

CAPABILITY STATEMENT

# ENVIRONMENTAL, SOCIAL, AND GOVERNANCE (ESG) SERVICES

**At Nardello & Co., we help our clients navigate ESG compliance risk in the most complex matters through expert fact finding, investigations, and advice.**

Nardello & Co. helps clients manage the complexities of Environmental, Social, and Governance (ESG) risk management. Our team's extensive experience provides clients with the facts needed to make informed judgements on ESG matters in their companies or extended supply chains. We focus on:

- Labor and human rights abuses;
- Fraud, corruption, and financial crime;
- Management misconduct; and
- Environmental violations.

We draw on our backgrounds as former federal prosecutors and in-house counsel, former law enforcement personnel and intelligence operatives, former journalists, financial crime specialists, forensic accountants, and computer forensic experts to provide an objective picture of ESG risk. We closely follow global regulatory and enforcement trends to ensure that we focus on the areas of greatest potential exposure.

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**Effective ESG oversight on a global scale means going beyond public relations and check-the-box exercises. We help clients understand the facts in the most difficult cases and jurisdictions.**

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We offer a broad range of global services in connection with our client's efforts to maintain sound ESG practices,

## Our Services

With Nardello & Co. as your best kept secret, we've got you covered with worldwide capabilities working in your best interest:

- Due Diligence
  - Third-Party Agent & Intermediaries
  - Board & C-Suite Vetting
- Anti-Corruption & Fraud Investigations
  - Foreign Corrupt Practices Act
  - UK Bribery Act Investigation
  - Fraud Investigation Services
  - Forensic Accounting Services
- Litigation & Arbitration Support
  - White Collar Criminal Defense
  - Civil Litigation Support
  - Arbitration Support
- Asset Tracing
- Activist Defense
- Political Risk & Strategic Intelligence
- Digital Investigations & Cyber Defense
- Monitorships & Independent Investigations
- Compliance

including:

- ESG due diligence on potential acquisitions, investment targets, supply chain partners, and third-party intermediaries
- Independent risk assessment and monitoring of third parties as part of regular ESG oversight
- Investigations of alleged internal violations in preparation for reporting to management and/or applicable regulatory authorities
- Audits of ESG policies and procedures or those maintained by corporate partners
- Research to support defenses against activists making ESG claims

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## SELECT ENVIRONMENTAL, SOCIAL, AND GOVERNANCE EXPERIENCE

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### Case Study | **Investigating Labor Practices**

Nardello & Co. was retained by the government of Abu Dhabi to investigate allegations made by several media outlets and non-governmental organizations about abusive labor practices affecting thousands of migrant workers involved in building New York University's campus in Abu Dhabi. Our investigation comprised a review of thousands of documents; interviews with hundreds of construction workers; interviews in the United Arab Emirates, Bangladesh, Qatar, the US, the UK, Ireland, and Canada with personnel (both current and former) of the general contractor and subcontractors involved in the construction of the campus; interviews with UAE government representatives involved in the development of the project; interviews of New York University personnel involved in the planning of the project; and site visits to worker accommodation camps. Our findings and recommendations led to tighter enforcement of labor guidelines as well as the payment of additional compensation to thousands of migrant workers who had not been compensated appropriately under the existing guidelines. Our findings were accepted by all interested parties including New York University, the government of Abu Dhabi, various human rights organizations, and the media outlets that had originally reported the allegations.



### Case Study | **ESG Diligence in Latin America**

As part of a pre-acquisition due diligence, Nardello & Co. conducted a multi-jurisdictional investigation on an international mining company that included work on the company's subsidiaries in Argentina, Brazil, Chile, and Peru. Our work included a comprehensive open source review of corporate records and litigation and regulatory filings for each of the target companies in local markets, Spanish and Portuguese language media and social media review, as well as targeted human source inquiries with knowledgeable industry sources. Our investigation identified allegations of financial statement manipulation, workplace safety violations, and environmental contamination that informed the client's negotiations. Partly based on our findings, the client decided against proceeding with the transaction.



### Case Study | **Investigating North Korea Exposure at a Chinese Supplier**

Facing allegations its Chinese supplier was acquiring raw materials from a North Korean entity, a multinational company engaged Nardello & Co. to determine the beneficial ownership of the Pyongyang-based concern. Discreet inquiries with North Korean defectors, academics, and intelligence sources in South Korea revealed that the entity was wholly owned by a company controlled by Office 39, a secretive organization that provides critical support to the North Korean leadership, in part through engaging in illicit economic activities such as currency counterfeiting and narcotics manufacturing. Defectors and other sources also claimed that forced labor had been used to mine the raw materials sold to the client's supplier. Whilst such claims could not be confirmed independently, they echoed accounts of practices documented extensively by human rights groups.

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## WHAT SETS US APART

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Nardello & Co.'s adherence to core values has led clients to retain us time and again on matters of the utmost importance and sensitivity. Our relationships are built on:

- **Integrity.** Acting ethically and legally is of paramount importance to us. We respect the laws of the countries and the jurisdictions in which we work. We regard our clients' confidences as sacrosanct and we rigorously screen for conflicts.
- **Analysis. Creativity. Thoroughness.** We don't believe in menu-driven investigations or a democracy of facts. Our investigations are exhaustive but focused. We are 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 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.

### 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.

## About our firm

Nardello & Co. is a global investigations firm whose experienced professionals handle a broad range of issues including due diligence, anti-corruption & fraud investigations, civil and white collar criminal litigation and arbitration support, asset tracing, activist defense, political risk and strategic intelligence, digital investigations and cyber defense, monitorships and 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, Hong Kong, Tokyo, and Dubai, Nardello & Co. maintains a professional staff that 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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