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Treat Investigation Search Term List as Work Product

Internal investigators and their in-house clients are familiar with having to explain their investigative methodology to the client's outside auditors or government regulatory and enforcement agencies like the DOJ and SEC. In this [Law360* article](#), Markus Funk hope to sensitize—and perhaps even persuade—the reader that lawyers' prevailing practice of, often without as much of a second thought, handing over internal investigation search term lists to outside auditors and government regulators and enforcers puts their client's privilege arguments at risk.

*Subscription-based publication

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