

# Dispute Advisory Services

Independent, authoritative and objective analysis of the accounting and financial complexities involved in litigation and the negotiation of disputes



**“An independent, authoritative and easy to follow analysis of the accounting and financial issues can make a big difference”**

## **Making better decisions about disputes and litigation**

Disputes and litigation are a fact of life in the modern business environment.

These disputes can absorb large amounts of management time. If the outcome is unfavourable, financial performance can suffer. Sometimes the viability of the business can be threatened.

The management and resolution of disputes is notoriously difficult. When disputes arise, it is vital to gather the relevant facts, isolate and understand the key issues and identify the financial implications as soon as possible. This approach equips organisations with the knowledge to help make sound decisions about how to respond to disputes.

Solicitors and barristers advise on the legal aspects of a dispute but often have to come to grips with financial complexities. An independent, authoritative and easy to follow analysis of the accounting and financial issues can make a big difference.

This is where KPMG can help.

### **How we can help**

KPMG helps clients manage potentially costly and disruptive disputes and litigation. We can assist to identify and analyse the key accounting and financial issues around which the dispute revolves.

## **Proactive services**

Avoiding disputes in the first place, or averting the stresses of full-on litigation, can minimise the cost, uncertainty and disruption for all concerned. We work closely with clients and their legal advisers to avoid costly litigation by exploring potential settlements and alternative dispute resolution processes.

### **Alternative dispute resolution**

We help, as an independent accountant or arbitrator, to determine an accounting or finance related dispute. We can also mediate negotiated settlements.

### **Expert determination**

We advise and formulate submissions on post-acquisition disputes and other matters which are subject to resolution by a referee. We can act as a referee or determiner.

### **Forensic transaction services**

We inspect the financial and accounting aspects of agreements to help reduce the likelihood of transaction disputes.

### **Dispute risk avoidance**

We assess the risk of disputes arising from a transaction or relationship and provide appropriate dispute management advice.

## **Reactive services**

Sometimes litigation is unavoidable. We help litigants and their legal advisers manage the process effectively and efficiently.

### **Valuations**

We assess the value of businesses, shares, intellectual property and other assets for the purposes of litigation and dispute resolution.

### **Economic loss assessment**

We calculate the economic losses suffered as a result of circumstances such as breach of contract, regulation, restraints of trade, infringement of intellectual property agreements or allegations of fraud.

### **International arbitration**

International disputes can involve complex economic and financial theories, multiple languages, cultural diversity and multiple currencies. KPMG international's network has significant experience in giving expert evidence and acting as an arbitrator in such situations. Our firm can assist in resolving multijurisdictional disputes from the point of view of the claimant or the respondent, or as an independent arbitrator.

### **Expert witness services**

We undertake impartial and authoritative assessments to assist the courts with understanding the accounting and financial aspects of disputes. Testimony can be called in a range of proceedings, including arbitration, litigation, mediation, disciplinary hearings, insurance claims and administrative proceedings.

### **Financial Sector**

The financial services industry is facing an increase in disputes and legal action resulting from the experiences of financial markets and the economy over the last few years. KPMG can provide financial institutions and their legal advisers with impartial and authoritative advice and testimony in relation to ensuing litigation, arbitration, mediation and other forms of alternative dispute resolution.

### **Economics Disputes**

Valuing losses in disputes where the parties disagree about the economic factors and size of the claim. Predicting the growth and development of markets to help enable clients to respond effectively to changing market challenges.

### **Document management and discovery**

We manage the large volumes of documents typically generated by litigation and maintain the legal authenticity of documents during the discovery process.

### **Why select us**

Our team works to respond quickly and effectively to strengthen negotiating and legal positions and increase the chance of achieving a satisfactory outcome.

- Our dispute advisory team are dedicated specialists experienced at working with litigants and their legal counsel and in presenting evidence in court and in other dispute resolution forums.
- With our multi-disciplined approach we can find the right KPMG expert for each dispute from our wider practice to maximise credibility and the quality of our opinions.
- We are able to tap into proprietary data and resources where relevant to ensure our opinions are well supported and credible.
- We have a national and global footprint, including a close working relationship with our global colleagues so we are able to identify prior KPMG experience to support our views. The strength of KPMG lies in our professionals, who have deep industry knowledge and well established technical skills.
- Our expert witnesses are recognised as credible authorities while our reports provide robust opinions that can be supported by confident oral evidence.
- KPMG's reputation for professional independence and integrity underpins the credibility of our advice and testimony.

KPMG International through its international network for member firms, has a presence in 152 countries worldwide. Please contact us if you would like more information about our worldwide contacts.

## Contact us:

For more information on how KPMG Dispute Advisory Services can help your business, please contact:



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