevant parties. The firm's investigations confirmed that the subject had defrauded the company and laundered the proceeds through an elaborate scheme of bogus procurement contracts with sham firms and cronies that the subject had signed on behalf of the company. The scheme also involved legitimate firms and well-known businessmen with controversial backgrounds who facilitated the theft and hid the proceeds in companies in the US, Russia, Ukraine, and China. Nardello & Co.'s findings assisted the client in preparing a case to present to the criminal authorities, who initiated a prosecution of the employee for criminal fraud and money laundering.



### Case Study | **Bribery Cocktail in Hungary Goes Sour**

Nardello & Co. was retained by one of the largest law firms in the world to conduct an internal investigation on behalf of a European client who suspected that one of its senior employees bribed a Hungarian official. The investigative team conducted field interviews, performed a computer forensic review of the employee's hard drive, and undertook a comprehensive analysis to determine whether or not the Hungarian who received the suspect payments was a government official. The forensic and investigative work revealed that the recipient was, in fact, a government official and also illuminated evidence of a more elaborate bribery scheme.



### Case Study | **Anonymous Allegations Against Fortune 500 Executive**

Nardello & Co. was engaged by a Fortune 500 company to investigate anonymous allegations sent to its board of directors, that a senior executive had engaged in inappropriate conduct which could damage the company's reputation and subject it to potential litigation. To investigate these allegations, Nardello & Co. conducted an in-depth online investigation, inclusive of social media, capturing all evidence that could relate to the allegations or help identify the whistleblower or potential witnesses. Appropriate computers and electronic devices were forensically imaged and analyzed in an attempt to identify any pertinent communications. No incriminating information was uncovered in the course of the online review or the computer forensic investigation. Once relevant corporate personnel were interviewed, the company concluded that the allegations against the executive were unsubstantiated.



### Case Study | **Crisis Response on Behalf of a Large Japanese Company**

Nardello & Co. was engaged by a large Japanese corporation to conduct a crisis response investigation on behalf of an American subsidiary. On extremely short notice, the firm deployed a large team of digital investigators to the subsidiary's headquarters. Coordinating closely with the company's outside counsel, investigators worked around-the-clock for nearly two weeks to conduct a comprehensive digital investigation of the relevant computers, mobile devices, servers, and cloud accounts, capturing and analyzing data residing on more than forty digital devices, as well as multiple servers and various cloud-based accounts. By working non-stop during this period, Nardello & Co. kept the client's overall investigation on schedule and helped bring the crisis to a swift and satisfactory conclusion.

## No parachutes needed

We're already on the ground with in-country resources worldwide. We speak the language, we're on top of the politics, we understand the regulatory environment, and we know the key players.

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## Why risk it?

Whether you have an urgent situation today or something looming on the horizon, whenever, wherever you need us, we'll work with you to develop custom solutions to meet your needs.

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## About our firm

Nardello & Co. is a global investigations firm whose experienced professionals handle a broad range of issues including: Due Diligence, such as third-party agent and executive vetting; Anti-Corruption & Fraud Investigations, such as forensic accounting or those related to the FCPA/UK Bribery Act; Litigation & Arbitration Support, such as civil and white collar criminal litigation; Asset Tracing; Activist Defense; Intelligence, such as political risk assessment; Digital Investigations & Cyber Defense, such as computer forensics; Monitorships & Independent Investigations; and Compliance.

Our clients include the world's leading law firms and financial institutions, Fortune 500 and FTSE 100 companies, high-net-worth individuals and family offices, governments, NGOs, sports organizations, and academic institutions. With offices in New York, London, Washington DC, Atlanta, Hong Kong, Tokyo, Milan, and Dubai, Nardello & Co.'s professional staff includes former US federal prosecutors, US and international lawyers, former law enforcement personnel and intelligence operatives, licensed investigators, research analysts, former journalists, financial crime specialists, forensic accountants, and computer forensic experts.

## Contact

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