

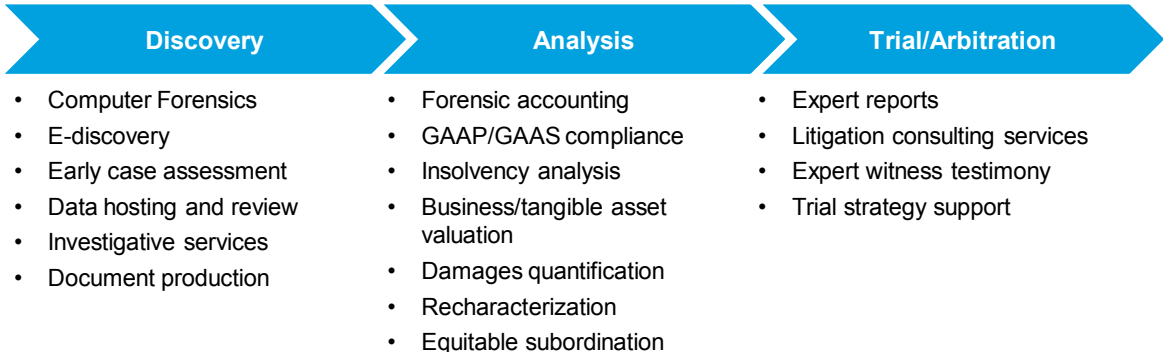
Bankruptcy Litigation Services

Integrated solutions throughout the bankruptcy litigation lifecycle



The current economic climate coupled with recent precedent setting bankruptcy court rulings have increased the potential for claim subordination, fraudulent transfer, and litigation claims asserted by trustees, unsecured creditors and equity committees. Managing bankruptcy related litigation presents complex challenges that require specialized knowledge and skills spanning the disciplines of computer forensics, electronic discovery, forensic accounting, financial reconstruction, insolvency analysis and expert witness services to reach a final resolution.

By accessing the broad resources of Deloitte, our clients can rely on a single professional services firm to help them address their bankruptcy litigation support needs. Our integrated approach helps produce efficient and comprehensive solutions for the issues facing stakeholders during a bankruptcy. Our services span a spectrum of industries and have been provided to financial institutions, secured lenders, professional service firms, boards of directors, management, acquirers of disputed assets, unsecured creditors committees, and bankruptcy trustees.



As used in this document, "Deloitte" means Deloitte Financial Advisory Services LLP, a subsidiary of Deloitte LLP. Please see www.deloitte.com/us/about for a detailed description of the legal structure of Deloitte LLP and its subsidiaries.

Addressing your needs

Our seasoned professionals play a central role in helping our clients address their varied needs. Our services include:

Computer forensics

A wealth of information may be recoverable from computer hard drives and backup tapes, including active, deleted, hidden, lost, or encrypted files, or file fragments. Even files that were created but never saved may be recovered. Our computer forensic professionals specialize in preserving bankrupt entities data to allow for use in the restructuring process or in litigation proceedings. We maintain chain-of-custody records and track activity to address authenticity of data and process concerns. We also run diagnostic software tools against copies of the image to search for the existence of relevant files.

Data hosting and review

Our E-Discovery Solutions Center has industry leading capabilities. We can filter, process and host nearly unlimited amounts of data for clients, and we support multiple web-based tools. Working with our clients using a consultative approach, we apply demonstrated methods and technology to help reduce the overall volume of data to be processed and reviewed. We work to match each client's unique needs to the appropriate technology depending upon the matter type, data volumes, case theory and number of users.

Reorganization services

Our reorganization professionals have extensive bankruptcy and workout experience in adversary proceedings and complex contested matters, including recharacterizations, equitable subordinations, POR development and disputes, 363 sales, asset recovery, Rule 2004 examinations, adequate protection, and substantive consolidation.

Forensic accounting

Forensic accountants often play a critical role in bankruptcy litigation matters by helping to: trace assets and/or funds; assess potential GAAP/GAAS issues; explain complex financial and accounting transactions; identify and locate information or assets; and conduct investigations. Our forensic accountants employ a variety of investigative techniques to help reconstruct business transactions or financial records, and strategize with clients and their attorneys on possible approaches and potential remedies.

Valuation and insolvency analysis

Our valuation and restructuring professionals have deep experience performing enterprise, equity, tangible and intangible asset valuations. Our work has been used to assist counsel with cram downs, fresh start accounting, and reviewing valuations connected with plans of reorganization. We have substantial experience performing balance sheet, cash flow and capital assessments in fraudulent transfer and subordination actions.

Damages quantification

Our specialists have analyzed and testified on damages related issues in a wide variety of bankruptcy related cases around the country. We work closely with legal counsel as they develop appropriate damages methodology, and we provide advice and assistance that is consistent with overall case strategy.

Expert witness services

As testifying experts, our professionals often offer testimony designed to help establish or refute the basis of a claim, assess whether liabilities exceed assets, and address any factual issues related to preference payment and fraudulent transfer claims. Our professionals are highly regarded as expert witnesses by Bankruptcy and District Courts for their experience, knowledge and thought leadership. We are skilled communicators with years of experience testifying before judges, juries and arbitrators on various complicated bankruptcy litigation matters.

Contacts

Sheila Smith

National Service Line Leader,
Reorganization Services
Deloitte Financial Advisory Services LLP
+1 617 437 3854
sheismith@deloitte.com

Mark Hayden

Partner, Business Valuation
Deloitte Financial Advisory Services LLP
+1 213 553 1670
markhayden@deloitte.com

Richard Lee

Senior Manager, Business Valuation
Deloitte Financial Advisory Services LLP
+1 214 840 7288
richardlee@deloitte.com