

Litigation Support



Corporations around the globe are faced with an increasing amount of litigation and complex business disputes. Competitors, shareholders, regulators and even employees potentially present today's businesses with a multitude of reputation-damaging legal risks. Deloitte Cayman has extensive experience of providing valuable financial insight and clarity to counsel during the various stages of a business dispute, not only in the Cayman Islands but in major financial centres around the world.

Who we are

Deloitte's Litigation Support professionals in the Cayman Islands seek to understand the unique aspects of each case, and its underlying issues and facts, to determine the best approach. We then bring to bear our collective knowledge, experience and judgement to help clarify the issues and support our client's position. Most importantly, we articulate our findings in an organised and persuasive manner, whether in the form of a written report or testimony in court. We are backed by the worldwide resources of Deloitte's network of member firms, and are able to support our clients anywhere around the world.

Our professionals:

- Are skilled in problem solving on behalf of the client
- Have the ability to communicate the facts succinctly and accurately
- Are creative in isolating key case determinants and issues
- Have highly developed analytical skills
- Possess in-depth industry knowledge and experience
- Have deeply practiced technical skills
- Are responsive in meeting client needs and deadlines

Services we offer

With decades of dispute consulting experience and through a multitude of cases of varied types and descriptions, the Deloitte Litigation Support professionals have a solid track record of assisting counsel with challenging financial and economic issues in complex litigation and other business disputes, from case theory development and discovery to expert witness testimony. In addition, we utilise software tools, technology and methodologies that include data mining and mapping, electronic discovery and computer forensic capabilities. Litigation Support Services that Deloitte Cayman offers include:

- [Assessing Risk & Damages Exposure, and Developing Damages Theories](#)

Decisions regarding case management take into consideration a number of factors, including damages, liability assessments and business issues. Analysis and information regarding potential damages, strengths and weaknesses of the opponent's damages position, settlement offers and cost/benefit analyses are all

Services we offer (cont'd)

important in the decision-making process. We have extensive experience in providing this type of analysis and advice to clients. Such insight helps clients to manage effectively their case strategies. We also provide assistance in the discovery process to help identify the damages-related information that may be important in a case. We are also able to perform market and competitive analyses, cost determinations, lost profit analyses, economic studies, statistical analyses and industry reviews in a variety of business dispute situations. We apply our insight and deep experience in developing credible damages theories and models appropriate to the issues of a case and in critiquing the adversary's position.

• Providing Expert Testimony

Our Deloitte professionals have significant experience in providing expert testimony at trial and in other dispute resolution forums. In addition to possessing the facts and knowledge, our professionals are skilled communicators with years of experience testifying before courts and arbitrators in complicated areas of business, economics and finance. We can simplify complex technical information in support of the client's case, regardless of the level of financial sophistication of the audience to whom we are testifying.

• Discovery Services

In complex business litigation, all companies face one certainty: the discovery process. Whether you are a litigation attorney at a law firm or in-house counsel at a corporation, responding to a discovery request involves a myriad of complex requirements for proper data collection, processing, hosting, review and production. The number of responsive documents can range from hundreds to millions, and each responsive, non-privileged document must be produced in an efficient, secure and easily accessible manner.

No matter what aspect of the discovery process with which our clients need assistance, Deloitte provides services specifically tailored to meet the client's requirements and needs. Deloitte has extensive experience of providing discovery services on some of the most complex and largest pieces of litigation over the last decade. Our professionals can advise on litigation readiness and planning, discovery project management, capture and processing of electronic data and email, collection and management of paper documents, document review, the secure hosting of e-discovery databases and production of discovery material to parties in the case. During the review of documents and case preparation we can assist counsel with:

- Developing document review procedures;
- Review for privilege and/or responsiveness;

- Review for protection of information such as trade secrets, confidentiality, and privacy;
- Maintaining privilege logs and making recommendations based on the guidelines approved by client's legal counsel;
- Tracking to confirm review of all documents;
- Managing workflow and tracking productivity;
- Advanced search and filtering including Keyword and Boolean searching;
- E-mail analytics;
- A secure online collaborative environment for legal review for clients and their legal counsel; and
- Relationship mapping, and the design and preparation of charts/visual aids for trial presentation.

• Forensic Analysis & Investigation Services

Our Litigation Support services are further enhanced by access to other services offered by Deloitte forensic practitioners. In particular we utilise our Analytic Forensic Technology specialists, forensic and investigative professionals and technologically advanced computer labs and sophisticated software to offer new, innovative solutions to our clients' complex legal problems. We have the skills and resources to navigate information technology systems for evidence of malfeasance, such as information deletion, policy violations or unauthorised access. Our professionals can recover a wealth of information from computer hard drives and backup tapes, including active, deleted, hidden, lost or encrypted files; file fragments; and even files that were merely viewed but never saved.

Our professionals are also skilled at organising, managing and identifying documents in order to assist the client in analysing the relevant facts and evidence. Our team of fraud investigators includes former law enforcement officers and experienced accountants who have strong investigatory skills and are adept at exposing fraud schemes and helping to expedite recoveries. Deloitte also uses its Business Intelligence Services group to strengthen our client's litigation position, for example by providing enhanced analysis of evidence, assessments of the availability of assets to satisfy judgments, and locating additional evidence or witnesses.

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