Global Dispute Advisory Services

KPMG’s Dispute Advisory Services include accounting, economic, loss quantification and valuation related advice and opinions as well as document disclosure services. Our objective assessments help to resolve disputes in arbitration, litigation, insurance claims, and transactions. We serve as privileged consultants, expert witnesses, arbitrators and panel appointed neutral experts. We support parties in negotiations and mediations. Our senior professionals are seasoned expert witnesses and arbitrators and deal with some of the largest and most complex disputes in the world.

When disputes arise, it is important to gather the relevant facts, isolate and understand the key business and financial issues and identify the economic implications as soon as possible. Cross border disputes can involve complex economic, financial and technical issues as well as multiple languages, client locations and applicable laws and standards. Litigants with a command of the issues can make sound decisions in responding to disputes.

KPMG Forensic assists litigants and their legal counsel with potentially costly and disruptive disputes and litigation. We identify and analyze key accounting, economic and financial issues around which the dispute revolves. KPMG member firms deliver a wide range of Dispute Advisory Services, including:

- Forensic accounting investigations
- Early case assessment
- Document and electronic record disclosure
- Data analysis
- Corporate intelligence
- Valuations
- Economic analysis
- Damages assessment
- Assistance with negotiation strategy
- Expert witness testimony
- Expert determination
KPMG Forensic’s experience includes:

- Commercial contract breaches
- Shareholder disputes
- Business interruption and lost profits
- Investor/state disputes
- Post-acquisition disputes
- Professional negligence claims
- Competition and other regulatory disputes
- Data security disputes
- Bankruptcy litigation
- Government contract claims
- Tax disputes
- Class action litigation
- Bribery and corruption
- High value family and matrimonial disputes

KPMG’s global network of member firms offers over 2,300 specialist partners and staff operating across time zones, languages and cultures. Our member firms bring the right mix of professionals to disputes in the key venues where they are resolved.

KPMG member firms have helped to represent clients under the auspices of the following major forums around the world:

- International Chamber of Commerce
- International Centre for Settlement of Investment Disputes
- United Nations Commission on International Trade Law
- American Arbitration Association
- London Court of International Arbitration
- Singapore International Arbitration Centre
- Stockholm Chamber of Commerce
- The Centre for Effective Dispute Resolution
- Civil courts around the world.
Why use KPMG for your Global Dispute Advisory needs?
Experienced multi-disciplinary teams

KPMG Forensic offers a team of professionals experienced in providing authoritative, impartial advice on a range of financial and accounting aspects of disputes. We have a strong reputation for providing robust opinions supported by credible written and oral evidence.

In addition to our in-depth experience of giving evidence in complex disputes, KPMG member firms have professionals with backgrounds including accounting, statistics, finance, economics, construction, engineering, project management, technology, business valuations, quantity surveying and many others.

Cross-industry expertise

Increasingly, the nature of the disputes arising requires detailed and specific subject matter expertise. In addition to our depth of experience in the provision of impartial advice on accounting matters and in giving authoritative expert evidence, KPMG’s global network of member firms gives us access to industry experts. These individuals range from specialists in matters as diverse as complex financial products to the implementation of telecommunications infrastructure.

Forensic technology skills

Litigants often face the challenge of dealing with large volumes of documents and transactional data. KPMG’s Forensic professionals can offer a response using trained personnel, sophisticated technology, methodologies, tools and dedicated technology centres. We provide insight in complex disputes by importing transactional data and analyzing it in relational databases to help uncover patterns, biases, errors, and fraudulent activity. Our capabilities can help you reduce costs, reduce risks and find the facts that are contained in a mass of detail.

Local presence with global reach

Through our network of member firms, KPMG Forensic is committed to consistently delivering to clients the right capabilities at the right time from one trusted advisor, no matter where in the world they do business – an important advantage as complex disputes can arise involving parties, courts and panelists from more than one country. We believe KPMG Forensic offers a truly global dispute advisory capability because of our investment in:

- A shared global methodology
- Common global training, and
- A network of partners who routinely work together and communicate regularly.

Our commitment to core values, professional standards, and integrity

As professionals, we strive to meet the high standards for client service and ethical conduct set by our peers. We maintain professional standards for engagement performance and reporting, and a system of quality controls that provide additional assurance of the quality and consistency of our work.
Our experience – A selection of recent engagements from across KPMG’s global network of member firms
**Case study**

A group of insurers needed to define a claim brought under a political risk insurance policy in relation to major energy assets in South America. We considered various trigger clauses within the policy to assess, from an accounting perspective, whether a claim could be made, and provided input into the quantum of any such claim. The case settled favorably for our client pre-hearing.

**Case study**

KPMG assisted our client, a Cayman-based hedge fund, in a dispute which arose following a fraud perpetuated by the investment manager of the fund. The fund had brought a claim against the fund administrator in relation to its duties to calculate and distribute the net asset value of the Fund to investors. KPMG assisted the client by utilising technical experts in International Financial Reporting Standards, in Cayman Fund accounting and in valuation techniques. We investigated the factual details of the claim, calculated the overall loss suffered and assessed the appropriateness of valuation techniques under IFRS and GAAP. Overall KPMG issued seven expert reports in the arbitration proceedings. Following a three week hearing the case settled favorably for our client.

**Case study**

KPMG assisted a client in calculating loss of profits suffered as a result of a cancellation of an agreement for the design and construction of a mining plant. This was a turnkey major project. The dispute arose between two companies based in two different parts of the world and was eventually settled through arbitration in a third jurisdiction. The KPMG team combined skills, expertise and deep industry knowledge covering specialist accounting, cost accounting, construction, mining and expert testimony. The arbitrator found in favor of our client after consideration of the evidence, which included an expert opinion presented by KPMG.

**Case study**

The client, a satellite operator in the Middle East, was defending a claim for breach of contract brought by a pay TV company. An expert witness from KPMG gave in-depth evidence on quantum to a Tribunal in London on the extent of the loss of profits and wasted costs claimed drawing on our member firms’ industry and location expertise. Following the hearing the Tribunal concluded that the claim should be dismissed in its entirety.

**Case study**

Our client sold a company to a foreign investor. Ultimately the company was declared bankrupt and the buyer lost its investment. Unable to agree on a settlement with our client, the buyer initiated arbitration proceedings under the applicable bilateral investment treaty alleging that our client forced the company into bankruptcy. Through our expert testimony, in addition to showing the flaws in the damages calculation, we demonstrated to the tribunal that the bankruptcy was the result of the buyer’s own actions.

The strength of our member firms is in their professionals, who have deep industry knowledge and well established technical skills.
Contact us

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