

New York State Joint Commission on Public Ethics
540 Broadway
Albany, New York 12201

In the Matter of BearingPoint, LLC,

DECISION AND ORDER

Respondent

Failure to Accurately File its 2006 January/June
Client Semi-Annual Report

WHEREAS, BearingPoint, LLC ("Respondent"), a Client in 2006, was selected pursuant to the random audit program on May 27, 2008 and the results of the audit indicated that the Respondent may have failed to accurately report compensation and/or expenses paid to its lobbyist;

WHEREAS, On December 29, 2008, the Commission issued a "15 day letter" pursuant to and in accordance with Executive Law §94(12)(a) to Respondent;

WHEREAS, on April 29, 2009, the Commission on Public Integrity ("CPI") issued a Notice of Reasonable Cause pursuant to and in accordance with Executive Law §94(12)(b);

WHEREAS, CPI was thereafter informed that Respondent had previously filed petition no. 09-10691 in the United States Bankruptcy Court for the Southern District of New York under Chapter 11 of the Bankruptcy Code on February 18, 2009;

WHEREAS, on December 22, 2009, the above-referenced Bankruptcy Court entered an order accepting Respondent's liquidation plan;

WHEREAS, Bankruptcy Code §362 precludes the Commission from collecting a civil penalty from BearingPoint; and

WHEREAS, the Notice of Reasonable Cause is abated by operation of Bankruptcy Code §362,

IT IS HEREBY ORDERED the Notice of Reasonable Cause is hereby withdrawn.

Hon. Janet DiFiore
CHAIR

Ravi Batra
Patrick J. Bulgaro
Hon. Joseph Covello
Hon. Vincent A. Delorio
Daniel J. Horwitz
Marvin E. Jacob
George H. Weissman
Ellen Yaroshefsky
MEMBERS

Dated: December 20, 2011