



Compliance and governance pitfalls leading to litigation

A case study

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Powerplay in Italy



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Energy plc. ("Energy") with registered office in London is a leading energy company. Its main business is the generation, distribution and supply of electricity worldwide.

Mark B., GC of Energy, just arrived at his desk when the telephone rings. An anonymous caller tells him the following:

In May 2016, the German subsidiary of Energy, Watt AG ("Watt") was awarded the tender for the construction and operation of a major power plant in Italy.

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The caller claims that:

- Volt Ltd. (BVI), Tortola ("Volt"), had received a payment of EUR 1m in April 2016 for consulting services on an account held at Bank Ampère & Fils, Geneva
- E. Lettrici, director of the Italian energy authority was the sole ultimate beneficial owner of Volt
- W. Strom, managing director of Watt submitted an arranged bid

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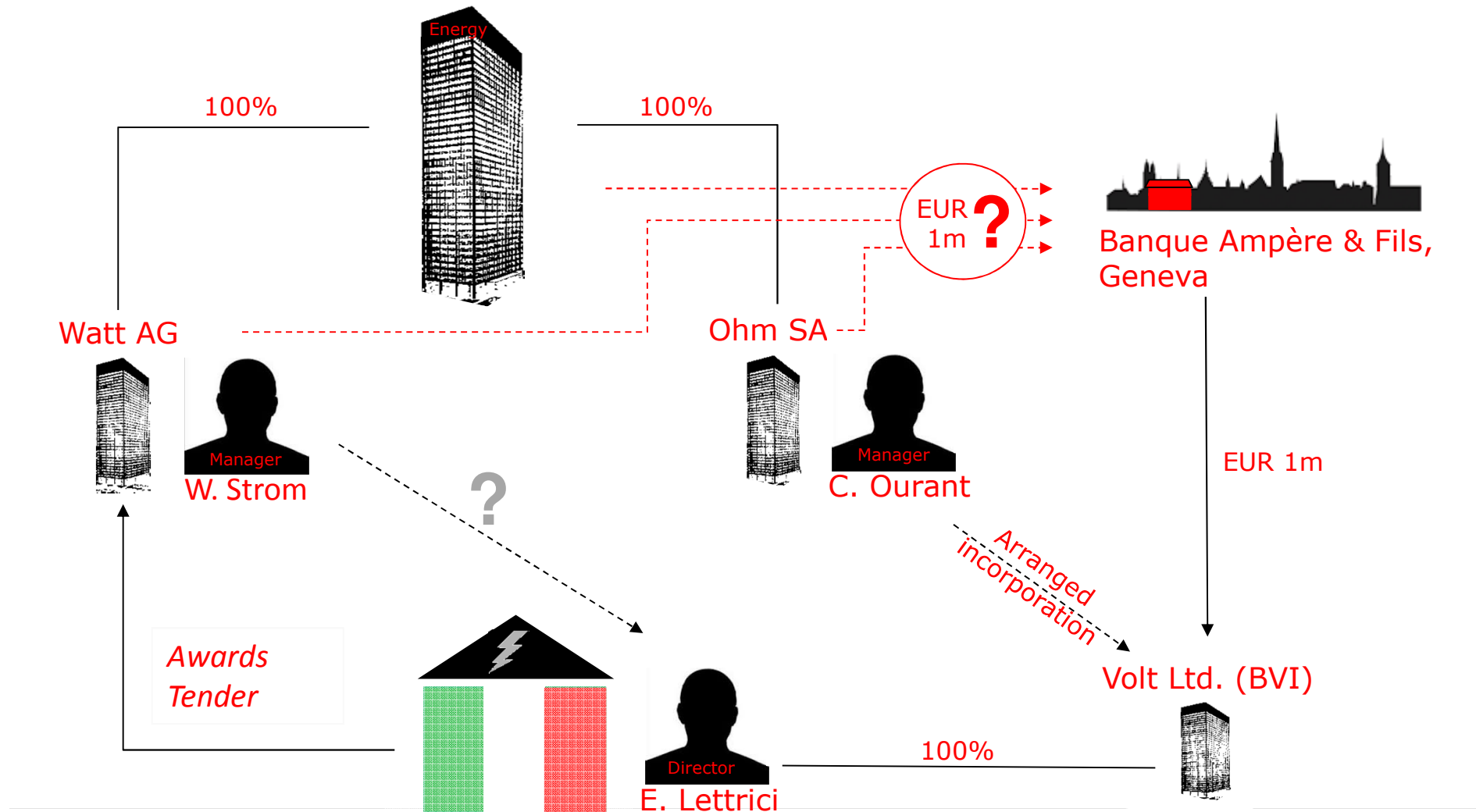
The incorporation of Volt seems to have been arranged by C. Ourant, managing director of Energy's Swiss subsidiary, Ohm SA. It is believed that he also authorized the payment to Volt.

It is unclear if the parent company in London was involved in the dealings.

The caller hangs up, leaving Mark B. in deep concern.

Meanwhile, the German and the Swiss managing directors are relaxing in Rome, at Energy's annual offsite ...

Powerplay in Italy – what happened?



Thank you for your attention!



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