



Post-Settlement Obligations Checklist

StoneTurn developed this Guide to Meeting DOJ and SEC Post-Settlement Obligations to help companies and their external counsel prepare for and manage common post-resolution obligations.

The Guide consists of four sections.

1. Commitments & Breaches.

The Guide begins with basic steps companies should take to meet obligations and avoid breaches.

2. Certifying Compliance Program Effectiveness.

The DOJ and SEC often require senior management to certify compliance programs and controls effectiveness.

3. Certifying Reporting Misconduct Allegations.

DOJ settlement agreements also require senior management to certify that the company reported allegations of violations of the criminal laws to DOJ.

4. Making the Best of a Government Monitor.

The Guide concludes with practical steps to prepare and liaise with a government-imposed monitor or independent consultant.

Commitments & Breaches	Compliance Program Certification	Reporting Misconduct Certification	Prepare & Liaise with the Monitor
Did the organization...			
<ul style="list-style-type: none"> • Create obligations register? 	<ul style="list-style-type: none"> • Select framework & assessment criteria? 	<ul style="list-style-type: none"> • Inventory internal & external sources? 	<ul style="list-style-type: none"> • Behave like a client?
<ul style="list-style-type: none"> • “Check & Challenge” work plan executability? 	<ul style="list-style-type: none"> • Identify & cure deficiencies 	<ul style="list-style-type: none"> • Establish an auditable escalation process? 	<ul style="list-style-type: none"> • Settle certification criteria upfront?
<ul style="list-style-type: none"> • Identify, assess, & respond to breach risks? 	<ul style="list-style-type: none"> • Develop evidence-based, sub-certification waterfall? 	<ul style="list-style-type: none"> • Develop evidence-based sub-certifications? 	<ul style="list-style-type: none"> • Avoid adversarial relationship?
<ul style="list-style-type: none"> • Independently test against obligations register? 	<ul style="list-style-type: none"> • Independently test against framework and criteria? 	<ul style="list-style-type: none"> • Independently test escalation process? 	<ul style="list-style-type: none"> • Collaborate on recommendations?