

Prosecutor who included former Mayor in the Interpol Red Notice List lunched with the congressman's defense attorneys in São Paulo
March 23 2013 | 20h 09

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Original article published in Portuguese

For nearly 20 years Mr. Adam Kaufmann played the role of a New York super prosecutor in the fight against white collar crime, corruption and illicit money laundering. A remarkable chapter of his career was the lawsuit against Congressman Paulo Maluf (PP-SP), accused of theft by the Grand Jury of Manhattan. The tireless performance of Kaufmann resulted in the heaviest penalty ever imposed on the former Mayor of São Paulo - his inclusion in the Red Notice List, Interpol (International Police) index of the most wanted in the world.



Epitácio Pessoa/Estadão

Adam Kaufmann is now a Lawyer in private practice

Last week, Kaufmann was in São Paulo. But he did not come to gather more evidence against the Brazilian politician, who is currently in his second consecutive term in the House of Representatives. Kaufmann was on another mission: to have lunch with Maluf's lawyers and to introduce his new endeavor: the firm of Lewis Baach Kaufmann Middlemiss, a prominent law firm based in Washington, DC dedicated to complex international cases.

They had lunch at a restaurant in Itaim. Kaufmann was accompanied by his former colleague of the New York District Attorney's Office, Arthur Middlemiss. Two of Maluf's lawyers welcomed the former opponents.

Kaufmann explained his new role, now on the other side of the counter, as they say in the forensic world. From there, he went to a meeting at the headquarters of a famous corporate and banking law firm in downtown São Paulo, where he also introduced himself.

In January, Maluf's tormentor, the super prosecutor left the role of accuser and tracker of illicit

funds that migrated through his country's financial system. He left after a rigorous and successful journey of 18 and a half years in the District Attorney's Office of New York. On February 1, he and Middlemiss joined Lewis Baach, a firm which proudly adopted the surname of its new members, and are presented as "two prominent professionals who fight white collar crime."

In order to efficiently utilize the services of Kaufmann and Middlemiss, the firm has established them in an office in New York City.

Adam Kaufmann's taking of a new role does not mean that he will undo all he has done against Maluf. There is no record that he will ever defend the former Mayor.

The fact is that the American law firm that welcomed Kaufmann maintains cordial relations with the Brazilian firm which has always engaged in Maluf's defense.

In the case against Maluf, there was no joint action of these two law firms, but they did work together in other cases - such as a case involving a banking institution. Whenever the Brazilian firm needs a representative in the United States in international proceedings, the former mayor's defenders resort to Lewis Baach.

Kaufmann and Middlemiss performed senior leadership positions at the New York District Attorney's Office.

Kaufmann, the former head of the Investigation Division, oversaw more than 100 prosecutors who conducted cases involving international white collar crime, violation of sanctions and organized crime.

Middlemiss, the former head of an agency that focused on international white collar crime, informally known as DANY, left his position in 2007 and most recently worked at JP Morgan Chase Co., where he held senior positions in an anti-money laundering program and was appointed first Director of the Global Anti-Corruption Program.

In his days as prosecutor, Kaufmann won the trust and admiration of his Brazilian peers as a great collaborator in the relentless case against the Banestado doleiros (evasion of US\$ 30 billion) and Maluf.

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He shared information with the São Paulo Prosecution Office which sued the former Mayor for corruption, improbity and money laundering.

It was part of his routine, for example, to trace funds deposited by politicians from other countries, like Brazil, in American financial institutions.

Kaufmann's interventions led to the inclusion of the former mayor in the Red Notice List of Interpol, in 2009, after the American justice system ordered his arrest.

Maluf can leave Brazil, but he runs the risk of being handcuffed anywhere on the planet - nearly 200 countries are part of the international police network.

In 2010, passing through São Paulo, where he attended the 1st Congress of Public and Social Heritage of the Public Prosecution Office, Kaufmann talked about Maluf. "I investigated Mr. Maluf. He was charged in New York for crimes committed in New York, not in Brazil. I did my job. After 16 years of prosecution it is difficult to be shocked. It is difficult for me to understand the culture (of Brazil). I think that the institutions have to grow. Brazil is a great partner. I found prosecutors and judges who are dedicated and hardworking and who want to get things done."

Adam Kaufmann confirms meeting with Paulo Maluf's lawyers. But he ensures that they did not discuss the case against the former Mayor. "I am no longer involved in the case. And discussing it would be inappropriate."

Kaufmann sees no ethical conflict in his new mission. He pointed out that he left the Manhattan District Attorney's Office after 18 years of service, in January 2013. "I joined a small law firm, Lewis Baach, that has experience in dealing with complex international disputes and asset recovery," said the man who commanded a group of more than 100 prosecutors in New York.

He reported that the firm will render services in New York as Lewis Baach PLLC Kaufmann Middlemiss. "My partner in New York, Arthur Middlemiss, was the head of the Office of the District Attorney on International Financial Crimes."

About six years ago, Middlemiss left the District Attorney's Office and migrated to JP Morgan Chase, where he designed and ran the global anti-corruption program.

“In my previous position, I supervised all investigations of international money laundering, corruption, terror financing, fraud and tax evasion,” says Kaufmann.

“Most of our new practice is helping foreign banks to comply with global practices and international standards of anti-money laundering, anti-corruption and sanctions against financial crimes,” he states.

Kaufmann said that in his brief visit to Brazil he met “many lawyers and bankers to discuss these issues.” He is clear. “I see no ethical conflict there.”

He reports that Manhattan prosecutors “are trained to follow the facts and apply the law without fear.” “The District Attorneys in New York tend to be extremely the opposite of politicians. In my time, I saw the Office (Prosecution) suing political allies who have violated the law, as well as the rich and famous, with the same professionalism. The District Attorneys in New York tend to be extremely nonpolitical. A prosecutor leaving the public sector cannot work on any matter that he has worked on as a prosecutor”.

“We are very pleased that Adam Kaufmann and Arthur Middlemiss are joining our firm. We have had a relationship of mutual respect and friendship for many years,” said senior partner Eric Lewis on the firm's website. “Their decision to join Lewis Baach is further evidence of the growing trend that top talented individuals are choosing companies based on knowledge and focus, rather than size and number of practice areas.”