



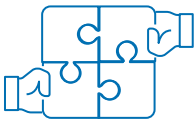
# Helping Lawyers Resolve Complex Issues

# Independent advisory services

FTI Consulting supports the legal community on a broad range of legal and regulatory issues, providing leading-edge legal technology tools and independent advice, rigorous analysis, and robust expert evidence that withstands the toughest scrutiny.

## The FTI Consulting difference

As a multidisciplinary business advisory firm, we blend specialist expertise, industry insight and geographic coverage to offer lawyers a unique mix of capabilities and comprehensive services all under one roof. This collective experience gives us valuable insights into the critical legal and business issues facing you and your clients. Being truly global, we can support you wherever you need us or bring global expertise to Australia.



### Multidisciplinary

We are home to experts in forensic accounting, e-discovery, cybersecurity, economics, valuations, corporate finance, restructuring, investigations, regulatory compliance, and strategic communications. We combine these skills with deep industry expertise when required.



### Global reach

Based in 31 countries, we can have experts on the ground quickly where you need us most, with location-specific knowledge and language skills. We also frequently bring our global depth of expertise to Australia.



### Customised team

We adapt and diversify our team based on your needs, bringing together the most relevant experts to seamlessly surround the issues.



### Independence

With no in-house legal or audit practice, we are largely conflict-free and uniquely positioned to provide impartial advice and assistance.

# Our services

Each legal situation has its own unique characteristics and drivers. We provide law firms and their clients with genuine solutions backed by our diverse technical and industry expertise. Having an impact where it's needed most.

We support lawyers who practice in the following areas:

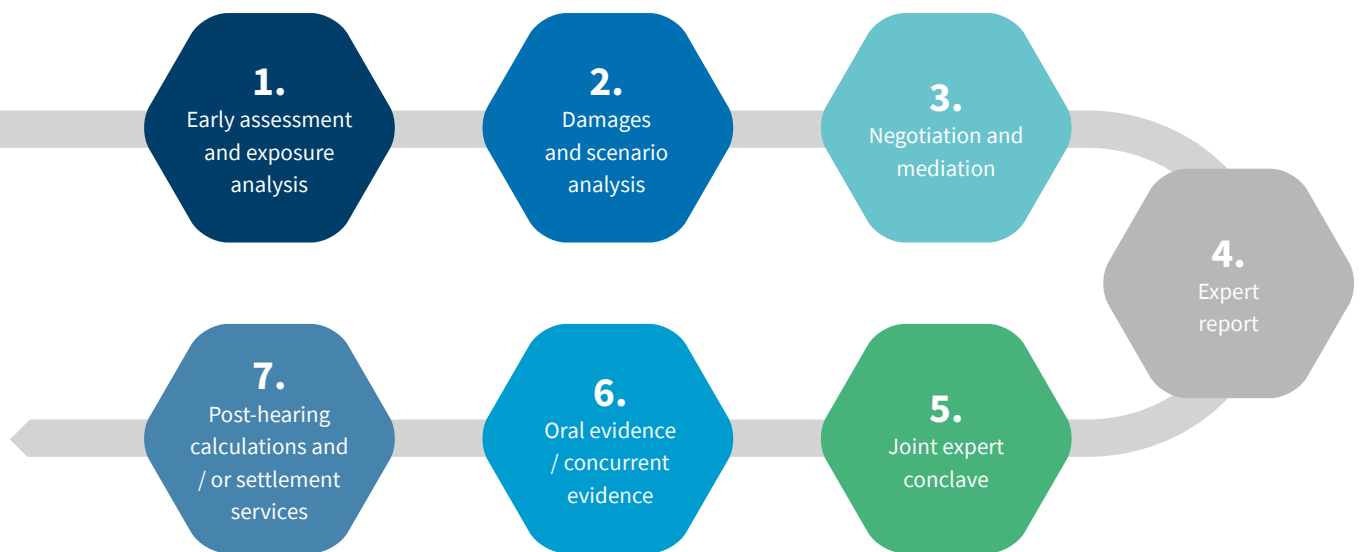
	Disputes & litigation	04
	Corporate risk & investigations	06
	E-discovery	08
	Data privacy & information governance	09
	Employment	10
	Restructuring & insolvency	12
	Industry experience	13
	Economic & financial analysis	14
	Transactions	17
	Taxation	18



# Disputes & litigation

Australia's best lawyers rely on FTI Consulting as consulting and testifying experts in their most complex disputes. We are also regularly appointed by courts, or jointly by parties as a special referee and to provide independent expert determinations. Using our diverse skills and experience, we help you pinpoint the exact type of expertise and evidence required. We regularly call on our industry experts and global colleagues when required, to ensure you have the best expert for your matter. We strongly believe that withstanding a rigorous cross-examination comes from a robust expert report and hands-on involvement of the expert throughout the matter.

## WE ASSIST LEGAL TEAMS AT ALL STAGES OF A DISPUTE:



## TYPES OF CLAIMS AND DISPUTES:

- Loss of profits / economic loss
- Loss of opportunity or wasted costs
- Class actions
- Post-acquisition disputes
- Shareholder disputes
- Insurance claims
- Professional negligence
- Construction disputes
- Expropriation
- Intellectual property disputes
- Procurement disputes
- Business interruption
- Competition / antitrust damages
- Family disputes

## OUR AREAS OF EXPERTISE / EXPERT OPINIONS COVER:

- Forensic accounting and analysis
- Asset and transaction tracing
- Financial crime
- Accounting and auditing standards
- Financial modelling
- Valuations of businesses, financial instruments and intangible assets
- Economics and event studies
- Solvency
- Directors' duties
- Digital forensics
- Construction cost and delay analysis
- Cybersecurity

## STRATEGIC COMMUNICATIONS

Combining expertise in public and media relations with specialist experience supporting the legal sector, our strategic communications experts work with both lawyers and litigants. Whether it is managing reputation during a high-profile case or working to generate interest to win over the ‘Court of Public Opinion’, a well-thought-out and well-executed communications plan, aligned to the legal strategy, is essential.

Our services include:

- Media training and critical media relations: dealing with threatened negative media exposure
- Issues management and stakeholder communications
- Crisis preparedness: reputational threat assessments, crisis planning and team testing
- Online reputation management, social media monitoring and engagement
- Courtroom monitoring

## DIGITAL FORENSICS & DISCOVERY

Our services include:

- Collection of evidence
- Data discovery
- Expert testimony

We work with all forms of and sizes of data in a forensically sound and defensible manner, with chain of custody intact and minimal disruption to daily business operation.

We also offer expert testimony and develop courtroom materials that clearly explain the evidence and our methodology. We work closely with legal teams throughout the discovery process (see page 11).

## BUSINESS INTELLIGENCE / ASSET TRACING

We identify, locate and recover assets in Australia or foreign jurisdictions for major litigation, helping to untangle complex global structures and transactions.

Our key services include:

- Identifying assets and ownership structures
- Undertaking financial worth inquiries
- Conducting discreet inquiries
- Designing and executing recovery strategies

## TRIAL SERVICES

We host and support remote proceedings, evidence presentation (including technology and document management), persuasive graphics, live streaming and recording.

## CONSTRUCTION AND MAJOR PROJECTS

Our specialised Construction Solutions practice offers services to prevent, mitigate or resolve construction risks and disputes. With commercial contracting and professional practice backgrounds, our dedicated team of construction experts have worked on some of the world’s most complex and high-profile construction disputes. In addition to assisting clients with claim preparation and defence, we frequently act as expert witnesses, in arbitration and litigation.

- Expert witness on quantum and delay
- Overhead and project cost analysis
- Quantum assessment and delay analysis

## CASE STUDY

### SITUATION

Receivers of UDP Holdings Pty Ltd engaged us to provide an independent expert opinion in arbitration and litigation proceedings concerning allegations of overcharging of customers, causing breaches of warranties made in a share sale agreement and consequential material adverse change, resulting in a warranty and indemnity insurance claim.

### OUR ROLE

Our opinion, which was largely uncontested, involved building a model to analyse a large volume of transaction data based on complex pricing arrangements to calculate the overcharging, which was used to assess the ‘true value’ of the business. We compared accounts with the Australian Accounting Standards; assessed Material Adverse Change; applied accounting and auditing principles (including materiality of errors); participated in multiple expert conclaves producing joint expert reports; and gave concurrent evidence in arbitration and litigation hearings.

### OUR IMPACT

**The Court found in our client’s favour, awarding the full limit of liability under the AU\$25 million insurance policy (plus interest and costs). Our clients also succeeded in the arbitration.**



# Corporate risk & investigations

Our expert investigation teams are adept at responding immediately to events requiring sensitive yet robust investigations, and providing practical and actionable advice to establish the truth of a matter. We work collaboratively with internal and external legal counsel and adopt a methodical, rigorous approach to safeguarding a client's assets and reputation, and resolving matters with minimum disruption to their business. We also help prevent recurrences of instances by assessing risks and implementing effective control environments.

## ARRAY OF INVESTIGATIVE CAPABILITIES

With a combination of diverse skillsets, we identify, collect, analyse, reconstruct and interpret critical financial and other information (maintaining chain of custody), interview witnesses and/or suspects, manage key stakeholders and, where relevant, support litigation, and deal with law enforcement agencies and regulators in incidents involving:

- Suspected fraud and misconduct
- Bribery and corruption
- Money laundering
- Asset misuse / misappropriation
- Financial statement manipulation
- Internal policy / code of conduct breaches
- Whistleblower allegations
- Conflicts of interest
- Harassment and threatening behaviour
- Other regulatory breaches

## FORENSIC DATA ANALYTICS

We deliver strategic business solutions to clients requiring in-depth analysis of large, disparate sets of financial, operational and transactional data. Using different forms of analytics including statistical techniques, bespoke algorithms, scenario modelling, hypothesis testing and machine learning, we help digest and unravel large volumes of data accurately and efficiently. Our techniques allow clients to monitor for instances of fraud and corruption, and also provide a defensible, forensically sound approach for large-scale investigations.

## FORENSIC COLLECTIONS

Our teams can deploy anywhere in the world or work remotely and have deep experience handling a variety of device and data types. We also offer expert testimony and develop courtroom materials that clearly explain the evidence and our methodology.

### DEALING WITH DATA IN ALL FORMS AND SIZES

- Structured data including trading platforms, ERP and CRM systems, general ledgers
- Semi-structured data including server logs, SWIFT messages, XML files, JSON documents
- Unstructured data including loose documents, email and chat content, web page scrapes and social media

## INVESTIGATION SERVICES

- Evidence identification, collection and preservation
- Hosted review of electronic information
- Detailed analysis of electronic data
- Forensic accounting
- Document review and transaction testing
- Business and background intelligence gathering
- Interviews
- Stakeholder reporting
- Criminal or civil litigation support (consulting and testifying expert witness)
- Regulatory support
- Crisis and communication management

## CYBERSECURITY

We are a leading global provider of independent cyber and risk management advisory services with a core offering focused on cyber readiness, incident response, and complex investigations. Our team, capable of deploying worldwide, consists of more than 450 dedicated cybersecurity experts, incident response consultants, developers, and data analysts with extensive investigative backgrounds, led by those with decades of experience at the highest levels of law enforcement, intelligence agencies, and global private sector institutions.

We routinely tackle global, large-scale, and complex issues, that often stem from data privacy and cybersecurity-related concerns, and demand intricate solutions. Whether it's ransomware, business email compromise, a trusted insider, or foreign actor, we provide complete cyber incident response solutions, including preparation, incident response coordination and support, containment, eradication, and remediation, activities.

Our key services include:

- Incident Response
- M&A Cybersecurity Due Diligence
- Crisis Simulation and Table-top Exercises
- Cybersecurity Compliance
- Cybersecurity Strategy
- Cybersecurity Program Advisory & Implementation
- Policies, Procedures, Staff Gap Analysis and Design
- Penetration Testing and Red Teaming
- Threat-hunting Operations
- Third-party Assessments
- Complex Investigations & Litigation Support
- Virtual Chief Information Security Officer

## STRATEGIC COMMUNICATIONS

Our strategic communications team provides crisis management and communication services in response to cybersecurity and other investigation events in three phases: readiness; incident response and management; and recovery.

We also provide reputational and political management advice during regulatory investigations.



## RISK, COMPLIANCE AND MONITORSHIPS

We help organisations understand fraud and corruption risks that they face. With a risk-based approach, we then help clients prevent, detect and respond to instances of fraud and corruption by assessing, benchmarking and implementing compliance frameworks comprising robust and risk-based policies, procedures and controls. Where remediation measures are required by the enforcement of legal obligations (i.e. Enforceable Undertakings or Deferred Prosecution Agreements), we act as Independent Monitors to ensure compliance with obligations.

### CASE STUDY

#### SITUATION

Our client received an anonymous written allegation that a senior staff member had bribed a supplier during a contested tender process.

#### OUR ROLE

FTI Consulting investigated these allegations by forensically analysing personal computer and server data, telephone records and emails as well as interviewing witnesses and suspects.

#### OUR IMPACT

**Our investigation established the allegations were false, concocted by two other staff members, with assistance from a third party. The senior staff member was exonerated, the true perpetrators identified, and the client's tender process had not been corrupted.**



# E-discovery

Providing legal teams with innovative and flexible e-discovery solutions, we focus on the technical tools, review strategies, and policies and procedures that support the entire process. We ensure consistent quality throughout all engagements with regular communication and reporting, standardised and repeatable processes, and strategic monitoring for consistency across projects. We provide comprehensive training so that internal teams can understand and master critical workflows, software features, and best practices.

We tailor our services to suit your needs to drive efficiency and lower costs. Our key services include:

- Forensic data collection - onsite and remote
- E-discovery on-demand services using your choice of platform (RelativityOne, Nuix Discover and more):
  - processing
  - hosted review
  - workflow consultation
  - production
  - analytics and predictive coding workflows
- Expertise on-demand:
  - information governance consulting
  - structured data analysis
  - data and mobile forensics
  - audio discovery
  - trial consulting and expert witness testimony
- Managed Review (Acuity) - local and offshore
- Find Facts Fast Research Service
- Project management
- Overflow staff and services
- Software management
- Workflow design and implementation
- Software and process training
- Trial services:
  - remote proceedings
  - evidence presentation and persuasive graphics
  - live streaming and recording

## CASE STUDY

### SITUATION

Our client had approximately 177,000 documents to review in a short timeframe. Due to limited budget constraints, only a small review team was allocated for the review.

### OUR ROLE

To provide a defensible strategy, which enabled the small team of reviewers to assess the potentially relevant documents in a timely manner and within budget.

Using analytical tools and strategies and a Technology Assisted Review (TAR) process known as Continuous Active Learning (CAL), we created a defensible workflow strategy that enabled the review team to focus on the most likely relevant documents first, and ultimately reduce the overall review document population.

### OUR IMPACT

**By employing the e-discovery tools and strategies, we defensibly trimmed down the reviewable universe to 28,000 documents, a volume of documents the team of 3 reviewers could easily review, and we produced these within given deadlines and budget. Using traditional review methods, it would have taken a review team of 3 people 30 weeks to review the original document population. Using state of the art tools and strategies, we reduced the burden of document review both in terms of time and cost.**





# Data privacy & information governance

Helping manage data risk by assessing your client's data landscape. We offer solutions that improve compliance and reduce corporate risk, cut storage costs, secure data, improve e-discovery processes, increase data value and enable faster, deeper insights and more trusted customer relationships.

We are adept at providing strategic and operational advice, particularly for organisations who do not have the in-house resources to deploy the robust compliance frameworks required. Our key services include:

- Privacy advisory and risk management
- Chief Privacy Officer as-a-service
- Privacy-by-design
- Privacy and data program development and implementation
- Regulatory assessments
- Privacy managed services
- Data retention remediation
- Defensible cloud migrations
- Data intelligence and analytics
- M&A due diligence
- Backup remediation



## CASE STUDY

### SITUATION

An Australian-based research and training firm was conducting a research project with participants based in multiple locations and engaged us to conduct a multi-jurisdictional privacy impact assessment.

### OUR ROLE

We conducted a deep dive on the project, assessed compliance with the Australian Privacy Act 1988 (Cth), EU General Data Protection Regulation (GDPR) and select US state privacy laws, mapped data flows throughout the project, and identified risk points and proposed mitigations. We also provided practical privacy-by-design advice on the project data collection, storage, access, and retention practices, and drafted various strategic communications to ensure best practice in the privacy messaging given to research subjects.

### OUR IMPACT

Our assessment and advice enabled the client to achieve privacy best practice in the delivery of what was a highly sensitive piece of corporate social research.

# Employment

We work collaboratively with employment lawyers and HR teams to add complementary skills to workplace investigations, and provide independent opinions when required. While we don't provide legal advice, we do assist employment lawyers with specialised skills in forensic accounting, forensic technology, fraud and misconduct investigations, interviewing witnesses, preparing briefs of evidence for law enforcement agencies, acting as expert witnesses and providing strategic communications.

## IP THEFT & BREACH OF RESTRAINTS

Our team has years of experience helping clients mitigate, detect, and contain trade secret and other types of IP theft. We are skilled at:

- Securing forensic evidence (computers, company networks, cloud storage, mobile devices, social media, chat or collaboration platforms)
- Recovering deleted data
- Remediation of documents from previous employer
- Information governance advice to mitigate risk
- Quantification of loss / account of profits
- Expert testimony

## PAYROLL COMPLIANCE

Our team has extensive experience in wage underpayment cases and dealing with payroll compliance issues. Our services include:

- Working collaboratively with legal and HR teams to understand the relevant operational and legal frameworks
- Comparing employee payroll data with Modern Awards and complex Enterprise Agreements
- Using data analytics tools and pre-built models to test 100% of employees
- Using data visualisation tools to present detailed calculations in dashboard form
- Providing robust quantification by employee for reporting and remediation
- Providing expert evidence if required
- Stakeholder management and strategies for communication with regulators, unions, employees, media and other stakeholders

## MISCONDUCT & FRAUD INVESTIGATION

We assist lawyers conducting difficult and sensitive disciplinary investigations involving the misuse of corporate systems or assets, theft or misuse of assets and IP, staff harassment, the distribution of inappropriate material, and breaches of an organisation's Code of Conduct. With a combination of diverse skills, we identify, collect, analyse, reconstruct and interpret information relevant to incidents.

### CASE STUDY

#### SITUATION

We were engaged by the external legal advisors of an aged care provider to undertake a payroll compliance assessment.

#### OUR ROLE

We worked closely with the legal team, the HR team, and reported to the Board. We were engaged to recalculate payroll for more than 80% of employees over a 6-year period, under 8 different complex EBAs. We combined disparate data sets taking into account rosters, timesheets, and payslip data. We built a model to take into account the contractual obligations and EBA rules, and recalculated wages per employee per fortnight. We used data visualisation tools to communicate findings to the HR team and the Board.

#### OUR IMPACT

**We used our detailed analysis to assist the client through a complex remediation process. Our strategic communications experts advised on the communications plan, and our business transformation experts assisted with the implementation of our recommendations.**



Together, our experts have made a tangible and positive impact on some of the world's most memorable events including corporate collapses, major M&As, regulatory shifts and complex disputes. When you engage us, you gain access to professionals with diverse skills and expertise tailored specifically to your needs, who are agile, hands-on and collaborative.



# Restructuring & insolvency

Our experienced team is skilled at engineering and executing formal and informal solutions to maximise value from distressed or insolvent companies. Whether it's providing an in-depth turnaround plan to drive value in a restructure or supporting clients in more distressed situations on how to move forward with a sale or exiting the business.

We provide solutions according to the financial and operational needs of the company and to maximise value for stakeholders:

- Performance improvement and pursuing opportunities
- CRO/Interim management support
- Turnaround and restructuring advisory
- Liquidity management
- Formal restructuring including:
  - Safe harbour advisory
  - Creditor advisory
  - Voluntary administration
  - Deed of company arrangement (DOCA)
  - Liquidation
  - Receivership
- Bankruptcy
- Personal insolvency agreement
- Valuation advice and modelling in a restructuring context
- Solvency opinions

## CASE STUDY

### SITUATION

Queensland Nickel is one of Australia's largest corporate collapses, with almost 800 jobs lost and AU\$300 million debt left owing to over 1,500 creditors, including the Australian Federal Government.

### OUR ROLE

As Voluntary Administrators, we took over operations and began to restructure a business that was losing AU\$1 million per week. We forensically investigated allegations of fraud and analysed financial data, litigated the recovery of assets, testified in court and managed internal and external stakeholders throughout.

### OUR IMPACT

**We detailed our findings in a report to creditors recommending liquidation, who overwhelmingly approved the wind up. We've reduced the claims of more than 1,500 creditors by AU\$200 million including the fast-tracked assessment and distribution of payments of AU\$70 million to nearly all 787 Queensland Nickel employees. We continue to litigate to recover the remaining debt.**

## CASE STUDY

### SITUATION

We were appointed to Gascoyne Resources Limited and its subsidiaries ("Gascoyne") in June 2019 to run the business after it failed to deliver planned production. Gascoyne operates the Dalgara Gold Mine, located 70km from Mount Magnet, Western Australia.

### OUR ROLE

We stabilised operations, updated the Life-of-Mine-Plan, and oversaw significant capital investment to underpin a successful turnaround strategy, resulting in an AU\$125 million recapitalisation. Mining and processing continued uninterrupted, preserving underlying asset value for the benefit of all stakeholders.

### OUR IMPACT

**The business was saved with creditors, and shareholders kept whole via the use of a Deed of Company Arrangement, effectuated October 2020, enabling Gascoyne to resume trading on the ASX following 16 months operating in administration. Gascoyne transitioned to a profitable WA gold miner with consistent operational performance generating positive cash flow.**



# Industry experience

No two industries are the same. FTI Consulting offers deep, practical industry expertise across a broad range of sectors to ensure we deliver solutions that work for clients regardless of complexity, geography or size.

Our industry teams have the unique ability to draw upon deep local knowledge to drive solutions and mobilise the extensive expertise, resources and capabilities of the firm's established global professionals, should the need arise for any particular assignment.



Aerospace & Defence



Agriculture



Automotive



Construction & Environmental



Energy, Power & Products



Environmental



Financial Institutions



Healthcare & Life Sciences



Hospitality, Gaming & Leisure



Insurance



Mining



Public Sector



Real Estate & Infrastructure



Retail & Consumer Products



Telecom, Media & Technology



Transportation



# Economic & financial analysis

Our economic, financial and data analytical experts provide critical insight and expert testimony in legal and regulatory proceedings. Our advice and economic insights are used to support companies, governments and regulatory authorities in litigation, arbitrations and regulatory proceedings across a range of industries. We have deep expertise in the analysis of economic issues related to competition matters, mergers and acquisitions, securities litigation and risk management, valuation and international arbitration. By applying a range of economic and financial analysis techniques, we assist our clients to understand the issues, risks and opportunities they face.

## COMPETITION ECONOMICS

We provide expert, litigation support and testimony on complex regulatory and competition litigation matters that require sophisticated economic analysis. Our service offerings include analysis related to:

- Impact of competition on market and firm performance
- Market and industry analysis
- Exclusionary conduct
- Horizontal and vertical agreements
- Mergers, acquisitions and joint ventures
- Market power and quantification of impacts on competition
- Monopolisation and abuse of dominant position
- Cartels and collusive behaviour
- Predatory pricing and price fixing
- Notification and authorisation

## COMPETITION DAMAGES

We couple our knowledge of valuation theories, methodologies and data analytics to estimate future company cash flows or asset values through expert analysis in the following areas:

- Competition and consumer damages claims
- Business valuation, intangible property valuation, and options valuation
- Estimating merger-related efficiencies
- Testing whether the acquisition price of a competitor suggests overpayment to gain market power
- Feasibility of alternative restructuring plans
- Performing complex simulations
- Market studies

## REGULATION, PRICING AND ACCESS

Our experts have extensive experience in developing, applying and interpreting legislative instruments and providing advice in relation to regulatory processes including in relation to infrastructure regulation, access regulation and pricing:

- Design of regulatory regimes
- Regulatory price setting and monitoring
- Third-party access
- Regulation impact assessments including impact quantification
- Cost of capital analysis
- Regulatory contract negotiations and dispute resolution

## ECONOMIC IMPACT AND CONTRIBUTION ANALYSIS

We have strong experience in economic impact and economic contribution analyses examining how markets and the broader economy react to changes in public policy and investments. The impacts might include changes in prices, capacity additions or retirements, or the fundamentals of supply and demand. Broader economy impacts might include job creation or losses, and changes in GDP, employment, household income, and government revenue. Key service offerings include:

- Economic needs analysis through assessment of demand and supply
- Economic impact analysis
- Economic contribution analysis



## COMMERCIAL AND FINANCIAL ANALYSIS

Our clients sometimes require advanced analytical services to support their commercial and financial strategies, and financial and tax planning and compliance. Our service offerings cover:

- Taxation policy
- Transfer pricing
- Valuation assessments
- Business case development and assessment
- Benchmarking analysis
- Evaluation of economic factors likely to affect contract prices

## ECONOMIC MODELLING AND FORECASTING

Our economic modelling and forecasting experts provide data analysis, econometrics, and statistical modelling to support complex litigation, regulatory proceedings and investigations. Analysis can focus upon national, industry wide, or business specific impacts, and can also extend to assessing wider or flow-on consequences at international, national, local or regional levels. Questions can look backwards, assessing what would have happened “but for” certain events, or look forward, testing “what if”. Services include:

- Computable general equilibrium modelling
- Input-Output modelling
- Regression analysis and econometrics
- Energy market modelling
- Construction industry forecasts
- Data science, visualisation and mapping
- Demand forecasting

## CASE STUDY

### SITUATION

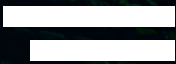
We were engaged by a leading Australian law firm to provide an independent expert report to be used in Victorian Civil and Administrative Tribunal (VCAT) proceedings. The client was seeking to challenge a state regulator’s decision about foreign purchaser stamp duty exemptions on property.

### OUR ROLE

Our report provided expert opinion on (among other things), whether a proposed large scale apartment development in inner city Melbourne would add significantly to Victoria’s housing stock and whether it would be likely to have a favourable impact on the Victorian economy and community. Our FTI Consulting expert also appeared before VCAT to provide expert testimony.

### OUR IMPACT

**VCAT referred to and affirmed many of the views and evidence presented in FTI Consulting’s expert report. Our expert report contributed to the client saving more than AU\$3 million in applicable stamp duties.**



From the high-profile, headline-grabbing stories to the disruptions concerning smaller businesses, FTI Consulting helps lawyers and their clients anticipate, manage and overcome complex challenges.

Working behind the scenes and the headlines, our experts are focused on helping you achieve the best possible result – whether that’s winning a litigation case, successfully structuring a deal or satisfying regulators.







# Transactions

With deep experience in the deal environment, we offer transaction advisory services across the investment cycle - from acquisition to optimised divestiture - addressing the strategic, financial and operational aspects of a transaction.

We collaborate with key stakeholders to drive and deliver results advising on all aspects of a transaction and providing end-to-end support, including:

- Commercial, financial, and investigative due diligence
- Information governance, privacy and cybersecurity due diligence
- Buy-side and sell-side transaction advice
- Capital raising
- Market assessments
- Economic modelling
- Financial analysis and business modelling
- Interim executive assistance
- Independent Expert Reports (IERs)
- Valuation and modelling services to support transactions
- Group restructuring and fiscal valuations
- Stakeholder engagement
- Media relations
- Post-merger integration
- Post-acquisition disputes (purchase price adjustments, earn outs, warranty claims)
- Expert determinations

## CASE STUDY

### SITUATION

We were engaged by Bain Capital Credit to provide financial due diligence services to support their potential investment in Webjet Limited, an ASX-listed global digital travel company suffering significant business disruption due to COVID-19.

### OUR ROLE

As a result of the COVID-19 pandemic and global travel restrictions, Webjet Limited required an urgent capital injection to secure their continued business operation. Our team conducted a rapid assessment of the key cash flow assumptions and cost reduction initiatives developed by Webjet's management, which supported the company's funding request and turnaround plan.

### OUR IMPACT

**Our analysis and due diligence findings supported Bain's decision to participate in Webjet's capital raising, with funds committed within seven days from the start of the engagement.**



# Taxation

We provide insights and expertise to taxpayers, the Australian Taxation Office (ATO), and other tax authorities. We don't provide tax advice, but we regularly work with tax advisors on a variety of tax-related valuation needs.

## VALUATIONS

We provide reliable and independent valuation advice that complies with the relevant tax authority guidance, meets the financial reporting and valuation standards, and is attuned to the broader commercial context.

- Tax consolidation
- Capital gains tax
- Principal asset test
- Small business concession
- Private ruling assistance
- Employee options

## TRANSFER PRICING

- Taxation and transfer pricing – valuation reports and expert advice to tax authorities, taxpayers, and their advisors
- Valuation of intellectual property and other intangible assets
- Profit margin benchmarking
- Royalty rate benchmarking
- Licensing advice
- Benchmarking analysis for transfer pricing reports

## ATO DISPUTES

- Valuation advice to aid negotiations between taxpayers and tax authorities
- Valuation reports meeting Australian and international valuation standards for:
  - Tax consolidations
  - Capital gains taxes
  - Stamp duty
  - TARP assessments
  - Small business concession
  - Impact of tax treaties
- Act as an Expert Witness for the Courts, Tribunals and other judicial bodies

## FORENSIC ACCOUNTING

- Act as a forensic accounting expert for the ATO or the taxpayer
- Complex transaction analysis to trace flow of funds
- Assess veracity of books and records or calculate financial impact based on raw data or source documents
- Prepare robust expert reports and give testimony as required in Court or Tribunal

## CASE STUDY

### SITUATION

An international bank and the ATO were in a dispute over capital gains taxes triggered by the sale of a loan and derivative portfolio with a face value of over AU\$500 million.

### OUR ROLE

Jointly appointed by the bank and ATO to perform a market valuation of the portfolio.

### OUR IMPACT

**A costly court process was averted as the parties came to an agreed settlement based on our expert valuation analysis.**

# Local & global recognition



Australian experts recognised for Arbitration, Construction, Data & E-discovery, Digital Forensics, Expert Witness, Forensic Accounting, Investigations, Quantum of Damages and Restructuring & Insolvency 2022

Who's Who Legal



Consulting Firm of the Year  
2016 - 2022

Arbitration Firm of the Year  
2015 - 2022

Restructuring & Insolvency Firm  
of the Year 2019 - 2022

Who's Who Legal  
Firm Awards



Global Turnaround Consulting  
Firm of the Year  
2015 - 2019, 2021 - 2022

Global M&A Network's Turnaround  
Atlas Awards



Ranked #1  
Restructuring Advisor  
2007 - 2022

The Deal's Bankruptcy  
League Tables



Top Ranked in  
Business Intelligence and  
Investigations,  
Asia-Pacific  
2022

Chambers & Partners  
Litigation Support Guide



Top Ranked in  
Cybersecurity Risk  
2021-2022

Chambers & Partners  
Crisis & Risk Management  
Global-Wide Guide



World's Best Management  
Consulting Firms  
2022

Forbes



Ranked in Global Data Review  
100 Top Data Privacy and  
Security Advisors  
2023

GDR 100



Ranked #2 behind sister  
firm Compass Lexecon in  
International Arbitration  
Power Index  
2022

Global Arbitration Review

# Meet our team



## ANDREW BANTOCK

Transactions  
+61 412 125 799  
andrew.bantock@fticonsulting.com



## JOHN PARK

Restructuring & Insolvency  
+61 419 686 140  
john.park@fticonsulting.com



## MARK DEWAR

Business Transformation  
+61 481 497 549  
mark.dewar@fticonsulting.com



## MARK PULVIRENTI

Investigations, Data Analytics and  
Regulatory Compliance & Monitoring  
+61 414 236 919  
mark.pulvirenti@fticonsulting.com



## SCOTT FOSTER

E-discovery  
+61 439 241 089  
scott.foster@fticonsulting.com



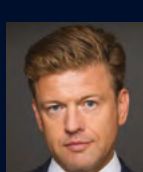
## STEPHEN RAE

Construction Solutions  
+61 415 582 595  
stephen.rae@fticonsulting.com



## FIONA HANSEN

Valuations  
+61 403 069 498  
fiona.hansen@fticonsulting.com



## ROBERT SKEFFINGTON

Strategic Communications  
+61 427 023 810  
robert.skeffington@fticonsulting.com



## CHRIS HATFIELD

Digital Forensics  
+61 437 373 130  
christopher.hatfield@fticonsulting.com



## ROBERT SOUTHERN

Regulatory & Competition Economics  
+61 414 786 826  
robert.southern@fticonsulting.com



## MICHAEL KHOURY

Forensic Technology  
+61 2 8247 8000  
michael.khoury@fticonsulting.com



## WOUTER VEUGELLEN

Cybersecurity  
+61 2 9235 9309  
wouter.veugelen@fticonsulting.com



## WYNAND MULLINS

Dispute Advisory  
+61 404 211 149  
wynand.mullins@fticonsulting.com



## DAWNA WRIGHT

Dispute Advisory & Class Actions  
+61 439 107 459  
dawna.wright@fticonsulting.com

## EXPERTS WITH IMPACT™

FTI Consulting is an independent global business advisory firm dedicated to helping organizations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities.

© 2023 FTI Consulting, Inc. All rights reserved. [fticonsulting.com](https://www.fticonsulting.com)

