

MARIE PORRAS, M.Eng.

EXPERT WITNESS & LITIGATION CONSULTANT — FINANCIAL-SERVICES COMMUNICATIONS RECORDKEEPING

Voice & Electronic Communications Capture · Missing-Recording Investigation · Recordkeeping Controls, Evidence Retrieval & Remediation

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EXPERT PROFILE

Communications-technology specialist with 25 years in enterprise communications, including extensive experience in regulated financial-services environments — among them six years as Americas Head of Digital & Trading Communications at BNP Paribas, where she was accountable for the systems that capture, retain, retrieve and produce regulated voice and electronic communications across the bank's Americas businesses.

In that role she investigated why required recordings were missing, incomplete or unretrievable; supported counsel and compliance in developing technical, operational and evidentiary responses to regulatory inquiries and recordkeeping matters; and specified and implemented capture-verification, reconciliation and export controls. Since 2020 she has worked on the supplier side of the same problem, contributing to capture-assurance and recording-validation capabilities used by global financial institutions.

This combination — accountability for a trading-floor recording estate inside a regulated firm, direct involvement in a regulator-facing recordkeeping matter, and subsequent work on commercial technology addressing the same failure modes — allows her to address how these systems are built, how and why they fail, whether failures were reasonably detectable, and what remediation is technically sound.

AREAS OF EXPERT ASSISTANCE

- **Communications capture & recordkeeping.** How voice, mobile and electronic communications are captured, retained, indexed, retrieved and produced in regulated firms, and how recordkeeping obligations translate into system design and daily operation.
- **Missing- and incomplete-recording investigation.** Technical root-cause analysis across architecture, configuration, integration, storage, archive and retention, migration, indexing, monitoring, vendor defect, operational process and human factors.
- **Control design & control-gap assessment.** Capture verification, reconciliation, quality monitoring, exception handling and escalation — including whether a failure was reasonably detectable and how quickly.
- **Remediation & recurrence prevention.** Whether corrective action was technically reasonable, appropriately sequenced and sufficient to prevent recurrence.
- **Evidence retrieval & production.** Practical mechanics and limits of locating, validating, exporting and evidencing communications records in response to legal and regulatory demand.
- **Industry practice.** How comparable institutions and technology providers design, operate, monitor and govern regulated communications environments.
- **Vendor technology & governance.** Platform architecture, implementation quality, defect handling, service performance and contractual and operational governance of communications suppliers.

REGULATORY & TECHNICAL SUBJECT MATTER

Recordkeeping frameworks (technical and operational familiarity, not legal interpretation): CFTC Regulations 1.31 and 1.35; SEC Rules 17a-3 and 17a-4; MiFID II Article 16(7); and related communications capture, preservation and retention obligations.

Systems: Trading-floor telephony and turrets, voice-recording platforms, unified communications, collaboration tools, mobile and contact-center channels, cloud communications, archive and retention infrastructure, search and indexing, and data-export interfaces.

Failure modes: Outages; configuration and integration gaps; unsupported channels or devices; storage, archive and retention defects; migrations; indexing and search failures; vendor defects; and inadequate monitoring, reconciliation or operational control.

REPRESENTATIVE QUESTIONS THIS EXPERIENCE MAY ADDRESS

Suitability depends on the facts, documents and scope of a given engagement; the list below is illustrative rather than a claim of opinion in any particular matter.

- Why was a required communication not captured or recorded?
- Why can a recording not be located, retrieved or played back — and does that necessarily mean it was never made?
- Was the failure attributable to architecture, configuration, integration, storage, indexing, monitoring, operational process, vendor defect or human error?
- Were monitoring and reconciliation controls in place, and would reasonable controls have surfaced the problem sooner?
- Did the communications environment operate as designed, as documented and as represented?
- Were the firm's technical and operational practices consistent with industry practice at the relevant time?
- Was the remediation technically sound, and would it prevent recurrence?
- Were technology vendors, internal teams and operating processes governed appropriately?
- How can a complex failure sequence be reconstructed from system, configuration and log evidence — and explained clearly to counsel, a regulator, a judge or a jury?

SELECTED RECORDKEEPING INVESTIGATION & REMEDIATION EXPERIENCE

BNP PARIBAS

Feb 2014 – May 2020

Americas Head of Digital & Trading Communications · New York, NY

Accountable for the Americas communications estate serving approximately 7,500 users across Global Markets and supporting business lines — trading-floor telephony, voice recording, unified communications, contact centers, video and collaboration — with an annual budget of roughly \$5M, approximately 45 vendors and a delivery organization of about 60 people.

- **Investigation.** Conducted and directed technical investigation and root-cause analysis of recordings that were missing, incomplete, unavailable or not retrievable, examining system, configuration, integration, storage, archive, retention, migration, indexing, monitoring, vendor, process and human-control factors.
- **Regulatory response.** Supported counsel and compliance in developing technical, operational and evidentiary responses to regulatory inquiries and recordkeeping matters; prepared technical explanations, chronologies and supporting reporting with counsel; participated in regulator interviews together with counsel and compliance.
- **Evidence retrieval & production.** Supported the retrieval, verification and production of recordings in response to regular legal and regulatory requests.
- **Controls & remediation.** Specified and implemented daily capture verification, recording-quality controls, reconciliation, consolidation and automated export, together with preventive controls intended to reduce the risk of recurrence.
- **Estate modernization.** Led the modernization of an inherited communications estate that included platforms beyond vendor support, sequencing remediation against regulatory and business risk.
- **Communication with stakeholders.** Worked directly with Global Markets leadership, legal and compliance on regulatory requests, remediation priorities and evidence production, translating technical findings for non-technical decision-makers.

PROFESSIONAL EXPERIENCE

CHER AMI LLC

Jul 2020 – Present

Founder & Principal Consultant · Miami, FL

- Multi-year engagement providing product, delivery and commercial leadership to a communications-compliance software company serving global banks.
- Assessed communications systems and operating processes for Tier 1 financial institutions; recommended technical design and target-operating-model improvements to strengthen recordkeeping assurance.
- Contributed to the definition and development of capture-assurance capabilities that validate recordings from capture through to use as evidence in audit and regulatory review.
- Led the transition of communications-compliance technology from on-premise deployment to cloud-hosted software-as-a-service, centralizing capture and validation.
- Supported institutional procurement processes, implementations, security and vendor assessments, onboarding and service-contract discussions alongside counsel.

BNP PARIBAS

Feb 2014 – May 2020

Americas Head of Digital & Trading Communications · New York, NY

- Led communications technology across BNP Paribas business lines in the Americas, with accountability for architecture, integration, production service, strategy, regulatory delivery, vendor governance and a multi-vendor contract portfolio spanning approximately 45 suppliers.
- Regulatory investigation, evidence and remediation work is described in the selected-experience section above.

SOCIÉTÉ GÉNÉRALE

2010 – 2012

Global Communications Architect / Senior Voice Consultant · Paris, France

- Responsible for global communications architecture and technology selection for approximately 110,000 employees across 58 countries, setting standards for regional deployment.
- Led requirements definition, RFPs, solution design, migration planning and operational handover for large-scale communications platforms.

INDEPENDENT CONSULTING

2006 – 2010; 2012 – 2014

Enterprise Communications & Trading-Floor Architect · Europe & Middle East

- Designed and implemented business-critical communications, contact-center and trading-environment solutions for clients including Vodafone, Zain Bahrain, British Telecom, Cisco/Citigroup and Thales/French Ministry of Defence.
- Acted as technical design authority and led incident troubleshooting, testing, implementation and support-team handover in complex enterprise environments.

ORANGE BUSINESS SERVICES

2002 – 2006

Voice & Contact-Center Consulting and Engineering · France & Europe

- Delivered enterprise voice and contact-center solutions across design, implementation and third-line support.

CISCO SYSTEMS

2001 – 2002

Telecommunications Engineer · France

- Early engineering role in IP telephony and enterprise voice: architecture, implementation and fault diagnosis.

EDUCATION, TECHNICAL TRAINING & LANGUAGES

Education: Master of Engineering, Computer Science, Telecommunications & Networks — EFREI Paris.

Selected technical training: Verint and Verba voice recording; Oracle SBC/ECB; Cisco IP telephony and contact center; Avaya; ITIL Foundation.

Languages: English, French and Spanish (fluent) — able to review documents, attend interviews and work with counsel in all three.

Citizenship & base: United States citizen; resident and tax-domiciled in Miami, Florida; available for domestic and international travel.

ENGAGEMENT PARAMETERS

Scope of opinion: Technical, operational and industry-practice matters. Legal conclusions and the interpretation of regulatory requirements remain the responsibility of counsel.

Prior testimony: No prior deposition or trial testimony to date. Substantial experience presenting technical findings and reporting to counsel, compliance and senior executives.

Conflicts & confidentiality: All engagements are subject to conflicts screening, confidentiality obligations and contractual review. Prior work is described here at a level intended to respect those obligations; further detail can be discussed only where permitted and subject to appropriate protections.

Availability: Available for consulting and testifying engagements, technical investigation, control and remediation assessment, and evidence review, in the United States and internationally.