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BP Deepwater Horizon oil spill claims investigated by special master Freeh: A case for application of convenience theory to white-collar misconduct

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ABSTRACT

After an oil spill in the Gulf, British Petroleum had to compensate victims of the accident. The total compensation was \$11 billion. As suggested by the theory of convenience, a financial motive, an organizational opportunity and a personal willingness can explain deviant behavior by members of the elite in society to gain from the compensation program. In the case of the BP Deepwater Horizon settlements, attorneys were both presenting claims on behalf of victims as well as approving claims on behalf of petroleum company BP. It was a profitable assignment for attorneys, and some attorneys made it even more profitable for themselves by kickbacks and by both applying for and approving compensations. As illustrated in this case study, a report of investigation can serve as an empirical basis for the study of convenience theory.

Keywords: convenience theory; fraud examination; case study; white-collar crime.

BIOGRAPHY

Petter Gottschalk is professor in the department of leadership and organizational behavior at BI Norwegian Business School in Oslo Norway. After completing his education at Technische Universität Berlin, Dartmouth College, MIT, and Henley Management College, he took on executive positions in technology enterprises for twenty years before joining academics. Dr. Gottschalk has published extensively on knowledge management, intelligence strategy, police investigations, white-collar crime, and fraud examinations. He lectured at Henry Lee College of Criminal Justice, University of New Haven in 2015 and at the Department of Criminal Justice, University of Cincinnati in 2018.

BP Deepwater Horizon oil spill claims investigated by special master Freeh: A case for application of convenience theory to white-collar misconduct

INTRODUCTION

The Wall Street Journal reported in 2014 that BP has been complaining for a year that money it has promised to pay to financial victims of the Deepwater Horizon disaster has been doled out to unworthy, uninjured claimants (Fowler, 2014):

In courthouse filings and newspaper ads, BP has targeted companies it says were not really harmed by the accident and their lawyers, as the oil giant's estimate of the tab ballooned from \$7.8 billion to \$9.4 billion. Now the oil company is taking aim at the guy doing the doling: Patrick Juneau, who was appointed by a federal judge in New Orleans to administer claims under a settlement between BP and lawyers for businesses along the Gulf Coast. Last week BP wrote a letter to former FBI Director Louis Freeh, who at the request of the court has been looking into alleged mischief and fraud in the Deepwater Horizon claims office. The company asked him to turn over reams of documents – including any related to Mr. Juneau's knowledge of alleged wrongdoing.

The article refers to Freeh (2013), who had written an independent external investigation report of the Deepwater Horizon court supervised settlement program. Concerns regarding improper roles of attorneys in presenting claims had caused the investigation. In the report, Freeh (2013: 9) argues that; “the nature and seriousness of this type of conduct varied in degree but was pervasive and, at its extreme, may have constituted criminal conduct”.

The report by Freeh (2013) is interesting, because it examines misconduct and potential crime among white-collar offenders in the legal profession. When attorneys commit financial crime, their offenses belong to the white-collar category because attorneys satisfy many of the key

characteristics. Sutherland (1939) who introduced the concept of white-collar crime specifically focused on emphasizing the respectability of white-collar offenders, stating that persons of the upper socio-economic class commit all kinds of financial crime. The ability of white-collar offenders to commit crime relates directly to their privileged position, the social structure, and their orientation to legitimate and respectable careers (Friedrichs et al., 2018).

In this article, we apply the theory of convenience to white-collar crime suspicions as Freeh (2013) describe the suspicions in his report of investigation. The theory of convenience suggests that white-collar crime occurrences find their explanations in a convenient motive for financial gain, a convenient organizational opportunity for committing and concealing illegal financial acts, and a convenient personal willingness for deviant behavior. (Gottschalk, 2017).

This article addresses the following research question: What suggestions of motive, opportunity and willingness for white-collar crime does the investigation report present regarding attorneys involved in the BP Deepwater Horizon settlement program?

This research is important, as attorneys are a special group of potential white-collar offenders that is interesting to study.

OIL SPILL CLAIMS CASE

In the conclusion section, the report of investigation discusses three legal issues: mail and wire fraud, money laundering, and professional responsibility. Freeh (2013: 81) argues that he found “ample evidence that three attorneys worked together to corrupt a settlement process, written and administered in good faith and designed to benefit persons and businesses that suffered serious harm from the catastrophic 2010 Deepwater Horizon oil spill in the Gulf of Mexico”.

Jonathan Andry, Glen Lerner, Lionel Sutton were the three attorneys that had allegedly set up a corrupt system of payments to help speed claims through the process. Andry and Lerner utilized Sutton' position inside the Claims Administration Office for their clients at Andry Lerner law firm. In return, Andry and Lerner paid Sutton fees for referring claimants to their law firm. Andry and Lerner concealed the money to Sutton by transferring it via a different law firm. For example, the investigation found evidence that transactions totaling \$40,640.23 of referral fee payments had occurred on that external route in a settlement case for Casey Thonn, who had a damaged vessel.

In terms of mail and wire fraud, Freeh (2013: 86) argues that “federal criminal law prohibits use of mails or wires in furtherance of a scheme or artifice to defraud or obtain money or property by means of false or fraudulent pretenses, representations, or promises”. He argues that there was a scheme to defraud the Deepwater Horizon settlement program, since there was evidence of biased decision making for personal gain.

In terms of money laundering, there were financial transactions to disguise and conceal the nature, source, and ownership of proceeds. However, to define it as money laundering, financial transactions have to be concerned with illegal proceeds. Furthermore, whether or not the external law firm – through which financial transactions occurred – had knowledge of illegal actions, determines to what extent the handling of money was a criminal offense by the firm. As argued by Freeh (2013: 88), the “offense requires ‘a design’ to conceal, not just the effect of concealment”.

In terms of professional responsibility, Freeh (2013: 89) argues, “rules of professional conduct” can “have the force and effect of substantive law”. Furthermore, rules of professional conduct can override other legislative acts. A legitimate division of fees between lawyers who are not in

the same firm assumes that the client agrees, the total is reasonable, and each lawyer renders meaningful legal services for the client.

Investigator Freeh (2013) conducted over eighty interviews. The majority of interviews dealt with the facts and circumstances leading to Sutton's resignation, but there was also fact-finding about other potential ethical violations and misconduct. Freeh provided his report to the criminal justice system, and two years later, a Louisiana federal judge passed a sanction (Kang, 2015).

THEORY OF CONVENIENCE

The theory of convenience suggests that white-collar misconduct and crime occurs when there is a financial motive benefitting the individual or the organization, an organizational opportunity to commit and conceal crime, and a personal willingness for deviant behavior (Gottschalk, 2017).

The white-collar crime triangle has similarities with the fraud triangle (Cressey, 1972), which suggests three conditions for fraud: (1) incentives and pressures, (2) opportunities, and (3) attitudes and rationalization. However, there are two distinct differences. First, convenience is a relative concept, indicating that offenders have the option of alternative actions to reach their goals that do not represent illegitimate behavior. Second, it is in the organizational setting where offenders have access to resources so that opportunity arises to commit and conceal crime.

Financial motive is concerned with the desire for profit that offenders more conveniently achieve in illegal ways. The desire finds its causes in both possibilities and threats. Possibilities can emerge in the perspectives of profit-driven crime (Naylor, 2003) and goal orientation (Dodge, 2009; Jonnergård et al., 2010), as well the American dream (Pratt and Cullen, 2005; Schoepfer and Piquero, 2006). Threats can be found in perspectives of strain (Froggio and Agnew, 2007; Langton and Piquero, 2007; Wood and Alleyne, 2010) and fear of falling (Piquero, 2012).

An interesting starting point is to look at Maslow's (1943) hierarchy of needs. The Russian-American psychologist Abraham Maslow developed a hierarchy of human needs. Needs start at the bottom with physiological need, need for security, social need, and need for respect and self-realization. When basic needs such as food and shelter are satisfied, then the person moves up the pyramid to satisfy needs for safety and control over own life situation.

Higher up in the pyramid, the person strives for self-respect, status, and recognition. While street crime is often concerned with the lower levels, white-collar crime is often concerned with the upper levels in terms of status and success. Most individuals will want to move higher up in the pyramid when needs below are satisfied.

As far as money or other valuable items can help climbing higher in the pyramid, potential offenders may find white-collar crime convenient if other options to achieve success are more stressful and require more resources. Whether the offender wants more at a certain level or wants to climb to higher levels in the pyramid, financial crime can be a means to the end.

For some white-collar criminals, money is the goal of crime. For other white-collar criminals, money is a means to a goal of acceptance, influence and fame.

For example, to be accepted and potentially admired as a successful businessperson, the enterprise has to grow and make money. Financial success as a businessperson can lead to influence, privileges, and status. Admiration and respect in the elite is a desirable goal for many individuals. If such a goal is difficult to reach by legal means, illegal means represent an alternative.

Organizational opportunity is concerned with illegal profit that one can obtain more conveniently in an organizational setting where the offender can enjoy power and influence based on position and trust. The organizational dimension sets white-collar criminals apart from

other financial criminals. White-collar crime can be distinguished from ordinary crime (“street crime”) based on the status of the offenders, their access to legitimate occupations, the common presence of an organizational form, and the extent of the costs and harmfulness of such crime. Sutherland (1983) specifically focused on emphasizing the respectability of white-collar offenders, stating that persons of the upper socio-economic class commit all kinds of financial crime. The ability of white-collar offenders to commit crime is dependent on their privileged position, the social structure, and their orientation to legitimate and respectable careers (Friedrichs et al., 2018).

The perspective of principal and agent suggests that when task transfer occurs from a principal to an agent, the principal is often unable to control what the agent is doing. Agency problems occur when principal and agent have different risk willingness and different preferences, and knowledge asymmetry regarding tasks exists (Eisenhardt, 1985). The principal-agent perspective (or simply agency perspective) can illuminate fraud and corruption in an organizational context. The principal may be a board of a company that leaves the corporate management to the chief executive officer (CEO). The CEO is then the agent in the relationship. The CEO in turn may entrust tasks to other executives, where the CEO becomes the principal, while people in positions such as chief financial officer (CFO), chief operating officer (COO), and chief technology officer (CTO) are agents. Agents perform tasks on behalf of principals. A CEO may cheat and defraud owners (Williams, 2008), and a purchasing manager can fool the CEO when selecting vendors (Chrisman et al., 2007) by taking bribes that can cause the company to pay more for inferior quality, for instance. The agency perspective assumes narrow self-interest among actors. The interests of principal and agent tend to diverge, and the principal has imperfect information about the agent’s contribution (Bosse and Phillips, 2016). According to principal-agent analysis,

exchanges can encourage illegal private gain for both principal and agent (Pillay and Kluvers, 2014). According to the agency perspective, managers are opportunistic agents motivated by individual utility maximization. Taking an economic model of man that treats human beings as rational actors seeking to maximize individual utility – when given the opportunity – then executives and other members of the elite will maximize their own utilities at the expense of shareholders and others.

Personal willingness is concerned with the impression that surprisingly few white-collar criminals think they have done anything wrong. Most of them feel innocent and victims of injustice when put on trial, convicted and imprisoned. By application of neutralization techniques (Sykes and Matza, 1957), they deny responsibility, injury, and victim. They condemn the condemners. They claim appeal to higher loyalties and normality of action. They claim entitlement, and they argue the case of legal mistake. They find their own mistakes acceptable. They argue a dilemma arose, whereby they made a reasonable tradeoff before committing the act (Siponen and Vance, 2010). Such claims enable offenders to find crime convenient, since they do not consider it crime.

Some white-collar offenders are narcissists. Narcissists exhibit an unusual trust in themselves, believing that they are uniquely special and entitled to more benefits than are legitimately available to them (Ouimet, 2010).

ATTORNEY MOTIVE

The billions of dollars that BP prepared for victims of the oil spill accident were attractive to attorneys. All victims needed attorney help to prepare and to present their claims. BP also needed attorneys in the claims administration that was established. In addition, attorneys could make

money by helping each other. Attorneys inside the claims administration could refer new victim inquiries to attorneys preparing victim claims. In return, attorneys inside the claims administration received a referral fee.

Greed can best describe attorney motive in this case. Greed implies that some people never become satisfied with what they earn or what they own. They always want more. There is a lack of satisfaction with whatever one has. Goldstraw-White (2012) defines greed as socially constructed needs and desires that can never be completely covered or contended. Greed can be a very strong quest to get more and more of something, and there is a strong preference to maximize personal wealth.

Freeh (2013: 21) describes the greed motive by stating that there was “an agreement among Mr. Sutton, Mr. Jon Andry, and Mr. Lerner to corrupt the DHECC process in order to enrich themselves”. DHECC was Deepwater Horizon Economic & Real Property Claims Center. By speeding up the claims process, more money would come in faster to both clients and attorneys. As stated in an email from Lerner to Sutton, “We have over a thousand claims and hundreds on file and yet only tricking in a check or two per week. I need my claims expedited” (Freeh, 2013: 21).

There was not only a direct financial motive among offenders. One of the attorneys had the motive of hiring her husband (Freeh, 2013: 9): “Ms. Reitano, the wife of Mr. Sutton, was an attorney hired by Mr. Patrick Juneau as a DHECC Claims Counsel and legal advisor”. Both husband and wife worked for the claims center. Reitano recommended her husband to the Garden City Group, although she knew there would be a conflict of interest, since the Garden City Group was a vendor to DHECC.

ATTORNEY OPPORTUNITY

There was an opportunity structure for white-collar crime several attorneys who represented clients in the BP Deepwater Horizon settlements. BP prepared billions of dollars for victims of the oil spill accident. Attorneys had important roles both inside the claims administration office (CAO) deciding on payments as well as outside as representatives of possible victims. Freeh (2013: 5) found that “there is substantial evidence that Mr. Sutton deliberately concealed the nature and receipt of the Thonn referral payments”, and that “Mr. Sutton set up an elaborate and circuitous channel through Mr. Jon Andry and Mr. Lerner, his Tulane Law School classmates, to receive the agreed upon Thonn referral payments, in effect ‘laundering’ these payments”.

The facts relating to one claimant, Thonn, were so essential to the investigation of Sutton’s conduct while at the CAO that the claimant received special attention in the investigation report. Sutton received referral fee payments from Andry and Lerner for passing Thonn’s claims. The findings raises serious questions about the standards of proof to authenticate and to validate the justification for claims and the absence of anti-fraud practice settlement program.

Thonn submitted a claim from the seafood compensation program as a shrimp boat captain. Thonn received an eligibility notice related to his claim amounting to \$686 based on trip ticket data. Half a year later, Thonn submitted a request for reconsideration of his \$686 eligibility notice, requesting a recalculation of the compensation based not on trip tickets, but instead on his tax returns and a sworn written statement signed by his attorney. The reconsideration increased Thonn’s compensation to the amount of \$189.189.

The opportunity structure also emphasizes that “the fact that Mr. Jon Andry and Mr. Lerner were making regular and significant salary or referral fee payments to Mr. Sutton while he worked at the CAO also provided them with influence over Mr. Sutton” (Freeh, 2013: 5). The payments

allegedly served as an incentive to Mr. Sutton to monitor the progress of Andy and Lerner claims before the Deepwater Horizon claims center and to expedite the successful processing of those claims.

Freeh (2013: 6) argues that; “Mr. Sutton in fact repeatedly served as the undisclosed, inside “agent” at the CAO for Mr. Jon Andry and Mr. Lerner in an improper manner, with the purpose and effect of giving their claims a special advantage”. Andry and Lerner worked together with Sutton, where Sutton worked inside the CAO while the others worked from outside, to expedite the payments via the external and secret transfer law firm.

Sutton did not only receive kickbacks from Andry and Lerner. He was also able to both submit claims on behalf of victims and handle the requests on behalf of the claims administration office (Freeh, 2013: 87); “Finally, despite knowing his responsibilities as a CAO Attorney, Mr. Sutton failed to disclose to Mr. Patrick Juneau and to the CAO his ownership interest in and representation of DHECC claimant Romeo Papa”. Not only did Sutton benefit from the fee he earned from his client, he was also the owner of 50% of Romeo Papa.

The opportunity structure allowed Sutton to draft the CAO’s moratorium claim policy while at the same time submitting a moratorium claim on behalf of Romeo Papa. Romeo Papa was an oilrig support and marine company that was a client of the law firm where Sutton was a partner. Sutton had represented Romeo Papa in the past. Sutton continued to represent the company also during his assignment at the CAO. Because of the nature of its business in the Gulf and losses allegedly incurred due to the federal offshore drilling moratorium, “Romeo Papa submitted a moratorium claim upon Mr. Sutton’s urging” (Freeh, 2013: 62). Sutton was working on moratorium claims for the CAO when he contacted his client Romeo Papa to advise that he helped process the company’s claim successfully.

Attorneys were agents for BP as the principal. BP had outsourced claims handling to attorneys, and they were unable to control what they were doing. This is yet another dimension of the opportunity structure in this case.

ATTORNEY WILLINGNESS

The background of relationships might explain the willingness of attorneys to cooperate and help each other in the claims business. Andry, Lerner and Sutton attended Tulane Law School together more than 20 years earlier. Over the years, Andry and Sutton worked together on legal cases, and at times shared office space. Andry and Lerner represented hundreds of claimants before the DHECC, where they could utilize Sutton as their insider at the CAO to track and expedite their pending claims. Freeh (2013: 21) describes this situation as “an agreement among Mr. Sutton, Mr. Jon Andry, and Mr. Lerner to corrupt the DHECC process in order to enrich themselves”, but it is not obvious that the three attorneys had the same perception of the situation.

Many of the attorneys in the oil spill claims business met informally for lunch (Freeh, 2013: 56): “Mr. Jon Andry described the first lunch as involving “just general discussion” and said the purpose of the lunch was not to discuss The Andry Law Firm claim”. However, specific claims become the focus of discussion at subsequent lunches. Participants at the lunches were both CAO representatives and claimants’ representatives. The convenient setting of lunches enabled case solving outside defined routines at CAO.

Rather, they may have applied the neutralization argument that they worked in the best interests of their clients by moving their “claims to the front line” (Freeh, 2013: 21). The neutralization technique of higher loyalties implies that the offender denies the act was motivated by self-interest, claiming that it was instead done out of obedience to some moral obligation. The

offender appeals to higher loyalties (Siponen and Vance, 2010; Sykes and Matza, 1957). Andry and Lerner relied on Sutton to facilitate and expedite their clients' claims. There were hundreds of thousands of claims for economic damages from what is widely considered the worst environmental disaster in U.S. history.

Sutton owned 50% of the oilrig support company Romeo Papa. The offshore drilling moratorium hit the company and Sutton could help by both presenting the claim and approving the claim from the company. Sutton might argue that he did it out of loyalty to other shareholders. He was in a position to provide compensation to the company because of the moratorium. He also provided legal services to Romeo Papa during his time at the CAO. Sutton provided legal representation to the company in several lawsuits involving insurance and contractual disputes, and continued to do so after joining the CAO.

DISCUSSION

Investigation reports written by independent attorneys, auditors, accountants, and detectives are interesting for white-collar crime research (Schneider, 2006; Williams, 2005, 2014), as described in this article. Investigation reports present reconstructions of past events and sequences of events that can open up for insights into motives, opportunities and willingness, which are the three dimensions of the convenience triangle (Gottschalk, 2017). The theory of convenience suggests that white-collar misconduct and crime occurs when there is a financial motive benefitting the individual or the organization, an organizational opportunity to commit and conceal crime, and a personal willingness for deviant behavior. The case study in this article was concerned with a report of investigation into fraudulent methods and inappropriate practices of attorneys involved in the Deepwater Horizon court supervised settlement program. Evidence

of all three dimensions in the convenience triangle can be found in the report and is presented in this article.

Organizations tend to keep private internal fraud investigation reports secret to protect individuals and the organization (Gottschalk and Tcherni-Buzzeo, 2017). Sometimes reports are publicly available, which is the case for the investigation report by Freeh (2013). The 93-pages investigation report is interesting to study by application of convenience theory to suspicion of white-collar crime.

Since Freeh (2013) completed his investigation some years ago, and Fowler's (2014) article mentioning Patrick Juneau is also some years ago, it is interesting to check news in the media what happened next. Thompson (2017) reported that:

Pat Juneau, the court-appointed administrator of the \$11 billion BP oil spill settlement, is now taking on a \$1.3 billion settlement tied to Takata's faulty airbag inflators.

BP was never "taking aim at the guy doing the doling: Patrick Juneau" and the settlement increase "from \$7.8 billion to \$9.4 billion" had risen to \$11.

Kang (2015) reported on the consequence for Andry, Lerner and Sutton:

A Louisiana federal judge sanctioned three attorneys on Thursday for misconduct in connection with BP PLC's Deepwater Horizon settlement, disqualifying them from participating in the settlement program and referring their case to the court's disciplinary committee. An investigation by court-appointed special master Louis J. Freeh released in September 2013 found that Lionel H. Sutton III, a former staff attorney for the Court Supervised Settlement Program, may have committed fraud when he referred claims to a New Orleans law firm".

This sanction was in line with Freeh's (2013: 87) recommendation that the criminal justice system "should determine whether Mr. Sutton's actions and lack of disclosures in connection with the Romeo Papa claim constituted criminal conduct".

When BP later filed a suit in civil court against the administrators of the civil fund, the court rejected the basis of the claim. This outcome is interesting because the court rejected the case because BP selected the lawyers who created the settlement structure, and then BP hired the same lawyers to operate the fund. In rejecting the case, the court noted that BP had the opportunity to object to the structure of the distribution format when the lawyers helped design it. Attempting to sue the lawyers who set up and then BP hired to operate the fund for behaving within the rules of the fund guidelines was a failure. The federal, US District Court judge attached to this case was Carl Barbier.

The BP Deepwater Horizon case as presented above is particularly interesting in the light of history, where BP was responsible for an explosion and an oil spill. BP carried a burden of responsibility, where the oil company had to watch the role of social approval at the onset of the crisis. As argued by Bundy and Pfarrer (2015), BP needed social approval of its actions following the oil spill scandal to sustain the company's legitimacy and to limit reputation loss. The explosion and oil spill created a crisis, which is an unexpected, publicly known, and harmful event that generate negative reactions among victims and in society generally.

According to Bundy and Pfarrer (2015: 346), a company causing a crisis has to find an appropriate response strategy, "which is the set of coordinated communication and actions used to influence evaluators' crisis perceptions". BP accepted full crisis responsibility, apologized for the negative event and set up a claims office. After the claims office was established and in operation, rumors of fraud among attorneys emerged. BP then changed role from offender to

victim. However, the communication side of this role change might have been difficult, since it could be argued that the reason for role change was to limit payments after the crisis.

CONCLUSION

As suggested by convenience theory, a financial motive, an organizational opportunity and a personal willingness can explain deviant behavior by members of the elite in society. In the case of the BP Deepwater Horizon settlement program, attorneys were both presenting claims on behalf of victims as well as approving claims on behalf of petroleum company BP. It was a profitable assignment for attorneys, and some attorneys made it even more profitable for themselves by kickbacks and by both applying for and approving compensations.

As illustrated in this case study, a report of investigation can serve as an empirical bases for the study of convenience theory. . Investigators attempt to answer questions such as: What happened? When did it happen? How did it happen? Why did it happen? Who did what to make it happen or not happen? An investigation report reconstructs events and sequences of events based on documents and interviews with people who knew the case.

REFERENCES

- Bosse, D.A. and Phillips, R.A. (2016). Agency theory and bounded self-interest, *Academy of Management Review*, 41 (2), 276-297.
- Bundy, J. and Pfarrer, M.D. (2015). A burden of responsibility: The role of social approval at the onset of a crisis, *Academy of Management Review*, 40 (3), 345-369.
- Chrisman, J.J., Chua, J.H., Kellermanns, F.W. and Chang, E.P.C. (2007). Are family managers agents or stewards? An exploratory study in privately held family firms, *Journal of Business Research*, 60 (10), 1030-1038.
- Cressey, D. (1972). *Criminal Organizations: Its Elementary Forms*, NY: New York, Harper & Row publishing.
- Dodge, M. (2009). *Women and white-collar crime*, Prentice Hall, NJ: Upper Saddle River.

- Eisenhardt, K.M. (1985). Control: organizational and economic approaches, *Management Science*, 31 (2), 134-149.
- Friedrichs, D.O., Schoultz, I. and Jordanoska, A. (2018). *Edwin H. Sutherland, Routledge Key Thinkers in Criminology*, Routledge, UK: London.
- Fowler, T. (2014). BP's new tactic in oil spill claims: Go after he 'special master', *The Wall Street Journal*, <https://blogs.wsj.com/corporate-intelligence/2014/01/27/bps-new-tactic-in-oil-spill-claims-go-after-the-special-master/>, published January 27, retrieved September 14, 2018.
- Freeh, L.J. (2013). *Independent external investigation of the Deepwater Horizon court supervised settlement program, report of special master Louis J. Freeh*, September 6, <http://www.laed.uscourts.gov/sites/default/files/OilSpill/Orders/Report11287.pdf>, retrieved September 14, 2018.
- Friedrichs, D.O., Schoultz, I. and Jordanoska, A. (2018). *Edwin H. Sutherland, Routledge Key Thinkers in Criminology*, Routledge, UK: London.
- Froggio, G. and Agnew, R. (2007). The relationship between crime and "objective" versus "subjective" strains, *Journal of Criminal Justice*, 35, 81-87.
- Goldstraw-White, J. (2012). *White-Collar Crime: Accounts of Offending Behaviour*, London: Palgrave Macmillan.
- Gottschalk, P. (2017). *Organizational Opportunity and Deviant Behavior – Convenience in White-Collar Crime*, Edward Elgar Publishing, UK: Cheltenham.
- Gottschalk, P and, Tcherni-Buzzeo, M. (2017). Reasons for gaps in crime reporting: The case of white-collar criminals investigated by private fraud examiners in Norway, *Deviant Behavior*, 38 (3), 267-281.
- Jonnergård, K., Stafssudd, A. and Elg, U. (2010). Performance Evaluations as Gender Barriers in Professional Organizations: A Study of Auditing Firms, *Gender, Work and Organization*, 17 (6), 721-747.
- Kang, P. (2015). 3 Deepwater attys disqualified over improper referral fees, *Law360*, <https://www.law360.com/articles/625822/3-deepwater-attys-disqualified-over-improper-referral-fees>, published February 26, retrieved September 15, 2018.
- Langton, L. and Piquero, N.L. (2007). Can general strain theory explain white-collar crime? A preliminary investigation of the relationship between strain and select white-collar offenses, *Journal of Criminal Justice*, 35, 1-15.
- Maslow, A.H. (1943). A theory of human motivation, *Psychological Review*, 50, 370-396.
- Naylor, R.T. (2003). Towards a general theory of profit-driven crimes, *British Journal of Criminology*, 43, 81-101.
- Ouimet, G. (2010). Dynamics of narcissistic leadership in organizations, *Journal of Managerial Psychology*, 25 (7), 713-726.
- Pillay, S. and Kluvers, R. (2014). An institutional theory perspective on corruption: The case of a developing democracy, *Financial Accountability & Management*, 30 (1), 95-119.
- Piquero, N.L. (2012). The only thing we have to fear is fear itself: Investigating the relationship between fear of falling and white-collar crime, *Crime and Delinquency*, 58 (3), 362-379.

- Pratt, T.C. and Cullen, F.T. (2005). Assessing macro-level predictors and theories of crime: A meta-analysis, *Crime and Justice*, 32, 373-450.
- Schneider, S. (2006). Privatizing Economic Crime Enforcement: Exploring the Role of Private Sector Investigative Agencies in Combating Money Laundering, *Policing & Society*, 16 (3), 285-312.
- Schoepfer, A. and Piquero, N.L. (2006). Exploring white-collar crime and the American dream: A partial test of institutional anomie theory, *Journal of Criminal Justice*, 34, 227-235.
- Siponen, M. and Vance, A. (2010). Neutralization: New Insights into the Problem of Employee Information Security Policy Violations, *MIS Quarterly*, 34 (3), 487-502.
- Sutherland, E.H. (1939). White-collar criminality, *American Sociological Review*, 5 (1), 1-12.
- Sutherland, E.H. (1983). *White Collar Crime – The Uncut Version*, New Haven, CT: Yale University Press.
- Sykes, G. and Matza, D. (1957). Techniques of neutralization: A theory of delinquency, *American Sociological Review*, 22 (6), 664-670.
- Thompson, R. (2017). With BP settlement claims winding down, Lafayette lawyer Patrick Juneau turns attention to Takata air bag recall, *The Advocate*, https://www.theadvocate.com/acadiana/news/business/article_481f44a6-b9c9-11e7-9be5-9b4f5f9bec59.html, published October 29, retrieved September 15, 2018.
- Williams, J.W. (2005). Governability matters: The private policing of economic crime and the challenge of democratic governance, *Policing & Society*, 15 (2), 187-211.
- Williams, J.W. (2008). The lessons of Enron: Media accounts, corporate crimes, and financial markets, *Theoretical Criminology*, 12 (4), 471-499.
- Williams, J.W. (2014). The Private Eyes of Corporate Culture: The Forensic Accounting and Corporate Investigation Industry and the Production of Corporate Financial Security, in: Walby, K. and Lippert, R.K. (editors), *Corporate Security in the 21st Century – Theory and Practice in International Perspective*, Palgrave Macmillan, UK: Hampshire, Houndmills, 56-77.
- Wood, J. and Alleyne, E. (2010). Street gang theory and research: Where are we now and where do we go from here? *Aggression and Violent Behavior*, 15, 100-111.