

# Deloitte.



## Dispute and Litigation Advisory

Providing innovative solutions,  
expert analysis, and strategic  
support through the entire  
dispute lifecycle

**Private and confidential**  
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Deloitte works with organisations and lawyers in judicial and alternative dispute resolution forums across a range of jurisdictions to provide dispute advisory, expert witness services, and litigation support. We draw on our deep expert witness, evidence/financial analysis, damage quantification, valuation, and discovery capabilities to give our clients the insight and understanding they need to strengthen their case at all stages of a business dispute or complex litigation.

## Dispute Situations

We support clients with innovative solutions for complex disputes, offering comprehensive financial and economic analyses to develop well-founded opinions and provide clear, concise testimony in high-profile cases. Our expert assessments and testimony experience covers a wide range of dispute types, including:

- Breach of contract related disputes
- Insurance claim/insured events disputes
- Business interruptions
- Post-acquisition disputes
- Shareholder disputes
- Joint venture disputes
- M&A-related disputes
- Purchase price disputes
- Intellectual property disputes
- Breach of trade secrets, patents, and licensing agreements
- Delays/claims in construction matters



## Our Approach - We support clients across the entire dispute lifecycle

### Pre-dispute/Settlement



- **Claim tenability assessment:** We conduct claim tenability assessments by evaluating the validity and strength of claims based on factual evidence and contractual obligations.
- **Claim negotiations:** We advise clients on negotiation strategies, supported by scenario analyses to determine the best negotiation options.
- **Claim management:** We help clients manage crises and assess claims by analysing the fidelity and quantum of the claim(s), implementing a claim processing framework and evaluating mitigation strategies.
- **Expert determination/Mediation assistance:** We act as an independent expert or a neutral party in pre-dispute discussions, providing independent expert assessment for disputed matters to aid settlements.

### During filings



- **Identification of heads of claims:** We study the facts of the case to assess claim tenability and identify appropriate heads of claim. The assessment factors in industry and competitive analysis.
- **Quantification of losses/economic damages:** We apply principles of economic theory and perform financial modelling to quantify damages such as loss of profits, wasted expenditure, lost investment opportunities, business/share/asset valuations, and economic damages.
- **Expert report:** We prepare independent expert reports on the assessment/quantification performed and provide detailed methodology and limitations.
- **Critique/Counter-claim assessment:** We critically review the opposing party's expert reports and provide reports to help clients effectively manage their case strategies.

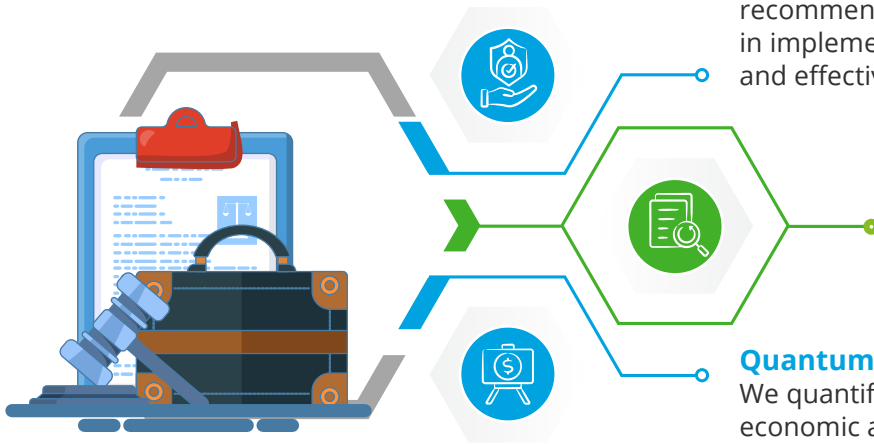
### Testimony



- **Expert testimony:** We testify as expert witnesses and provide clear, concise, and persuasive testimony on a wide range of commercial and financial matters.
- **Cross-examination support:** We assist in the cross-examination of opposing experts and in preparation of defense strategies.

## Construction Claims

Large-scale construction/ infrastructure projects often involve complexities that require expertise to ensure timely delivery of projects. Disputes can arise from breach of contract, cost escalations, delays and variations, scope changes, wrongful termination, and ambiguous contract terms. We assist in evaluating these issues and preparing expert assessments.



### Claim governance and management:

We provide strategic advice on claim heads and recommend relevant damage theories. We assist clients in implementing a robust claim assessment framework and effectively manage the supporting documentation.

### Extension of time and delay analysis:

We evaluate and provide independent assessments using delay analysis methods (e.g., planned vs. actual, impacted as-planned, time impact window analyses) to identify critical and concurrent delays.

### Quantum analysis:

We quantify damages, including loss of profit, economic and efficiency losses, cost escalations, prolongation costs, defective work, acceleration costs, liquidated damages, and other financial impacts, by reviewing data from the contractors' accounting systems and supporting documentation.

## Litigation Support

### Forensic investigations

We conduct investigations to support litigation and regulatory actions related to white-collar crimes, bribery and corruption, money-laundering, capital market fraud, etc



### e-Discovery services

We provide support for forensic data collection requests –recovery, review, hosting, and analysis of electronic data on globally accepted e-discovery platforms - for corporate clients, law enforcement agencies, and legal practitioners.

### Digital forensics

We assist in investigating complex cybercrimes, including privacy violations and data breaches, using forensic technologies to maintain a trail of forensically sound and admissible documentation.



### Asset tracing services

We leverage a comprehensive array of resources to analyse financial systems and reconstruct records, tracing the origin and movement of funds through multi-jurisdictional asset searches, with the potential for recovery.

# Contact Us

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