



SAN MATEO OFFICE
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FAUSTA M. SHULER, CFE

HEMMING.COM

Employment & Education

2012 – Present	Hemming Morse, LLP Certified Public Accountants, Forensic and Financial Consultants Principal Manager, 2012-2016
2004 – 2011	Hemming Morse, LLP Manager, Litigation and Forensic Consulting Services Group
2003 – 2004	Navigant Consulting Managing Consultant
1999 – 2002	Hemming Morse, Inc. Associate, Litigation Services Group
1998 – 1999	BERG Associates Associate, Forensic Accountant
1998	Fidelity Investments Investigative Analyst, Internal Affairs
1996 – 1998	KPMG Peat Marwick Senior Consultant, Fraud and Forensics
1994 – 1996	Riggs Storey Fulmer & Ingram CPAs Staff Accountant
1994	California State University, Sacramento B.S. Accounting



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Professional & Service Affiliations

- Association of Certified Fraud Examiners
 - San Francisco Chapter of ACFEs
- American Institute of Certified Public Accountants
- Associate member of the American Bar Association
- Golden Gate University, Adjunct Professor, 2009-2018
 - Introduction to Financial Forensic Accounting: Fraud
- Tax-Aid
 - Site Manager and Volunteer

Presentations

- “Fraud Investigations”
Internal County Auditors, September 2015

Testimony

Trial

- Securities & Exchange Commission v. Pinnfund USA, Inc., et al. (2001) U.S. Federal Court, Southern District of California, Case No. 01-CV-0496H

Deposition

- Patrick Maguire v. Cyberheart, Inc., et al. (2021),
Arbitration - Jams Ref No. 1100106531

Selected Experience

- In a Ponzi scheme, assisted the Receiver in determining the investors, the amount of each investment, and the actual loss to each investor based on any monies received, whether characterized as interest or principal. Also, demonstrated how the scheme operated based on the company's financial transactions.
- For the County Counsel of San Mateo, in an investigation for a school district, investigated possible accounting irregularities by the Superintendent. The Superintendent subsequently pled no contest to six felony charges, including embezzlement.


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Selected Experience continued

- Investigated the origination and destination of funds through hundreds of bank accounts extending from Eastern Europe to the United States involving high-level Eastern European government officials. Analysis helped to successfully defend the client and keep him from being extradited to his home country.
- Conducted an internal investigation for a nonprofit at the direction of its Board of Directors. Interviewed various individuals, reviewed various reports and determined that the payroll assistant had embezzled funds. As a result of our findings, the payroll assistant and her supervisor were replaced.
- For the County of Santa Clara, conducted an internal investigation of the head of one of its units. Reviewed procedures, relevant documentation, and determined the possible embezzlement by the individual to be over \$350K over a 15 month period.
- For the SEC, provided analysis for an investigation related to investor fraud. The company's principals defrauded investors by using investor funds for other than states purposes. The principals were charged with defrauding investors out of approximately \$5.5 million.
- Assisted counsel in gathering relevant case facts during all phases of fact discovery through interviews of potential fact witnesses, identification of documents for production, and preparation for deposition. Also assisted during expert discovery and analyzed opposing expert reports for accuracy of data, reasonableness of underlying assumptions, and validity of approach.
- Consultant for the IRS in litigation involving transfer pricing within a large international pharmaceutical company. Successful outcome resulted in a settlement totaling \$3.4 billion.
- Consultant in an investigation of revenue recognition, revenue reserves and channel stuffing for the Special Committee of the Board of Directors of a publicly traded pharmaceutical company pursuant to an SEC subpoena.
- Conducted internal investigation of a nonprofit hospital CEO at the direction of its Board of Directors. Reviewed various reports and determined that the CEO was not properly recording vacation time in order to have it paid out. Resulted in the CEO being replaced by the Board.
- Conducted an internal investigation for a privately-owned real estate company at the direction of the owners. Reviewed various documents and determined that the part time bookkeeper had embezzled over \$380K in a three-year period.
- For a public utility company, reviewed billing records for a ten-year period involving thousands of customers and millions of lines of data to determine whether the utility was recording customer payments in accordance with the terms of a contract with a third-party company.