**Microsoft**

# Internal Investigations

## SCCE

Steve Simpson
Mike Duffield

# Agenda

- Compiling the relevant facts
- Interviewing witnesses fully and impartially
- Working with a forensics team
- Documenting information in and across cases

# Investigations at Microsoft

Corporate, External and Legal Affairs (CELA):
- Office of Legal Compliance – Investigations
- Office of Legal Compliance – Forensics

Internal Audit: Financial Integrity Unit

Finance: Global Security

And... ERIT; DCU; UST; WDG Investigations; Anti-Piracy, et al.

# Whether and How to Investigate

- Scope
- The Investigation Plan
  - Division of labor
  - Choosing internal v. external resources
  - Choosing specific internal or external resources

# Compiling the relevant facts

- Planning
  - Nature of the allegation
  - Focus and objectives
  - Sources of information
  - Potentially applicable policies and laws
  - Clarity of roles and coordination with appropriate teams/authorities

# Interviewing witnesses fully and impartially

- Develop an interview map
- Identify materials to be presented to interviewee
- Warnings
- Recording or interview notes?
- Beware of bias
- Listen

# Working with a Forensic Team

- Know your team – Forensics means many things
- Ask for delivery estimates, but be flexible
- Please stop watching CSI.  **Please**.
- What are you trying to achieve?
- Scope requests for speed
- Forensics versus IT
- Get a translation
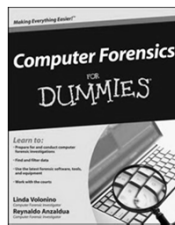


# Documenting case information

- Document investigative activity
  - Case notes
  - Interview notes
  - Correspondence
  - Work in progress
- Robust Case Management Solution
  - Efficiency
  - Risk mitigation
  - Assume that case file will be reviewed by someone outside of the company

# Documenting Information Across Cases

- Capture key case attributes in structured form for:
  - Management planning
  - Resource allocation
  - Proactive compliance initiatives / investigations