

Forensic perspectives

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Forensic perspectives

PwC's Forensic perspectives brings you comment and insight on financial, commercial and practical issues relevant to disputes. From the future of e-disclosure to the role of experts, aspects of case management and issues impacting the assessment of damages, we highlight key ideas to inform and complement the legal issues.

PwC Valuation Index: Tracking the market to understand value

The application of different measures of value in the assessment of loss and damage is often an issue for those involved in disputes. Why does market value differ from underlying economic value and what does this mean for the assessment of loss and damage?

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Thinking of the consequences

In this Dispute Perspective, we explore the issues surrounding claims for consequential loss and consider some of the implications for case strategy and quantum assessment.

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The future of e-disclosure Highlights for lawyers

In our report e-Disclosure 2020: Creating a strategic framework for the future we find that organisations and their law firms have often taken tactical, reactive and ineffective approaches to electronic disclosure.

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Expert determinations – A risky business?

The last decade has seen significant growth in the popularity of alternative forms of dispute resolution, including mediation and expert determinations.

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Crude calculations: damages in oil and gas disputes

While the oil and gas industry can produce the occasional duster, it has proved fertile ground for disputes and in particular for practitioners of international arbitration, given the cross border aspects of exploration and production.

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Breach of warranty: Assessing the loss

A consequence of the tighter market conditions has been an increased focus on the warranties provided within sale and purchase agreements (“SPAs”). However, seeking compensation by way of a warranty claim is far from straight-forward.

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Valuation of loss in cases of unlawful expropriation: Part 2

In this second article on unlawful expropriation cases we explore further some of the challenges faced in applying the compensation principle of *restitutio in integrum*. Are claimants double-dipping in investment disputes?

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Ash, wind and fire

This Dispute Perspective considers the issues of claims quantification that, based on our experience, companies may face in the aftermath of natural disasters and other catastrophes.

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Valuation of loss in cases of unlawful expropriation: Part 1

A look at some of the practical issues facing parties and arbitrators when getting to grips with the numbers in expropriation cases.

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Lord Jackson: Business as usual for experts and advisors?

In this follow up Dispute Perspective, we reflect on the two topics upon which we provided comment in September 2009: e-disclosure and expert evidence.

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How much is my claim worth?

In this Dispute Perspective we explore approaches to model the different possible 'paths' through litigation to understand the potential outcomes/risks and uncertainties involved and their impact on the value of the case.

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PFI Disputes

In this Dispute Perspective we consider how the current economic and political climate may affect PFI/PPP disputes, and what sort of disputes may materialise in the future.

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Deal or no deal?

In this Dispute Perspective Graeme Berry, a specialist in acquisition and shareholder disputes, comments on the impact of the current economic environment on M&A related disputes.

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Civil Litigation Costs Review: PwC Forensic Services views

Lord Justice Jackson published his preliminary report on the Review of Civil Litigation Costs. Responding to the invitation for comments, PwC addressed two topics (expert reports and electronic disclosure) in our submission.

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Bricks or Bytes

In this fifth perspective Scott Jardine, a chartered engineer and capital project disputes specialist, comments on how traditional construction contract claim techniques are being adopted in IT project disputes.

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View from the hot tub

We discuss the phenomenon of witness conferencing, highlighting the various advantages and disadvantages and the likelihood of it becoming more prevalent in the Arbitration area.

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Business valuations in a recessionary environment

Looking at the challenges of valuing businesses in this recession and the technical and strategic considerations that clients involved in disputes requiring business valuations should keep at the forefront of their minds.

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e-Disclosure 2020

The second Dispute Perspective explores some of the possible implications of technological advancement in business data and corporate information on the future of e-disclosure.

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Disputes in a downturn

Christian Butter comments on the six fundamental commercial points that clients adopting a business strategy to dealing with disputes are keeping front of mind during the economic downturn.

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