

MARTIN KENNEY & CO. LTD., SOLICITORS
PREFERRED AREA OF PRACTICE: *INTERNATIONAL FRAUD*
(“MKS”)

MKS is a specialist investigative and litigation law firm that employs lawyers, multi-jurisdictional economic crime investigators and forensic analysts on a full-time basis. Depending on the resource needs of a particular matter, MKS also retains the services of such specialists under ad hoc contracts. The professionals who are retained under ad hoc contracts are drawn from a network of experienced investigators, lawyers and analysts located around the world. MKS has a surge-capacity to marshal the international legal and investigative resources required in virtually any part of the world and within a brief period of time, to pursue our clients’ objectives – most usually involving either (a) the recovery of concealed assets of a very substantial value or (b) the achievement of solutions to a diverse set of extreme-fact problems. The biographies of the senior in-house members of the MKS team are set out as follows:

1. Martin S. Kenney, Principal.

Prior to founding Martin Kenney & Co. Ltd., Solicitors (Preferred Area of Practice: *International Fraud*), Mr. Kenney was a partner at Bermans, the English firm of Solicitors. Subsequently, Mr. Kenney co-founded the New York law firm Kenney, Becker, Solicitors LLP and Interclaim, a global asset recovery concern. He is a specialist investigative and litigation lawyer in multi-jurisdictional economic crime and international serious fraud, and has acted for a large number of substantial clients such as international banks, insurance companies and other private and governmental institutions. He is a practising Solicitor-Advocate (Higher Courts Civil Proceedings) of the Supreme Court of England & Wales, a non-practising Barrister & Solicitor of British Columbia, a licensed foreign legal consultant in the State of New York, and a Registered Lawyer in Ireland. Mr. Kenney holds an LL.M (International Business Law) from University College, London, and is a member of numerous professional societies. He has published and lectured on money laundering, legal and ethical restraints on the conduct of private investigations, and international concealed asset recovery. Mr. Kenney is widely regarded as a ground-breaker in the use of pre-emptive remedies in response to global economic crime to uproot bank secrets and freeze hidden assets simultaneously in multiple jurisdictions. He has been featured in articles and broadcasts of media outlets in many countries.

In June 1999, Mr. Kenney was appointed to the Working Group on Government Corruption of the Society of Advanced Legal Studies at the University of London, which issued proposals for the reform of the law on abuse of power and government corruption in the United Kingdom. Mr. Kenney is a member of Committee W (Business Crime) and Committee J (Insolvency and Creditors' Rights) of the International Bar Association. Mr. Kenney is also a member of Fraudnet, a specialist network of leading fraud and business crime lawyers of the Commercial Crime Services Division of the International Chamber of Commerce.

2. Richard Parlour, Consultant.

Mr. Richard Parlour has sixteen years' experience in the area of international financial markets law. Mr. Parlour has worked in conjunction with various financial sector businesses and governments in many countries, including the United Kingdom, the Netherlands, Hungary, the Czech Republic, Latvia, the United States, Japan and Germany. Mr. Parlour specialises in due diligence and money laundering intelligence, as well as general advice regarding the interpretation and application of financial services legislation. He was admitted as a Solicitor of England & Wales in 1985, and holds Bachelors and Masters degrees in law from Jesus College, Cambridge. In addition to his native English, Mr. Parlour speaks and writes French fluently, and has basic German and Russian. He has British government and security clearance at DV level, and holds various military qualifications. He serves as a Reserve Officer with RAF Intelligence. Mr. Parlour is a member of the Law Society of England & Wales, and the International Bar Association. He is also a member of various UK Government and trade association working parties on the reduction of organised crime.

The following are but a few examples of successful projects undertaken by Mr. Parlour: (a) he was responsible for advising the Czech Parliament on the reform of the Czech capital market. All recommendations made have since been adopted by said Parliament; (b) he was responsible for the development of a Regulatory Impact Analysis toolkit for a leading European Central Bank; and (c) he established the global money laundering deterrence policies and procedures for one of the UK clearing banks in sixty jurisdictions worldwide. Mr. Parlour has written extensively on fraud and money laundering, and he is a regular conference speaker on these subjects. He has also made frequent radio and television appearances discussing such topics as money laundering and fraud deterrence. Mr Parlour works regularly with Martin Kenney & Co. as a team member on a number of the firm's concealed asset recovery projects – advising on money laundering and intelligence procurement issues.

3. Elizabeth O'Brien, BL, Counsel.

Ms. O'Brien is counsel to MKS. She is a Barrister-at-Law at the Irish and English Bars and a New York attorney-at-law. She has lectured and written extensively on global economic crime, money laundering, and the law of investigations. Ms. O'Brien has worked professionally with Mr. Kenney for six years on a broad array of

complex, multi-jurisdictional investigations in respect of serious forms of corruption and abuse.

4. **James McGunn, Managing Director, Investigations Section.**

Mr. McGunn joined our firm in 1997 after a 30-year career in intelligence, security and criminal investigations. He served with various United States federal law enforcement agencies, including 10 years with the U.S. Secret Service, four years with the U.S. Department of Defense, and 11 years as a commissioned Foreign Service Officer and criminal investigator with the U.S. Agency for International Development. He has held senior managerial positions in Singapore, Washington DC and Frankfurt, where he investigated large-scale economic crimes against American foreign assistance programs in Asia, the Near East, Europe, Russia and the New Independent States of the former Soviet Union. Mr. McGunn has received numerous commendations for his oversight of investigative portfolios that spanned several continents, and involved hundreds of millions of dollars. He holds a Master of Science degree in Criminal Justice Administration, and is an alumnus of the postgraduate School of Strategic Intelligence, U.S. Defense Intelligence Agency.

5. **John Bagalini, Managing Director, Forensics.**

Mr. Bagalini has over twenty-years' experience in all phases of capital investment, operations and financial management and accounting, both in the United States and internationally. His work has included the organization and detailed examination of investigative materials through highly specialized link analysis diagramming software. This same medium of analysis is used by the CIA, DEA, FBI and UK Customs in plotting and analyzing dense material and 'links' in organized crime and anti-racketeering cases. Having worked as a Certified Public Accountant with both Price Waterhouse and Deloitte, Haskins & Sells (as they were then known), in both audit and tax, his knowledge of the architecture of *bona fide* trans-border investments provides value in the analysis of complex money laundering and corrupt payment systems.

6. **Richard Marston, Senior Investigator.**

Mr. Marston joined our firm 6 years ago. Prior to 1997, he served as a Scotland Yard Detective for 33 years, the last 17 of which he spent dealing with international banking and corporate fraud. Between 1993 and 1997, Mr. Marston was Vice Consul at the British Consulate in Miami, Florida, where he was in charge of the Joint FBI-Scotland Yard Task Force to combat economic crime in the Caribbean and Central America. Mr. Marston is a frequent lecturer on the conduct of major enquiries involving trans-border economic crime, and is widely regarded as one of the foremost investigators in the field. Mr. Marston has a broad-based background in the

clandestine gathering of intelligence, particularly in areas related to highly complex multi-jurisdictional financial transactions in the United Kingdom, continental Europe, and offshore financial centres of the Caribbean. He has directed investigations into major financial frauds, including a Grand Cayman case that uncovered the largest international banking fraud perpetrated by a multinational bank there, leading to the recovery of over stg £200 million. In another major case, Mr. Marston was responsible for the investigation of the offshore financial activities of an entire Caribbean nation, including 350 banks that had existed there until the evidence he developed resulted in the closure of all but 16 banks, and the convictions of 100 people.