Acknowledgments					
Chapter I.	Int I. II. III.	oduction  Definition of "Whith The Federal Enforce Prosecutors' Ethical	ers	1 1 4 5	
Chapter 2.	Ge	eral Part		9	
	Ι. Π.	B. Common Mens  1. General In C. Presumption o  1. Exception 2. Exception D. Ignorance of th 1. Exception Knowledg 2. Exception Knowledg E. The Rule of Les F. Remedy for Vag G. Specific Mental "Willfully," and 1. "Knowing a. Proving Conso 2. "Willfully a. Intent b. Award "Unla	Court's Hierarchy of Mens Rea s Rea Issues terpretive Tools f Mens Rea and Exceptions 1: Public Welfare Offenses 2: Jurisdictional Elements ne Law Is No Excuse 1: The Statute Makes e of the Criminal Law Relevant 2: The Statute Makes e of Collateral, Civil Laws Relevant nity gueness or Other Statutory Defects I States: "Knowingly," d "Corruptly" ly" in General ng "Knowledge" Through cious Avoidance/Willful Blindness "tional or Non-Accidental eness of General twfulness" of Conduct Mens Rea: Awareness That fic Conduct Is Unlawful	10 12 13 14 15 16 17 20 20 21 21 22 23 23 23 25 26 26 27 27 28	

		a. Public Corruption	28
		b. Obstruction of Justice	28
		4. Specific and General Intent	29
	III.	Role in the Offense	38
		A. Aiding and Abetting	38
		B. Accessory After the Fact	40
	IV.	Inchoate Liability: Attempts	42
	V.	Charging and Double Jeopardy	44
		A. Multiple Punishment Cases	45
		1. Multiple Counts Under the Same Statute	45
		2. Multiple Counts Under Different	
		Statutes Relating to the Same Conduct	46
		B. Successive Prosecution Cases	48
		C. Dual Sovereignty	49
	VI.	Defenses	52
		A. Mistake	52
		B. Entrapment	52
		C. Entrapment by Estoppel	53
		D. Good Faith	54
		E. Good Faith Reliance on Counsel	55
	VII.	Extraterritorial Application of U.S. Statutes	58
		A. General Extraterritoriality Analysis	58
		B. Potential Applicability of United States	
		v. Bowman in Criminal Cases	61
Chapter 3.	Ent	tity Liability	65
	I.	Respondeat Superior Liability	67
		A. Employees and Agents	68
		B. Acting Within the Scope of Employment	68
		C. With the Intention to Benefit	69
		D. Even If Contrary to Express Corporate	
		Policy/Orders	69
		E. Difficulties Where Responsibility Is Diffused	69
		1. Bank of New England: Collective	
		Knowledge and Flagrant Organizational	
		Indifference	70
	II.	The Identification Principle	71
	III.	Deferred Prosecution Agreements	72
	IV.	U.S. Department of Justice Charging Policy	74
		A. Cooperation Credit	76
		1. Payment of Individuals' Attorneys' Fees	78
		2. Joint Defenses	79
		3. Waivers of Attorney-Client Privilege	
		and the Work Product Doctrine	81

	V.	Internal Corporate Investigations	82
		A. Waiver Issues	85
		B. Is the Private Investigation "Fairly	
		Attributable" to the Government?	87
	VI.	Responsible Corporate Officer Liability	89
Chapter 4.	Pe	rjury and False Statements and Claims	97
	I.	Perjury Under 18 U.S.C. §§ 1621 and 1623	99
		A. Elements	100
		1. Competent Tribunal	100
		2. Applicability to Writings	101
		3. Evidentiary Requirements	101
		4. Mens Rea	102
		5. Statutory Recantation Defense	103
		B. "Defenses": Perjury Traps, Ambiguity, and	102
		Literal Truth	103
		1. The Perjury Trap	103
		2. Ambiguity	104
		3. Literal Truth (Actual Falsity)	105
	TT	C. Subornation of Perjury Under 18 U.S.C. § 1622	105
	II.	False Statement and Concealment Cases Under	107
		18 U.S.C. § 1001	106
		A. Elements	106
		1. Materiality 2. Mens Rea	108
			108
		a. Knowing b. Willful	108
			109
		<ul><li>c. Specific Intent to Deceive?</li><li>3. Within the Jurisdiction</li></ul>	110
			110
		4. Of the Executive, Legislative, or Judicial Branches	112
	III.	•	113
	111.	False Claims Under 18 U.S.C. § 287	113
Chapter 5.	Со	nspiracy	125
	I.	Why Prosecutors Call Conspiracy "Darling"	129
		A. Joinder and Severance	129
		B. Venue	131
		C. Statute of Limitations	132
		D. Hearsay Exemption Under Fed. R. Evid.	
		801(d)(2)(E)	132
	II.	Elements of Conspiracy	133
		A. Agreement: Plurality of Persons	133

		1.	Int	ra-Corporate Conspiracy Doctrine	
				pplicable in Criminal Cases	134
		2.		e Sears Rule Regarding the Plurality	
			Re	quirement in Sting Cases	135
		3.	W]	narton's Rule	136
		4.	Geb	ardi Rule	136
		5.	Un	it of Prosecution	138
		B. Sc	ope c	of the Agreement	138
		C. Kı	nowle	dge and Intent	141
		D. O	vert A	ct	142
		E. Pi	nkerton		143
		F. In	nposs	ibility, Termination, and Withdrawal	144
	III.	Consp	iracy	to Commit an Offense Against the	
		United	l State	s Under 18 U.S.C. § 371	145
	IV.	Consp	iracy	to Defraud the United States Under	
		18 U.S	.C. §	371	146
	V.	Chargi	ng Co	onspiracy	147
		A. Co	o-Con	spirators	147
		B. Cl	nargir	ig § 371's Two Clauses	148
		C. U	nanin	nity and Inconsistent Verdicts	149
Chapter 6.	Fra	ud			159
	I.	Mail ai	nd Wi	re Fraud Under 18 U.S.C. §§ 1341,	
		1343,			161
				to Defraud	162
		1.		ject of the Fraud	163
			a.	Honest Services	164
				i. Who Owes a Duty of Honest	
				Services?	166
				ii. The Scope of Such	
				Duty: Bribery and Kickbacks,	
				Not Self-Dealing	167
				iii. Kickbacks Defined	168
				iv. Bribery Defined	168
			b.	Money or Property	170
				i. Confidential Business Information	171
				ii. Right to Control	172
				iii. Government Licenses	173
				iv. Taxes	174
				v. Salary	174
				vi. Fraudulent Inducement	175
		2.	Туј	pes of Fraud	177
		3.	, ,	teriality	178

		4. Intent to Defraud	178
		a. Money or Property Cases	178
		b. Honest Services Cases	180
		B. Mailing or Wiring in Furtherance	180
	II.	Conspiracy to Commit Fraud Under 18 U.S.C. § 1349	192
	III.	Bank Fraud Under 18 U.S.C. § 1344	193
		A. Scheme to Defraud a Financial Institution	
		Under § 1344(1)	195
		B. Scheme to Obtain a Financial Institution's	
		Property by Means of Misrepresentations	
		Under § 1344(2)	196
	IV.	Health Care Fraud Under 18 U.S.C. § 1347	200
Chapter 7.	Ob	struction of Justice	205
	I.	The Omnibus Clauses of 18 U.S.C. §§ 1503,	
		1505, and $1512(c)(2)$	210
		A. In a Qualifying Proceeding or Investigation	211
		1. Pending vs. Contemplated Proceeding	212
		2. Agency Proceeding: § 1505 vs. § 1512	213
		B. "Corruptly"	214
		C. Commit a Covered Obstructive Act	215
		1. Sections 1503 and 1505 vs. § 1512(c)	
		(2) After Fischer	216
		2. Lawful But "Corrupt" Acts	219
		3. Obstruction of a Non-Crime	220
		D. Nexus to a Pending or Contemplated	
		Proceeding or Investigation	220
		E. Specific Intent	222
	II.	Witness Tampering Under 18 U.S.C. § 1512(b)	229
		A. Official Proceeding and Nexus	231
		B. Corrupt Persuasion	232
		1. Corruptly Persuading to Withhold Testimony	232
		C. Misleading Conduct	234
		D. Hindering Reports to Law Enforcement	
		Relating to a Federal Offense Under 18	
		U.S.C. § 1512(b)(3)	235
		E. Safe Harbors Under 18 U.S.C. §§ 1512(e),	
		1515(c)	237
	III.	Prohibitions of the Destruction, etc. of Records	
		and Objects Under 18 U.S.C. §§ 1512(c), 1519, 1520	241
		A. Alteration, Destruction, Mutilation or	
		Concealment of Records, Documents, or	
		Objects Under 18 U.S.C. § 1512(c)	242

		В.	Alteration, Destruction, or Falsification, etc. of Records, Documents, and Tangible Objects Under 18 U.S.C. § 1519  1. The Differences Between § 1512(c) and § 1519 a. Attempts b. "Other object" vs. "Tangible Object" c. Qualifying Conduct d. Mens Rea and Intent e. "Official Proceeding" vs. "Matter Within the Jurisdiction of Any	244 245 245 246 246
		C.	Department or Agency of the United States"  Destruction of Corporate Audit Records	247
			Under 18 U.S.C. § 1520	250
Chapter 8.	Sec	curi	ties Fraud	253
-	I.	Sec A.	tion 10(b) and Rule 10b-5 The "In Connection With" the Purchase or	257
		В.	Sale of Securities Requirement Jurisdictional Element: Use of Instrumentalities of Interstate Commerce	260
			or the Mails	262
		C.	Mens Rea	262
		D.	False Statement Cases Under Rule 10b-5(b)	264
			1. Making a False or Misleading Statement	264
			2. Materiality	265
		E.	Deceptive Devices: Insider Trading Cases	265
			1. Classical Theory	267
			2. Misappropriation Theory	267
			3. Temporary Insiders	269
			<ul><li>4. Tipper/Tippee Liability</li><li>a. Breach through "Personal Benefit"</li><li>b. Tippee Knowledge: Tipper Breach</li></ul>	270 270
			or Tipper's Personal Benefit?	272
			<ul><li>5. Trading "On the Basis Of"</li><li>6. Summary of Elements of Insider</li></ul>	273
			Trading Liability	274
	II.		curities Fraud Under 18 U.S.C. § 1348	275
		A.	Securities Fraud Under § 1348(1)	276
		В. С.	Securities Fraud Under § 1348(2) Scheme or Artifice to Defraud Under	277
		_	§ 1348(1)	278
		D.	Money or Property Under § 1342(2)	279

		E. "In Connection With" Requirement	280
		F. "Securities" and "Commodities"	282
		G. Insider Trading Tipping Cases	282
Chapter 9.	Pu	blic Corruption	295
	I.	Bribery, 18 U.S.C. § 201(b)	297
		A. Quid Pro Quo and Corrupt Intent	298
		B. The "Quid": The Thing of Value	299
		C. The "Quo": In Exchange for an "Official	
		Act" Under § 201(b)(2)(A)	300
		D. Alternative "Quo": In Exchange for Inducing	
		a "Violation of Official Duty" Under	
		§ 201(b)(2)(C)	302
		E. Qualifying Recipients of the Bribe Payments	302
	II.	Gratuities, 18 U.S.C. § 201(c)(1)	303
		A. The Differences Between Bribery and	
		Gratuities Elements	303
		1. Knowing Mens Rea	303
		2. Nexus: No Quid Pro Quo Requirement	303
	TTT	3. Qualifying Recipients of a Gratuity	304
	III.	Extortion Under Color of Official Right, 18	310
		U.S.C. § 1951 (The Hobbs Act)  A. No Pressure or Threat Necessary	311
		<ul><li>A. No Pressure or Threat Necessary</li><li>B. Conspiracies Can Include Extorter and Extortee</li></ul>	311
		C. Quid Pro Quo	312
		D. Obtainable Property	313
		E. The Quo: Official Act Requirement	314
		F. Jurisdictional Element: Effect on Interstate	511
		Commerce	314
	IV.	Federal Program Bribery, Theft, and Fraud, 18	011
		U.S.C. § 666	317
		A. "Corruptly"	318
		B. Organization or Government Receiving	
		"Benefits" Exceeding \$10,000	318
		C. No Nexus Between Criminal Conduct and	
		Federal Funds	319
		D. Bribery Only	320
		E. Agent of the Organization or Government	321
		F. Anything of Value to Influence or Reward a	
		Business or Transaction Valued at \$5,000	321
	V.	Transnational Bribery: The Foreign Corrupt	
		Practices Act (FCPA), 15 U.S.C. § § 78dd-1 to	
		78dd-3 and the Foreign Extortion Prevention	225
		Act, 18 U.S.C. § 201(f)	325
			xvii

		A.	The	e FCPA	325
			1.	Potential Defendants	327
			2.	Actus Reus or Jurisdictional Act	329
				a. Issuers and Domestic Concerns	329
				b. 78dd-3 Persons	330
				c. Theories to Cover Foreign	
				Nationals Acting Outside the	
				United States	331
			3.	Qualifying Payments	332
				a. "Foreign Officials" and	
				State-Controlled Entities	332
				b. Anything of Value	333
				c. Payments to Third Parties on the	
				Public Official's Behalf	334
				d. Payments Funneled Through	
				Third-Parties, Including Foreign	
				Subsidiaries	334
			4.	Willfully and Corruptly	336
			5.	Quid Pro Quo	336
			6.	Business Nexus	
				Requirement: Obtaining or Retaining	
			_	Business	337
		-	7.	Exemption and Exceptions	338
		В.		Foreign Extortion Prevention Act,	220
	T. 7.T	H-1		U.S.C. § 201(f)	339
	VI.	The	e Irav	el Act, 18 U.S.C. § 1952	344
Chapter 10.	RIC	CO			349
	I.	Pro		ed Activities: Sections 1962(a), (b) and (c)	352
		A.		endant "Persons"	355
		В.	The	e "Enterprise"	355
			1.	Legal Entities	355
			2.	Association-In-Fact (AIF) Enterprises	356
		C.	_	ployed by or Associated with the	
				erprise (§ 1962(c) Only)	358
		D.		Distinctiveness Requirement	
				1962(c) Only)	358
			1.	Avoiding	
				"Distinctiveness": Association-In-Fact	2.11
			2	Enterprises	361
			2.	Avoiding "Distinctiveness": Section 1962(a)	364
			3.	Corporate Plaintiff/Victims	365

		E.	Jurisdictional Hook: The Enterprise Must	
			Affect Interstate Commerce	366
		F.	Conduct of Enterprise's Affairs (§ 1962(c) Only)	367
			1. Lower-Level Employees	369
			2. Outsiders	369
			3. Avoiding Reves: Redefining the Enterprise	370
			4. Avoiding Reves: Use a Conspiracy	
			Charge Under § 1962(d)	371
		G.	Pattern of Racketeering Activity	371
		H.	Mens Rea	374
	I.	RIC	CO Conspiracy, § 1962(d)	374
	J.	Ext	raterritorial Application	376
	II.	Pro	cedural Issues, Forfeiture, and Prosecutorial Policies	376
		A.	Practical and Evidentiary Considerations	376
		В.	Criminal Forfeiture	378
		C.	DOJ Approval Requirements and Charging	
			Directions	380
Chapter I I.	Мо	ney	/ Laundering	389
	I.	Мо	ney Laundering Under 18 U.S.C. § 1956	394
		A.	Transaction Laundering Under § 1956(a)(1)	394
			1. Actus Reus: A Financial Transaction	395
			2. "Proceeds"	397
			3. Specified Unlawful Activity	399
			4. Mens Rea and Actual Proceeds	400
		B.	Transaction Laundering Under § 1956(a)(2)	401
			1. Actus Reus: Transporting, Transmitting,	
			or Transferring Monetary Instruments	
			or Funds	402
			2. Transborder Transportation	402
			3. "Proceeds" Required for Concealment	
			but Not Promotion	403
		C.	Government Sting Operations Under	
			§1956(a)(3) and § 1956(a)(2)	404
			1. Transaction Cases	404
			2. Transportation Cases	405
		D.	Concealment Cases	405
		E.	Promotion Cases	408
			1. Transaction vs. Transportation	
			Promotion Offenses	408
		F.	Temporal Issues	410

		1. Merger Issue #1: Promotion and	
		Concealment in the Same Transaction	
		as That Generating Proceeds	411
		2. Merger Issue #2: Promotion or	
		Concealment in the Context of an	
		Ongoing Scheme	412
		a. Concealment or Promotion	
		of Proceeds of Incomplete	
		Underlying	412
		Crimes	412
		b. Promotion of Ongoing	412
		Underlying Criminal Activity	413
		3. Promotion of a Past Crime	414
		G. Conspiracy Under § 1956(h)	415
		H. Extraterritorial Application and	416
	II.	Correspondent Banking Transactions	410
	11.	Engaging in a Transaction in Criminally Derived	410
		Property Under 18 U.S.C. § 1957	419 420
		A. Monetary Transaction B. Mens Rea and Criminally Derived Property	420
		/ 1 /	421
	III.	C. Extraterritorial Application Illegal Money Transmitting Businesses Under 18	721
	111.	U.S.C. § 1960	421
		A. Section 1960(b)(1)(A)	425
		B. Section 1960(b)(1)(B)	426
			120
Chapter 12.		and Jury Investigations and the	
	Fou	ırth Amendment	439
	I.	Screening Function	442
		A. Rules Relating to Evidence	443
		B. Persons Present and Grand Jury Secrecy	444
	II.	Investigative Function	446
		A. Subpoenas Duces Tecum (Documents and	
		Other Objects)	447
		1. The Government Perspective	448
		2. The Defense Perspective	448
		3. The Fourth Amendment	449
		a. General Overbreadth Standard	450
		b. The Reasonable Expectation of	
		Privacy Test and the Third-Party	
		Doctrine	452
		i. Background on the Stored	
		Communications Act	453

			ii. CSLI Data and Email: Carpenter	
			and Warshak	456
			4. The Fifth Amendment	459
		В.	Subpoenas ad Testificandum (Testimony)	461
			1. The Government Perspective	462
			2. The Defense Perspective	463
			3. The Fourth Amendment Rights	464
			4. The Fifth Amendment Rights	464
			5. Advice of Rights	465
		C.	Prosecutorial Misconduct and	
			Constitutional and Harmless Error	466
		D.	Obtaining Evidence Abroad	468
Chapter 13.	Dis	COV	ery and Other Information	
	Gai	the	ing Methods	477
	I.		s of Particulars	480
	II.	Brac	y Material	480
		A.	Evidence Favorable to the Accused	481
		В.	Suppression of Evidence by the Government	482
		C.	Information in the Possession of the Prosecution	483
		D.	Prejudice or Materiality	485
		E.	Waivers and Pre-Plea Brady	487
		F.	Ethical Rules and the McDade Amendment	488
	III.	Pre	-Trial Discovery: Fed. R. Crim. P. 16	488
		A.	The Government's Discovery Obligations	489
			1. Defendant's Statements	489
			2. The Defendant's Prior Record	491
			3. Documents and Objects	492
			a. Items "Material to Preparing the	
			Defense" Under Rule $16(a)(1)(E)(i)$	492
			b. Items the Government "Intends to	
			Use in its Case-in-Chief" Under	
			Rule $16(a)(1)(E)(ii)$	494
			c. Items Obtained from or That	
			Belong to the Defendant Under	
			Rule $16(a)(1)(E)(iii)$	494
			4. Reports of Examinations and Tests	494
			5. Expert Witnesses	495
			6. Government Information Not Subject	
			to Disclosure	495
		В.	The Defense's Reciprocal Discovery Obligations	495
			1. Documents and Objects	496
			2. Reports of Examinations and Tests	496

		3. Expert Witnesses	496
		4. Defense Information Not Subject to Disclosure	497
	IV.	Jencks Act or 3500 Materials: Witness Statements	497
	V.	Fed. R. Crim. P. 17 Subpoenas	500
		A. Obtaining Evidence from Overseas	502
		B. Access to Electronic Communications	
		Under the Stored Communications Act (SCA)	503
Chapter 14.	The	e Fifth Amendment and Immunity	513
	I.	Natural Persons and Sole Proprietorships	515
	II.	Compelled by the Government	516
		A. What Constitutes Compulsion	516
		B. Compulsion by a State Actor	517
		C. The Rights Holder Must Be Compelled	517
		D. Material Seized by Warrant Is Not Compelled	518
		E. If the Government Didn't Make You Write	
		It, What You Wrote Is Not Compelled	519
	III.	To Provide a Testimonial Communication	519
		A. Compelled Acts That Are Used as Evidence	520
		B. Compelled Acts of Producing Documents	
		and Other Tangible Evidence	521
		C. Compelled Provision of Access Codes and	
		Decryption Keys	522
		D. The Foregone Conclusion Doctrine	526
		<ol> <li>The Doctrine as Applied to Subpoenas</li> </ol>	
		Duces Tecum	526
		2. The Doctrine as Applied to Forced	
		Access or Decryption	527
	IV.	That Is Incriminating	528
	V.	And Can Be Used Against the Witness in a	
		"Criminal Case"	531
	VI.	Summary with Respect to Compelled Acts and	
		Subpoenas Duces Tecum	532
	VII.	Immunity	540
		A. Formal Immunity Under 18 U.S.C. § 6002	541
		<ol> <li>Kastigar Procedures to Enforce Use and</li> </ol>	
		Derivative Use Immunity Orders	543
		2. Derivative Evidence: Indirect	
		Evidentiary Use and Non-Evidentiary Use	544
		3. Federalism Issues	546
		B. Cooperation: Negotiations and Proffers	546
		C. Informal ("Letter" or "Pocket") Immunity	548
		D. Advantages and Disadvantages of Formal vs.	
		Informal Immunity	549

		1. The Defense	549	
		2. The Government	550	
	VIII.	Miranda and Custodial Interrogations	550	
	IX.	Waiver	552	
	X.	The Required Records Exception	554	
Chapter 15.	u.s	. Sentencing Guidelines	561	
	I.	Relevant Statutes	565	
	II.	Outline of Individuals' Guidelines Analysis	567	
		A. Chapter Five: The Sentencing Table	568	
		B. Chapter Two: Base Offense Level and		
		Specific Offender Characteristics	569	
		C. Chapter Three: Adjustments	571	
		D. Relevant Conduct	572	
		1. Temporal Dimension	572	
		2. Accomplice Attribution Dimension	572	
		E. The Third Dimension: Relevant Conduct		
		and Grouping	573	
		1. Grouping	573	
		2. The Interaction of Grouping and		
		Relevant Conduct	576	
		F. Chapter Four: Criminal History	577	
		G. Acceptance of Responsibility	578	
		H. Chapter Five: Departures	579	
	III.	Outline of Organizational Guidelines Analysis	585	
		A. Part B—Remedying the Harm from		
		Criminal Conduct—Restitution	587	
		B. Part C—Fines	588	
		<ol> <li>Seriousness of the Offense: The Base Fine</li> <li>The Culpability of the</li> </ol>	588	
		Organization: the Culpability Score	588	
		a. Effective Compliance Programs	589	
		b. Self-Reporting, Cooperation, and		
		Acceptance of Responsibility	590	
		3. Identification and Application of the		
		Minimum and Maximum Multipliers	590	
Chapter 16.	Plea Bargaining and Cooperation			
	I.	Justifications for, and Arguments Attacking, Plea		
		Bargaining	595	
	II.	Constitutional Limitations on Prosecutorial Discretion	599	
		A. Equal Protection	599	
		B. Vindictive Prosecution	601	

xxiii

	III.	Guilty Plea Procedures	603
	IV.	Rule 11 and Guidelines Bargaining	604
		A. Charge Bargains Under Fed. R. Crim.	
		P. 11(c)(1)(A)	606
		B. Guidelines Fact and Factor Bargaining	
		Under Fed. R. Crim. P. $11(c)(1)(B)$ and $(C)$	608
		C. Sentence Bargains Under Fed. R. Crim.	
		P. $11(c)(1)(B)$ and (C)	608
	V.	Plea Agreements Generally	609
	VI.	Cooperation Agreements	610
Chapter 17.	Par	allel Proceedings	619
	I.	Constitutional Constraints on Parallel Federal	
		Criminal and Civil Enforcement Actions	621
		A. Due Process	621
		B. Double Jeopardy	622
	II.	Fifth Amendment Right Against Compelled	
		Self-Incrimination and Parallel Proceedings	624
		A. The Dangers of Not Taking the Fifth in	
		Collateral Litigation: Gifts to Prosecutors	
		and Potential Waiver Issues	624
		B. The Danger of Taking the Fifth in Collateral	
		Litigation: Adverse Inferences	626
	III.	Obtaining a Stay of Civil or Administrative	
		Proceedings	627
	IV.	Obtaining a Protective Order in Civil or	
		Administrative Proceedings Barring Disclosure	
		to Prosecutors or the Grand Jury	629
	V.	Obtaining Grand Jury Materials for Use in Civil Cases	629
		A. Private Litigants' Ability to Secure Grand	
		Jury Transcripts	629
		B. Sharing Grand Jury Materials with Federal	
		Government Lawyers in Civil Matters	631
	VI.	Collateral Estoppel	632
	VII.	Global Settlements	633

639

Index