

Uniquus Insights

U.S. Securities and Exchange Commission (SEC) 2025 Enforcement Trend and Priorities



FOREWORD

The landscape of regulatory enforcement in the United States has always mirrored the evolving priorities of market oversight and investor protection. Yet, a few years have illustrated this dynamic more vividly than 2025. Under new leadership and amidst a shifting economic and political backdrop, the Securities and Exchange Commission (SEC) has entered a period of recalibration - one defined less by the volume of actions and more by the precision of purpose.

After a decade of expansive enforcement campaigns and headline-grabbing settlements, the Commission's current posture signals a maturing approach. The focus has shifted toward matters that clearly implicate fraud, insider trading, governance failures, or direct harm to investors - areas where public interest and deterrence are strongest. At the same time, the agency is stepping back from purely technical infractions or overlapping jurisdictional matters, seeking to restore balance between regulation, due process, and efficient resource use.

For market participants, this evolution carries meaningful implications. Compliance and governance leaders must recognize that enforcement risk is no longer a function of frequency, but of focus. Each case pursued today is deliberate, data-informed, and reputationally significant. In this environment, the ability of organizations to demonstrate credible compliance cultures, transparent disclosures, and responsive governance frameworks will define resilience.

This publication examines how the SEC's 2025 enforcement strategy reflects a broader inflection point - one where precision replaces proliferation, and principle replaces politics. It explores the emerging themes shaping regulatory enforcement today and outlines actionable insights for boards, CFOs, and compliance professionals navigating this new chapter of regulatory oversight.

As the SEC's enforcement program continues to evolve, so too must the governance mindset of those it oversees. The path forward is not one of compliance minimalism, but of informed adaptability - where strong governance and proactive risk management become the most effective defence in a world of selective but potent enforcement.

We sincerely hope you find the enclosed publication informative. We will be happy to participate in any discussions required to clarify our views enclosed in the attached publication. We look forward to hearing from you.

Thank you.

Yours faithfully

For Uniquis Consultech Inc.



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EXECUTIVE SUMMARY

The U.S. Securities and Exchange Commission (SEC) enters 2025 at a pivotal moment. Following record-breaking financial remedies in 2024 but a visible decline in the number of enforcement actions, the agency appears to be shifting from high-volume enforcement toward a more strategic, high-impact model.

The agency is moving from the expansive, headline-driven approach of recent years to a leaner and more strategic model - focusing on clear misconduct, investor harm, and fraud rather than technical or low-impact violations.

While enforcement activity is down, the *intentionality* behind each case has never been sharper. This shift has major implications for corporate governance, compliance, and disclosure practices in 2025. For CFOs, audit committees, compliance officers, and legal professionals, this recalibration underscores an important message: while the *number* of cases may decrease, the *depth* of scrutiny and consequences of non-compliance are increasing.

This publication analyzes the latest enforcement data, key themes emerging in 2025, and practical actions for corporate leaders to stay ahead of the evolving regulatory landscape.

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KEY HIGHLIGHTS OF SEC's 2025 ENFORCEMENT TREND AND PRIORITIES

Calibrated Enforcement Approach (Shift from high-volume technical actions to fewer, higher-impact matters)

The SEC's 2025 enforcement posture reflects **a deliberate narrowing of scope**. Through midyear, case filings are significantly below prior-year levels, an expected outcome given a smaller enforcement workforce and a leadership philosophy centred on "impact over volume."

Chairman Paul Atkins has repeatedly emphasized that enforcement resources must be directed toward **cases that cause genuine investor harm or undermine market integrity**, rather than "technical" violations.

As a result, some lower-priority matters, such as recordkeeping lapses or administrative deficiencies, are being deprioritized or quietly resolved, freeing bandwidth for higher-impact investigations involving fraud, insider trading, and governance breakdowns.

Enforcement action trend:

- In fiscal year 2024, the SEC filed **583 total enforcement actions** - a notable decrease of roughly **26%** compared with FY 2023 (784 actions). However, it obtained a record **USD 8.2 billion in financial remedies**, the largest in the agency's history. **(Source: SEC Press release -SEC Announces Enforcement Results for Fiscal Year 2024)**
- Early FY 2025 activity showed a surge in the first quarter, nearly 200 enforcement actions, including 118 stand-alone cases, marking the busiest quarter in more than two decades. **(Source: SEC Press release -SEC Announces Record Enforcement Actions Brought in First Quarter of Fiscal Year 2025)**
- Yet, subsequent quarters have slowed significantly, suggesting a recalibration in enforcement pace and resource allocation. Between February 1 and July 31, 2025, 67 new actions were filed, representing a 47% decrease compared to the 127 cases brought during the same period in 2024 and a 66% decrease compared to the 198 new cases filed during the same period in 2021. **(Source: King & Spalding News Insights)**



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In the first half of 2025, the SEC filed significantly fewer actions than in comparable periods – driven in part by staff reductions and a conscious shift in leadership strategy. The Commission is narrowing its lens to focus on “bad acts” that cause clear investor harm, de-emphasizing lower-impact, technical, or purely controls-based violations.

Message for companies: Regulators are seeking substance, not symbolism. The SEC is more likely to act where conduct suggests deception, abuse of trust, or systemic governance failure. The agency no longer appears to be casting a wide net; it is choosing where to fish — and the waters it has chosen are deeper, more visible, and potentially more hazardous from a reputational and financial standpoint.

Key Takeaway: The SEC’s approach appears to be maturing from a “volume-driven” regime toward one focused on **quality, deterrence, and systemic impact**. The agency may bring fewer cases overall, but those pursued are increasingly complex, cross-functional, and financially consequential.

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Key Priority Areas Defining 2025 Enforcement

Disclosures Around Artificial Intelligence and Emerging Technologies

The SEC’s Division of Enforcement has begun targeting **misleading statements about artificial intelligence (AI) capabilities and digital innovation**, reflecting a growing concern that companies may be overstating their use—or understanding—of these technologies in investor communications. The SEC flagged misleading statements about artificial intelligence among violations.

Recent cases show that “**AI-washing**” (misrepresenting AI integration in products or strategies) is being treated similarly to greenwashing or ESG misstatements.

*On March 18, 2024, the SEC issued a **press release** charging two investment advisers—Delphia (USA) Inc. and Global Predictions Inc., with making false or misleading statements about their use of AI.*

For example - Delphia claimed it “uses machine learning to analyze the collective data shared by our members to make intelligent investment decisions” and that it “puts collective data to work to make our artificial intelligence smarter so it can predict ... which companies and trends are about to make it big.” However, the SEC found that Delphia did not perform the AI-driven functions as claimed.

The following are some of the key considerations related to Disclosures Around AI and Emerging Technologies:



The SEC's Division of Enforcement clarifies that statements by companies or investment advisers about their (AI) capabilities will no longer be treated as mere branding or marketing hype. Instead, they are subject to the same scrutiny as any other material disclosures to investors.



When a company or adviser claims to employ AI in its business strategy or investment process, the SEC expects that claim to be **substantiated** with evidence. That means documented algorithms, data inputs, oversight, testing, and disclosures of human involvement vs automation.



Controls and procedures need to encompass AI-related disclosures: review by technical subject-matter experts, compliance attestations, linkage of claims to actual functionality, and monitoring of changes in AI systems.



Boards and audit committees should consider oversight of AI strategy and disclosure risk as part of the broader governance agenda. When a company frames AI as a strategic differentiator, the disclosure must accurately reflect its realistic capabilities, limitations, and potential risks to investors.

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Key Takeaways

- The SEC's scrutiny of AI-related disclosure reflects a **risk-based evolution**: rather than regulating the technology per se, the focus is on **whether the claims made to investors are accurate, complete, and substantiated**.
- Use of AI (or marketing of AI) should now trigger "disclosure readiness": is there documentation, oversight, risk mitigation, board-/audit-committee visibility?
- Even when AI is legitimately used, companies must beware of overselling: causal language like "AI will revolutionise..." or "automated with zero human oversight" may invite regulatory attention if not accurate.
- Governance frameworks should integrate AI-risk oversight: At the board level, at the compliance level, and in external communications.
- The phrase "AI-washing" may become shorthand for the regulator's posture, but the underlying legal tools remain classic: anti-fraud, the Marketing Rule, disclosure controls. That means firms should treat this shift as enforcement of existing rules in a modern context, not as an entirely new regulation.
- This enforcement theme is part of the broader shift at the SEC in 2025 — from high-volume technical actions to fewer, higher-impact matters. AI disclosures fall squarely in the "high impact" bucket.

Crypto and Digital-Asset Oversight

In 2025, the SEC's regulatory posture toward digital assets is shifting - not away from oversight, but toward a more nuanced, rule-based approach. This shift reflects a recognition that the digital-asset ecosystem is maturing, but that the underlying risks, fraud, market manipulation, and mis-disclosure remain material.

In April 10, 2025 the SEC's Division of Corporation Finance issued a statement titled **"Offerings and Registrations of Securities in the Crypto Asset Markets"**, in which it emphasized that existing registration and disclosure frameworks under the Securities Act and Exchange Act apply to crypto-asset offerings, and that issuers must address specific disclosure risks such as network/technology risk, valuation and liquidity risks, smart-contract code exhibits, etc.

The SEC's once-aggressive stance toward digital assets has softened—but strategically, not philosophically. After several high-profile dismissals and judicial pushbacks involving major crypto exchanges and projects, the Commission appears to be shifting from "regulation by enforcement" to "rulemaking by design."

Rather than stretching securities laws in court, the SEC is reserving enforcement for clear instances of fraud, market manipulation, or investor deception. Routine registration or technical compliance matters are now less likely to be pursued without explicit rulemaking to support them.

This pivot suggests a more stable regulatory environment for digital assets, but not an unregulated one. Companies in the crypto ecosystem should expect fewer surprise actions, but greater accountability where fraud or misrepresentation occurs.

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Key Takeaways

- **From enforcement to framework:** The SEC is shifting its digital-asset oversight toward rulemaking, disclosure guidance, and structured registration expectations.
- **Focus on core misconduct:** Fraud, market manipulation, and investor deception remain top priorities. "Technical" registration or control violations are of lower-priority, absent clear investor harm.
- **Rising disclosure bar:** Crypto issuers must articulate network, smart-contract, and valuation risks explicitly in filings; generic risk factors will not suffice.
- **Stable, not lenient:** A clearer regulatory playbook reduces uncertainty but heightens accountability. Misstatements or opaque governance will draw sharper responses.
- **Corporate implication:** Boards and compliance officers in crypto-adjacent firms should treat disclosure governance as the new compliance frontier—integrating legal, technological, and risk perspectives when describing digital-asset use.



Insider Trading: Still the Enforcement Backbone

Even as the overall number of enforcement actions by the Securities and Exchange Commission appears to be moderating in 2025, insider trading remains one of its most consistent and durable enforcement priorities. The agency continues to pursue classic insider trading patterns, executives or employees trading ahead of earnings or material announcements, consultants or advisors misusing confidential information, and even service providers with access to corporate or public-filing non-public information.

For example, on January 13, 2025, the SEC charged former public-company officer Alfred V. Tobia, Jr., and his sister-in-law with insider trading, alleging that Tobia tipped her in connection with an acquisition offer for a publicly traded company, resulting in more than USD 428,000 in illicit profits. **(Source: SEC Press Release)**

Moreover, in its mid-year review, the legal firm Gibson Dunn observed that the SEC filed an insider-trading case in March 2025 involving two foreign nationals who used disappearing messages and tipped others to trade ahead of ten corporate announcements, generating USD 17.5 million in alleged illegal profits.

These actions reflect two central characteristics of the insider-trading enforcement theme:

Direct investor harm

The trades executed by insiders deprived other market participants of fair access to material non-public information.

Evident misconduct

The facts are more straightforward, not relying on novel legal theories — insiders had access, they tipped/traded, the market moved.



Key Takeaways

- Insider trading remains a foundation of SEC enforcement: While enforcement activity in other areas may decrease or fluctuate or shift, this remains consistently active.
- Firms should regard the risk as constant, not diminished, even if fewer cases are being filed overall.
- Internal controls should emphasise information-access governance, pre-clearance of trades, monitoring of tip-pee networks, and periodic reviews of trading policies.
- Senior executives, board members, and service-providers must recognise that access to MNPI (material non-public information), even indirectly via vendors or consultants, can trigger liability risks.
- The “straight-line” nature of these cases (insider → tip → trade → market move) means that firms should assume the SEC has deep experience, well-trodden legal theories, and high expectations of documentation and compliance.

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Individual Accountability and Senior Management Liability

Even as the overall count of enforcement actions has moderated, the SEC has maintained a steadfast emphasis on **individual accountability**—targeting officers, directors, senior executives, and others in positions of authority for misconduct, governance failures, or deficient oversight. The underlying message is clear: compliance responsibilities cannot simply be delegated or outsourced; executives and boards must actively embody and enforce a culture of accountability.

In its “**Enforcement Results for Fiscal Year 2024**” [press release](#), the SEC stated that it obtained orders barring 124 individuals from serving as officers or directors of public companies in that year—the second-highest total in a decade.

At its “SEC Speaks 2025” conference, the Division of Enforcement reaffirmed that “individual liability ... remains an evergreen priority” and that the agency plans to place a renewed emphasis on cases where senior management knew or should have known about misconduct or control breakdowns.

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Key Takeaways

- **Individual accountability remains central:** The SEC continues to prioritize actions targeting directors/officers—bar orders, disqualifications, and claw-back arrangements remain prominent tools.
- **Governance failures are risks:** Even absent a headline fraud, failures in oversight, escalation, and remediation can trigger individual liability risk.
- **Boards must document oversight and escalation:** Audit committees should ensure minutes, reporting lines, investigations, and remediation plans are clearly articulated and regularly reviewed.
- **Tone at the top is under the microscope:** Senior management cannot rely solely on compliance programs; culture, leadership engagement, and accountability matter.
- **Proactive remediation counts:** Firms that self-identify issues, execute remediation, and clearly demonstrate board/senior-management involvement may reduce risk, while a lack of visible oversight can increase it.

ESG Enforcement Reframed Under Traditional Disclosure Rules

Although the SEC’s broader ESG rulemaking efforts have slowed, enforcement has not disappeared; it has been absorbed into the existing disclosure and anti-fraud framework. The agency is now treating ESG misstatements like any other disclosure issue: if sustainability claims are exaggerated or data is misstated, enforcement is pursued under standard antifraud provisions.

In a May 25, 2022, [statement](#), Commissioner Hester M. Peirce emphasised that the Commission already “has a solution” when it sees advisers or funds mischaracterising their ESG practices: the existing federal securities laws. She argued that rather than layering new prescriptive ESG rules, the SEC should rely on its existing tools to hold firms accountable for misstatements or misrepresentations. Recent enforcement actions illustrate this shift.

For example



In October 2024, the SEC charged WisdomTree Asset Management Inc. in a matter where three of its ETFs were marketed as excluding fossil-fuel and tobacco exposures, but in fact held securities of companies involved in those sectors. The order found that WisdomTree's third-party data provider did not properly screen out those companies, and that the adviser lacked policies and procedures to support its ESG-screening claims.

(Source: SEC Press Release)



In November 2024, the SEC charged Invesco Advisers, Inc., alleging that the firm misled clients and marketing materials by claiming that 70%–94% of its assets under management were “ESG integrated,” when many of those assets did not actually incorporate ESG factors.

(Source: SEC Press Release)

What these examples demonstrate is a continuity of enforcement approach: the SEC is not creating a separate “ESG-fraud” category; instead, it is applying its traditional antifraud, disclosures-and-governance regime to ESG-related claims.

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Key Takeaways

- ESG-related claims and disclosures are now treated similarly to other material disclosures: if a company says something about ESG or sustainability, it must do so; otherwise, it may face enforcement under existing antifraud/registration/disclosure rules.
- Marketing materials, product names, prospectus language, investment-strategy descriptions, and ESG-screening claims must be substantiated by internal controls, vendor data governance, and documented verification processes.
- Boards, audit committees, and senior management should view ESG oversight as part of the core disclosure governance agenda rather than as a separate “sustainability” checkbox; poor ESG governance can implicate broader issuer-responsibility.
- The shift away from a dedicated ESG task force does not mean lower risk; instead, the risk profile is evolving, and entities must respond not to “new ESG rules” but to stronger application of existing rules in the ESG context.

PRACTICAL IMPLICATIONS FOR CORPORATE LEADERS

Given these shifts, organizations should recalibrate compliance strategies to match the SEC's evolving playbook. Below are some key actions that CFOs, audit committees, and compliance leaders should prioritize.

01 Rethink Compliance as Strategic Infrastructure

Compliance should no longer be seen as a “cost centre.” In a regime where fewer but larger cases dominate headlines, **compliance effectiveness is a business differentiator**—protecting valuation, reputation, and access to capital.

02 Strengthen Record-Keeping and Communication Protocols

Reassess policies on electronic communication, particularly personal-device usage and messaging apps. Regular testing, attestations, and technological solutions (such as archiving, surveillance, and keyword monitoring) are critical.

03 Tighten Disclosure Governance

Align marketing, investor relations, and finance functions to ensure disclosure accuracy—especially for narratives involving ESG, AI, or digital transformation. Implement cross-functional review processes and maintain documentation trails.

04 Embed a Culture of Early Escalation and Self-Reporting

Encourage internal reporting channels that allow compliance and audit teams to identify potential issues before they escalate externally. The SEC continues to offer tangible penalty benefits for cooperation and timely remediation.

05 Integrate Board Oversight

Audit committees and boards must maintain active oversight of compliance systems. Board minutes should reflect discussion of regulatory trends, enforcement risks, and remediation actions, evidence that can be vital in demonstrating diligence if scrutiny arises.

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LOOKING AHEAD: THE SEC'S NEXT CHAPTER

As markets evolve, enforcement priorities will continue to shift. Three trends are likely to define the SEC's trajectory through 2025 and beyond:

AI, algorithms, and data ethics.

Expect scrutiny of firms using AI in trading, lending, or marketing—especially around transparency and model governance.

ESG and climate disclosures.

Once the SEC's climate disclosure rules become fully operative, enforcement will target misstatements, data gaps, and a lack of governance oversight in ESG reporting.

Cybersecurity and incident reporting.

The new SEC cybersecurity disclosure rules (effective late 2024) will likely be a major enforcement driver in 2025–26. Firms that delay or underreport material breaches could face penalties.

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UNIQUS PERSPECTIVE: NAVIGATING THE SEC'S 2025 ENFORCEMENT LANDSCAPE

The SEC's 2025 enforcement strategy signals a new era of **precision over volume**. With fewer but more consequential cases, the agency's focus has sharpened around fraud, insider trading, AI disclosures, and governance failures.

At Uniquis, we view this as a pivotal opportunity for companies to turn compliance into a competitive advantage. Regulators are rewarding **governance credibility** — boards that demonstrate oversight, tone, and accountability can materially influence regulatory outcomes.

Equally, the line between marketing and misstatement has narrowed: AI and ESG claims must now meet the same evidentiary standards as financial disclosures.

Looking ahead, we believe the SEC's evolution toward targeted, principle-based enforcement will ultimately benefit well-governed companies. A regulatory landscape that values clarity over complexity rewards those who invest early in **compliance intelligence, disclosure governance, and board-level oversight**.

The **takeaway is clear** — enforcement risk is evolving, not easing. Companies that strengthen disclosure integrity, board engagement, and remediation frameworks today will be best positioned to thrive in an era where **accountability defines trust**.

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About Uniquis Consultech:

Uniquis Consultech is a global tech-enabled consulting company that specializes in Accounting & Reporting, Governance, Risk & Compliance, Sustainability & Climate, and Tech Consulting. The Company is co-founded by consulting veterans Jamil Khatri and Sandip Khetan and backed by marquee investors such as Nexus Venture Partners, Sorin Investments, and UST. Anu Chaudhary, a global sustainability and climate specialist with over 25 years of experience, serves as the Global Head of Sustainability & Climate Consulting. Abhijit Varma, a veteran technology specialist, leads Tech Consulting globally.

Uniquis has a global team of 600+ professionals led by 65+ Partners & Directors across eleven offices in the USA, the Middle East, and India. The company serves more than 350 clients, including marquee names in each of the markets it operates in.

Uniquis is committed to leveraging technology and an integrated global delivery model to provide best-in-class consulting services to its clients.

About Our Accounting & Reporting Consulting (ARC) Services:

In today's dynamic business environment, organizations are continuously required to adapt to the dynamic shifts in accounting & reporting standards and regulations. Enhanced management reporting requirements and accelerated reporting timelines necessitate increased automation within the finance function. Special events, such as preparing for an IPO/capital market transaction or fulfilling the reporting requirements arising from an M&A transaction, introduce additional complexities and challenges for the finance function.

As a result, organizations need to transform their finance functions from time to time with a focus on people, processes, and technology. Our ARC practice is designed to partner with the finance function through these challenges. Our teams function as an extension of your finance teams to execute your plans seamlessly.

We bring the necessary technical expertise, skills, technology, and bandwidth, enabling you to navigate your plans in real time without adding additional manpower costs within the organization.

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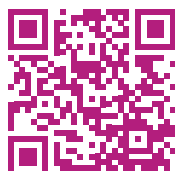
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