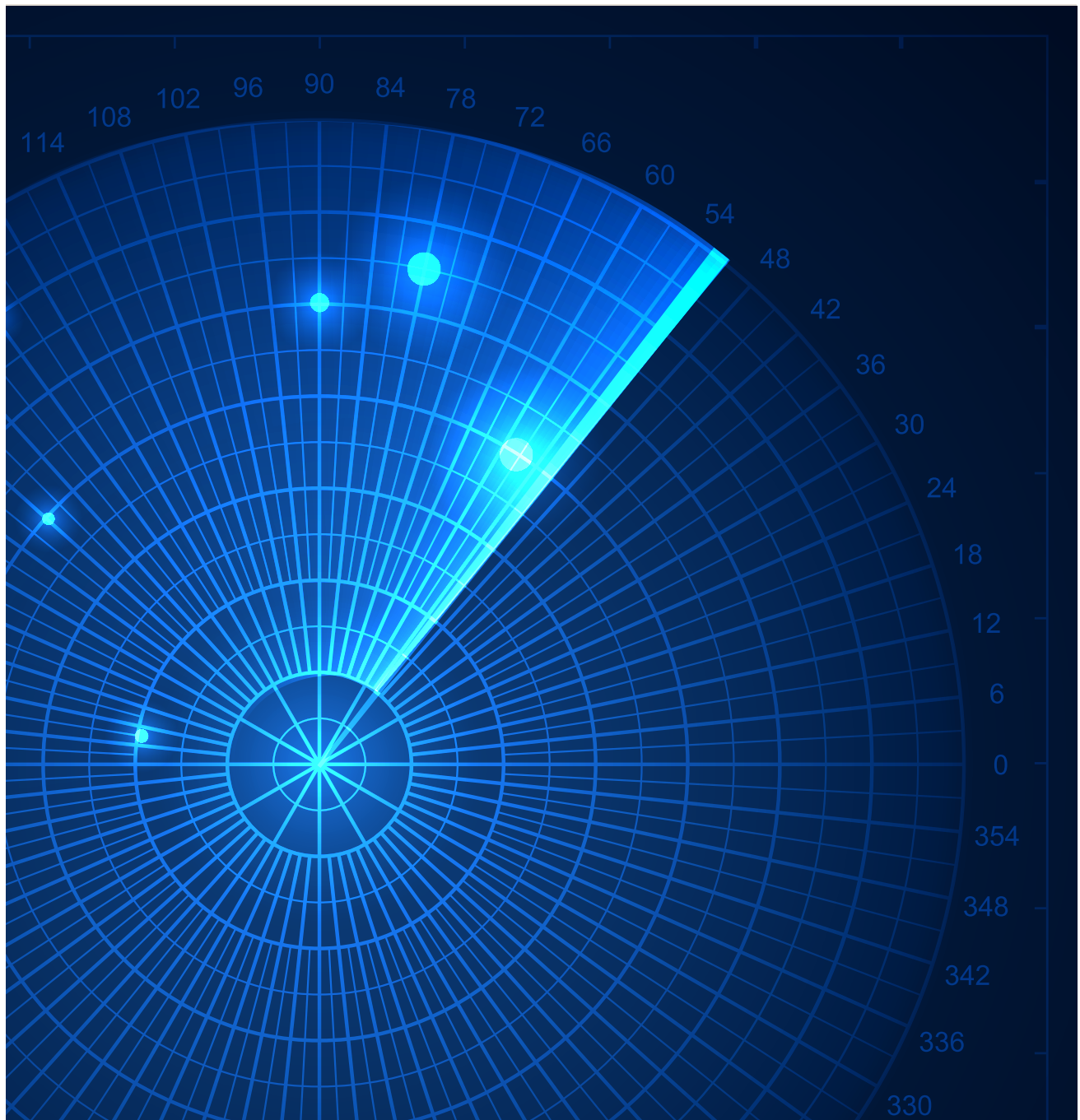


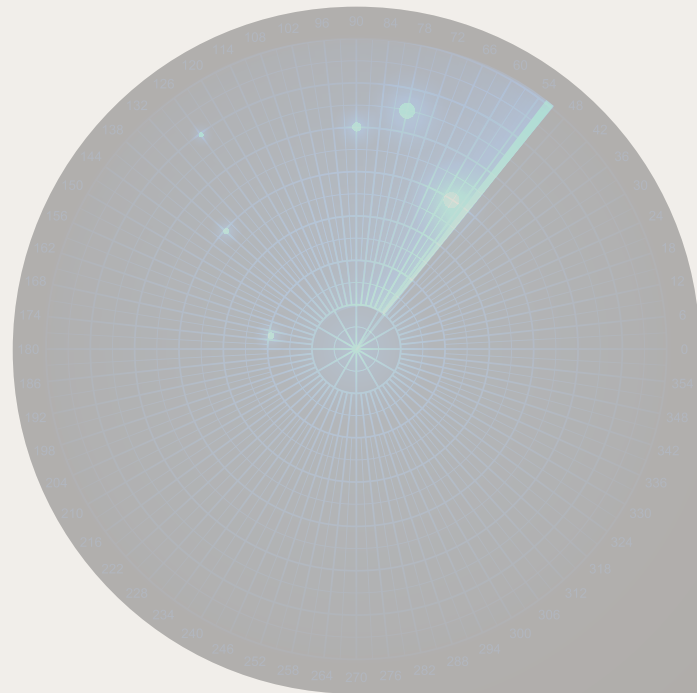
MAZARS' DISPUTE RESOLUTION SURVEY 2013

Forensic and Investigation Services



CONTENTS

01	Our views	2
02	Looking back	3
03	Looking forward	7
04	Mixed experience on quantum	11
05	Split jury on Jackson	13
06	Cases are being fought for longer	14
07	Our global team	16
08	About Mazars	18
Appendix A	– Table of results	19



OUR CONTRIBUTORS...

- ALLEN & OVERY, PRAGUE
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LONDON
ANGUS DUNCAN

In 2010, the results from our first survey were dominated by the impact of the global recession with the expectation of more claims but a lack of funding to fight. However, over the last few years, it is apparent that the dispute resolution arena is proving robust despite the changed economic environment, apparently due in part to regulatory pressures. As we expand our survey internationally we are also seeing more growth in the number and quantum of disputes in Central and Eastern Europe, the Middle East, and the Far East.

For the purposes of the 2013 survey, we surveyed both UK and global arbitration and litigation lawyers to establish how the market has changed over the last 12 months and to gauge lawyers' anticipations for the next 12 months and beyond.

We would like to thank the respondents for their time and effort in completing our survey and our contributors who have provided informed opinions on the findings. We hope you find the results insightful.

- MILLS & REEVE, BIRMINGHAM
MARC SAUNDERSON
- OLSWANG, LONDON
DR ROBERT STEPHEN
- OON & BAZUL, SINGAPORE
KELLY YAP
- STEPHENSON HARWOOD, LONDON
JULIANNE O'LEARY
- TAYLOR WESSING, LONDON
ANDREW HOWELL

OUR VIEWS

Having had a strong year in Forensic and Investigation Services we expected to see the survey respondents reporting increased case loads and in Central and Eastern Europe, the Middle East, Asia Pacific and the UK more than half did.

We also correctly anticipated that respondents would identify Intellectual Property and Competition as having seen increases but we also expected to see Professional Negligence showing growth. We are seeing a focus on auditors following company collapses, numerous allegations made against independent financial advisors and an increased scrutiny of tax planning schemes and this is translating into more Professional Negligence claims. Perhaps we are ahead of the game here and growth will be reported next year?

What certainly seems to be expected next year and into the future is even more growth in the Middle East and Asia Pacific. Both regions are strengthening across many areas – Asia Pacific expects increases arising out of both Regulatory matters such as anti-money laundering, counter terrorism and anti bribery and corruption initiatives as well as in arbitrations including growth in the Singapore International Arbitration Centre and the Hong Kong International Arbitration Centre.

We expected the IP, Competition and Regulatory dispute classes which were reporting growth in numbers of cases to also report an increase in quantum and indeed they did. However, we also expected to see reports of quantum getting larger on frauds (but only just over half of our respondents did) and Professional Negligence claims (but only half did) to reflect our experiences.

The UK has seen the introduction of cost reforms for cases being heard in the Courts. This has absorbed many column inches in the legal press and has seen numerous invitations to seminars and offers of training piling into our inboxes. Most lawyers have a strong opinion on the reforms and readily share their issues, but our survey shows a near perfect split of opinion as to whether the reforms will have no impact on the number of litigation cases, an increase or a reduction.

In an altered economic landscape, we wondered if we would see a trend developing of cases settling earlier. Whilst this is certainly the case in Matrimonial and Probate disputes, the growth areas such as Competition, IP and Regulatory are overwhelmingly not settling earlier – maybe because in these cases the stakes are higher?

Overall, the dominant theme from this year's survey is that our respondents are looking East for growth, and Competition, IP and Regulatory disputes are where they expect the most activity.

Our respondents
are looking East for
growth, and Competition,
IP and Regulatory disputes
are where they expect the
most activity

LOOKING BACK

Central and Eastern Europe and the Middle East report strongest growth

Over the past 12 months survey respondents have generally experienced an increase in the volume of disputes, with the strongest perception of growth in Central and Eastern Europe (CEE).

INDUSTRY EXPERT

In relation to fraud, the current economic crisis and the continuing decline of the Czech economy have caused increased pressure on companies' management. Unrealistic budgets are set by management, which in turn, exert additional pressure on the companies' employees to attempt to meet these unrealistic business objectives and deadlines. Such an atmosphere can cause a negative impact on the behaviour of some managers and employees and lead to an increase in the amount of frauds.

It is apparent that companies' awareness on the prevention of potential fraudulent behaviour of employees is now rising - many companies are realising that the investments in preventing and detecting such fraud are lower than the losses caused by them.

In relation to litigation disputes, the struggles of the various economies in the CEE have led to businesses' revenues declining. Therefore, they are more likely to commence or re-launch outstanding legal claims that they may have. Additionally, with the Eurozone crisis hitting demand in Europe and beyond, last year's increase could potentially be the start of a new wave of commercial litigation.

MILAN PROKOPIUS - MANAGING PARTNER, MAZARS, PRAGUE

LAWYER

The use of commercial arbitration in the CEE continues to grow in line with the global trend. CEE parties are particularly attracted by the speed of the process in contrast to the national courts and the expertise and neutrality of arbitrators.

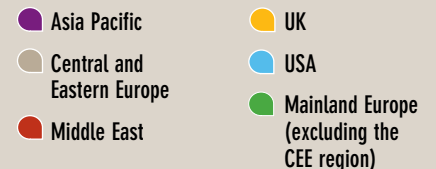
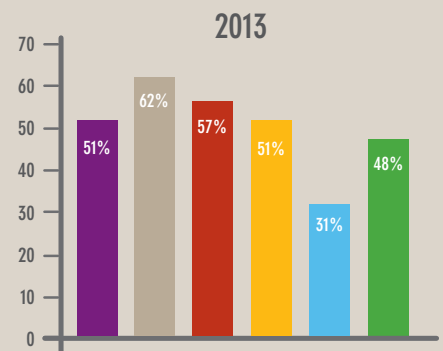
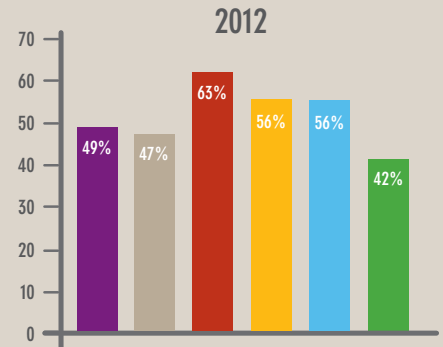
MATTHEW HODGSON - ALLEN & OVERY (CZECH REPUBLIC) LLP, PRAGUE

MAZARS

The continuing turmoil created by the recession has seen a significant increase in Litigation and Arbitration around the globe. In particular, Arbitration in the Middle East has experienced a rapid surge in recent years, with cases being brought to the region both domestically and internationally. The main contributing factor is the increasing popularity of Arbitration in the UAE due to the ease and flexibility of the process when compared with Court litigation. Another key contributor to the rise in cases has been an increase in high value cases such as joint venture disputes, shareholder disputes and cross border disputes, which is set to continue in the future. In particular, the wave of litigation in the construction industry shows no signs of easing in the Middle East.

GHASSAN SAKHNINI - FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, DUBAI

% of respondents who said the number of cases has increased over the last 12 months



KEY RESULT...

57%

57% of respondents said the volume of cases in the Middle East has increased over the past 12 months

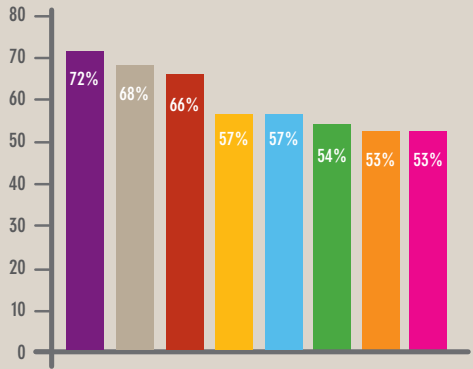
KEY RESULT...

62%

62% of respondents in CEE said the volume of cases has increased over the past 12 months

% of respondents who said the number of cases has increased over the last 12 months

2013



- Intellectual property disputes
- Competition enquiries
- Regulatory investigations, including bribery and corruption
- Fraud investigations and asset tracing
- Acquisition, shareholder and partnership disputes
- Contractual disputes
- Professional negligence disputes
- Matrimonial and probate disputes



72% of respondents who work on intellectual property disputes said the volume of cases has increased over the last 12 months (mainly due to the economic environment)

IP remains the strongest class of dispute

This time last year we reported that 60% of respondents surveyed saw an increase in dispute cases in the IP sector.

This year's survey shows that 72% of respondents acting on IP disputes said that the volume of cases had increased in the last year and 64% reported that the quantum on cases is also increasing. 56% of respondents last year correctly predicted the continuing increase in IP disputes.

LAWYER

IP litigation, and especially patent litigation, in the UK has changed in magnitude and flavour over the last few years, and much is attributable to the ongoing smartphone battles. Whilst the pharmaceutical industry has always litigated over its products, the hi-tech companies have traditionally not done so. Rather, they built large patent portfolios in a defensive strategy, relying on that patent estate to give them a licensing negotiating position if ever threatened with patent infringement. But now the gloves are off.

The rise of devices running Android in the smartphone market has resulted in defensive patent estates now being asserted, with Apple and Samsung taking the headlines, but nearly all of the major players in the phone space are involved. The court lists are now full of both high value pharmaceutical case and high value hi-tech cases, and there may be no going back to the old days – these high-profile disputes have alerted other businesses to the opportunities or risks created by patents.

DR ROBERT STEPHEN – PARTNER, OLSWANG LLP, LONDON

MAZARS

In tough economic times when competition is strong, the protection of trademarks and trade secrets is of the upmost importance and a trend that both survey respondents and Mazars expect will continue.

In last year's survey I noted "As the market continues to be in a recession, we believe IP disputes will continue to rise. There has been a lot of media publicity in respect of high profile IP disputes ... which is further promoting IP disputes and is likely to encourage companies to pursue their claims".

We see an increased desire for companies to protect their IP coming out of not only the need to assert IP rights in the more challenging economic climate in which less scrupulous operators infringe to save costs, but also as a result of initiatives in the UK to enhance the value of IP, such as the Patent Box initiative.

MARK TAYLOR, FORENSIC AND INVESTIGATION SERVICES PARTNER, LONDON

Competition enquiries on the increase

INDUSTRY EXPERT

Why is it that during a period of declining M&A activity, competition professionals and many of our clients are experiencing a disproportionate increase in the level of activity?

Market dynamics are changing fast. In certain sectors and markets, most notably in the US, deal activity is on the rise, with a return of the megadeals. Regulatory changes ever more common; key markets such as China are reforming their competition regimes, bringing increased regulatory engagement and complexity, in particular on cross border transactions. The rising number of stakeholders involved in large competition cases requires that corporates and their advisors invest heavily in stakeholder engagement programmes.

As advisors, we need to follow carefully changes in international competition reform. Understanding the priorities of regulators and competition authorities remains a key priority in this changing environment.

STUART BRAIN – BANK RESTRUCTURING AND CONSULTING DIRECTOR, SPECIALISING IN STATE-AID AND ANTI-TRUST CASES, MAZARS, LONDON

LAWYER

The finding doesn't surprise me. EU Commissioner Almunia often speaks about the importance of competition law enforcement in maintaining a competitive landscape in these troubled economic times. In particular, there is an increased focus on sectors which ultimately impact consumers. It is also evident that the competition agencies retain an appetite for large fines, and the difficult economic conditions have not mitigated against that. The increase in enforcement activity is also largely due to the globalisation of competition law, including: the increased number of jurisdictions where competition rules are being implemented and new agencies are keen to make their mark through tough enforcement, for example China and India, and elsewhere in Asia, and also now Africa. We are also seeing a surge in cooperation between competition authorities globally, especially in cartel investigations and enforcement. Now more than ever, companies and consumers are also motivated to look to litigation and third-party actions for damages to seek redress.

JULIANNE O'LEARY – PARTNER, HEAD OF COMPETITION, STEPHENSON HARWOOD LLP, LONDON

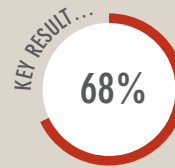
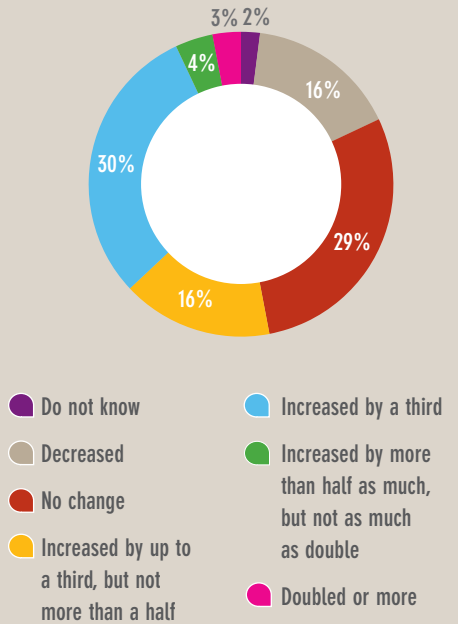
Professional negligence surprise

MAZARS

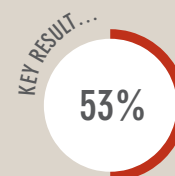
I was surprised to see professional negligence disputes at the lower end of the growth scale as we have seen a marked increase on both the number of professional negligence claims and the value of these claims. Not only are there many claims against auditors, for example, following collapses of companies, but we are also seeing significant valuations and due diligence negligence claims. Maybe we have a distorted view of this area as we have particular strength in this niche and so will be the first to see any increases. What is certain is that we have seen a clear uptick in the last year and my feeling is that this trend will continue.

NIGEL GRUMMITT – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, LONDON

In the last 12 months, how has the volume of professional negligence disputes changed?

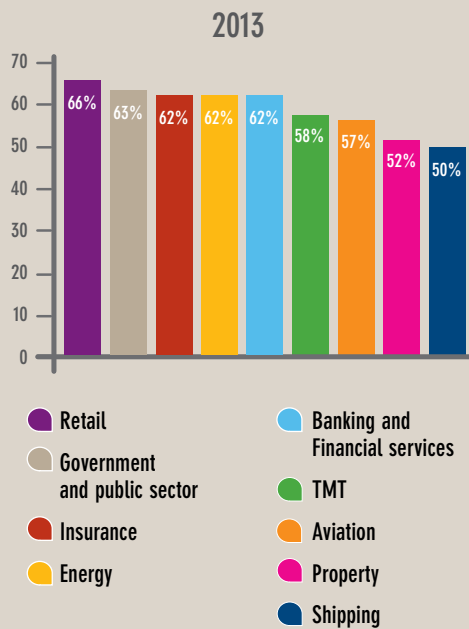


68% of respondents who work on competition enquiries said the volume of cases has increased over the last 12 months (mainly due to the economic environment)



53% of respondents who work on professional negligence disputes said the volume of cases has increased over the last 12 months

% of respondents who said the number of cases has increased over the last 12 months



66% of respondents who work in the retail and consumer goods sector said that the volume of cases has increased over the past 12 months

The wrong sort of growth in the retail sector?

MAZARS

“ The retail sector has been chasing growth for many years now, but growth in the number of disputes was probably not what the sector was looking for. With intense pressure on the High Street we are seeing disputes between competitors as well as disputes arising out of collapsed retailers. We expect to see further disputes coming out of retailers’ supply chains.

With continuing pressure on prices, retailers are more motivated to find cheaper suppliers, often from less developed countries, which brings with it the risks of human rights abuses (as has recently been highlighted in Bangladesh) and breaches of the UK Bribery Act 2010.

Retailers are increasingly facing disputes with not only suppliers and distributors but also their customers. This increase is mainly as a result of retailers’ ever increasing accountability for their products as a result of new legislation and growing public awareness of consumer rights. ”

NIGEL GRUMMITT – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, LONDON

INDUSTRY EXPERT

“ As the economic difficulties continue and uncertainty on the recovery of the retail sector remains, the number of retailers entering administration is growing. The result of these continuing pressures particularly just after rent quarter ends, is that companies are seeking to manage their risks and returns. One way of doing so is by ensuring contracts are enforced and as such companies are exercising their rights and taking action when the contracted service falls short. This is resulting in a larger number of disputes between parties, as highlighted by the respondents of the survey who have indicated the rise in volume of cases.

As a retail team, we are, for example, coming across companies that have been dissatisfied with the services provided by third parties, particularly in areas such as technology and web platform development, leading to disputes. ”

SAMANTHA RUSSELL – HEAD OF RETAIL AND CONSUMER SERVICES, MAZARS, LONDON

LOOKING FORWARD

Over the next 12 months survey respondents are expecting an increase in the volume of disputes, with respondents who work in connection with Regulatory investigations and Public Sector cases anticipating the biggest growth.

A focus on France

The Times Newspaper in the UK recently published an article suggesting that the anticipated boom in commercial legal disputes has not happened. This observation also rings true in France.

MAZARS

■ ■ We all know that harder economic times are leading to more disputes. It is not a surprise that our survey reflects such expectation even though it remains to be seen. Our understanding of this apparent discrepancy finds its logic in the fact that resources are limited and that not every case is worth enough to find its way to justice.

Anyhow we see a significant growth of disputes in the pharmaceutical sector due to the tectonic movement of an increasing oversight combined with a decrease of welfare funding which leads to very intense competition. Fraud concerns also lead to an increase in disputes. ■ ■

LUC MARTY – FORENSIC AND INVESTIGATION SERVICES PARTNER,
MAZARS, PARIS

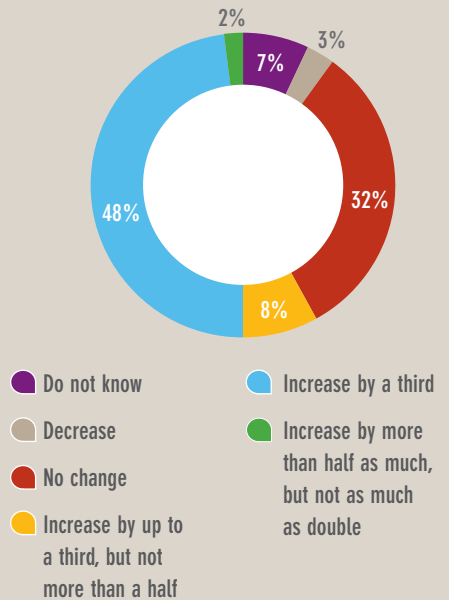
LAWYER

■ ■ It does indeed seem that the anticipated boom in commercial litigation has not so far materialised in France, although we have noticed a slight increase. These results are unsurprising as it is indeed expected that a bad economy will generate disputes. We have noticed that the number of cases related to abrupt termination of on-going business relations and to insolvency proceedings is expanding. There is a persistent increase in pre-bankruptcy and bankruptcy proceedings since the initial explosion between 2007 and 2009. Statistics provided by the French commercial courts show a constant increase of (i) pre-bankruptcy proceedings which aim at finding amicable settlements with creditors in order to avoid insolvency and of (ii) voluntary filings for bankruptcy or preventive measures made by companies wishing to be protected against creditors in order to save their businesses.

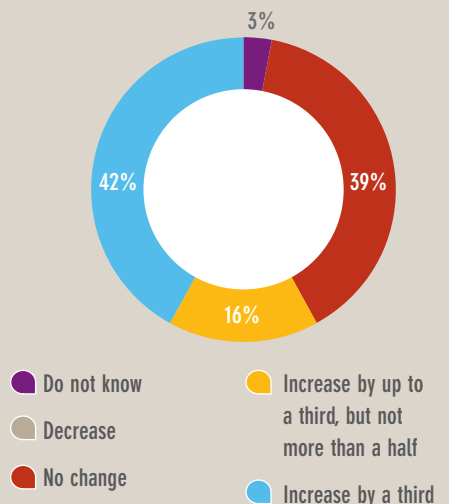
But most striking are the complex features of commercial litigations, which are much more international, protean and aggressive than they used to be. Due to the international expansion of trade and of groups of companies, litigation between the same parties increasingly involves various Courts in different countries. Moreover, even in the same country you can have litigation that will develop for instance before commercial and labour Courts or before commercial and criminal Courts and/or even before arbitration panels and insolvency courts. ■ ■

MARIE DANIS – ARBITRATION AND LITIGATION PARTNER,
AUGUST & DEBOUZY AVOCATS, PARIS

In the next 12 months, how do you expect the volume of cases to change?

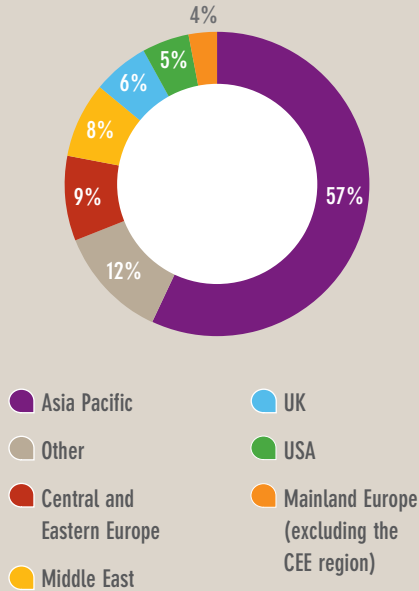


How do respondents in Mainland Europe expect the volume of cases to change?



58% of respondents in Mainland Europe (excluding Central and Eastern Europe) expect the volume of cases to increase over the next 12 months

Regions with the most potential for growth in the future



57% of respondents said the Asia Pacific region has the most growth potential

Future growth expected further East

The Lawyer, Asia, reported on 25 June 2013 that Asia Pacific is destined to become the world's second biggest legal services market in 2017, with consultant Alan Hodgart predicting that revenues generated by the region's legal markets will reach \$215bn or 19% of the global marketplace within four years.

As it stands the Asia Pacific legal markets are valued at around \$109bn, accounting for 13% of the global total.

MAZARS

In the past 12 months, there has been a significant growth in international commercial arbitration in Asia and an increase in the number of cases administered by arbitral institutions based in Asia. The Singapore International Arbitration Centre ('SIAC'), for example, reported a 25% increase in new filings in 2011. For Hong Kong, the Hong Kong International Arbitration Centre handled 293 arbitration cases in 2012, a 6% increase from 2011.

It is believed that the growth of dispute resolution and litigation in the Asia Pacific region will continue as more and more investigations will be arising from increased regulatory oversight in relation to anti-money laundering, counter-terrorist financing, anti-bribery and anti-corruption.

ANNIE CHAN – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, HONG KONG

LAWYER

There is no doubt that, at the moment, the Asia Pacific region is the most promising market as far as dispute resolution is concerned. The economies of China and India have been developing ever so rapidly over the past few years and these countries' vast appetites for commodities are what seem to be driving international trade these days. It is not a well-kept secret that international trade contracts are fertile grounds for disputes. The figures from the SIAC in 2012 support this proposition – the number as well as value of disputes went up significantly compared to the previous year and the top two participants in SIAC arbitration proceedings came from China and India. The fact that many international law firms are starting offices in major cities in Asia, especially Singapore, and beefing up their existing arbitration teams in Asia also clearly demonstrates that this is where the business is now and will be for the foreseeable future.

KELLY YAP – HEAD OF LITIGATION, OON & BAZUL LLP, SINGAPORE

MAZARS

I am currently seeing a lot of shipping sector disputes in Asia Pacific, which is unsurprising given the number of shipyards and the level of shipping in the region. I have acted on charterparty breaches out of Singapore, collisions in Indonesia and shipbuilding disputes in Korea to mention a few and I hear more is on its way. With the strengthening of SIAC and its more frequent inclusion in dispute resolution clauses in more charterparties, I only expect workloads to increase in the region.

MARK TAYLOR – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, LONDON

Regulatory investigations

MAZARS

In the last year I have seen an increase in demand for s.166 reports and mis-selling cases in particular, and I expect to see this trend continue. This doesn't seem to be a problem restricted to the UK only – last year we worked with the Malta FSA on a mis-selling scandal that rocked the island and my overseas colleagues have similar stories.

JAMES GILBEY – FORENSIC AND INVESTIGATION SERVICES DIRECTOR, MAZARS, LONDON

INDUSTRY EXPERT

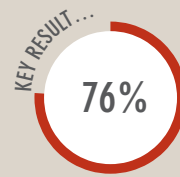
Following a period of extensive regulatory change, regulators are now focusing on using their new powers and enforcing the new rules. That they are doing so in an unforgiving political and media environment makes it hard to see when the trend towards tougher regulation will abate. The regulatory environment is therefore top of the risk list for most financial institutions.

JONATHAN MCMAHON – HEAD OF BANK REGULATION & RESTRUCTURING, MAZARS, LONDON

LAWYER

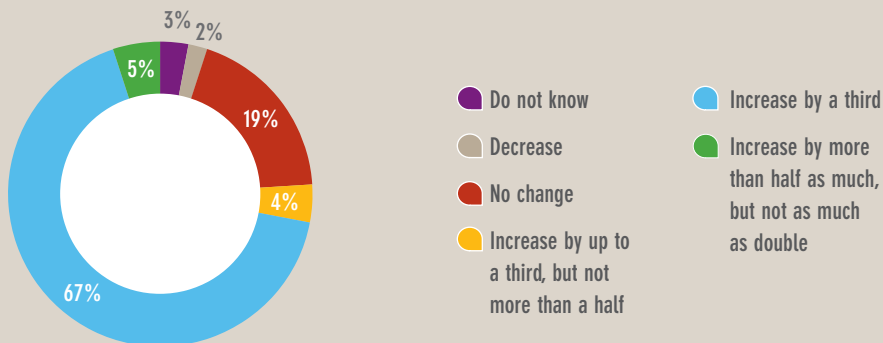
It is no surprise that there is a general expectation that the number of regulatory investigations and amount of penalties will both increase over the coming year. This is reflected in what we are seeing. There is a global trend of increasing regulatory activity combined with a desire by regulators, to some extent, to harmonise their enforcement processes and work together on cross border issues. Regulators see that strong enforcement, including the imposition of increased penalties, can increase confidence in their respective jurisdictions and help develop their local economies.

RICHARD BOYNTON, LITIGATION & DISPUTE RESOLUTION LAWYER, CLIFFORD CHANCE, LONDON



76% of respondents who work on regulatory investigations said they expect the volume of cases to increase in the next 12 months (mainly due to the economic environment and increased/changed regulations)

In the next 12 months, how do you expect the volume of contentious cases in your service lines and sectors to change?



A Public Sector growth story

MAZARS

In the last 12 months we have seen a significant growth in the number of cases within the public sector, particularly in respect of procurement contracts. The increased pressure on public bodies to achieve greater value from reduced costs may ironically have increased the potential fraud risk. Also, the public sector has a high degree of disclosure of information, which may lead to allegations of fraud or misconduct - once made, such allegations require some form of investigation. Given that this is public money, there is significant pressure to identify any fraud and seek appropriate actions to recover any losses.

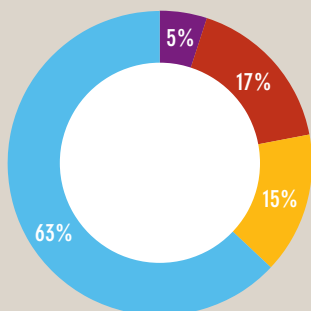
MARTIN CHAPMAN - FORENSIC AND INVESTIGATION SERVICES
SENIOR MANAGER, MAZARS, BIRMINGHAM

INDUSTRY EXPERT

The National Fraud Authority's most recent estimate for the level of public sector fraud is £21bn out of a total for the UK economy of £52bn (2013). It's not surprising that those working in public bodies fear that the number of fraud cases affecting their organisations is rising. They face the challenge of maintaining their defences against fraud whilst making austerity-driven expenditure reductions. At the same time, wholesale reorganisation is affecting several sectors, notably the NHS, and that can increase vulnerability to fraud. Against this background, the best organisations understand the importance of instilling a counter-fraud culture and keeping ahead of emerging fraud risk areas.

GARETH DAVIES - HEAD OF PUBLIC SERVICES, MAZARS, LONDON

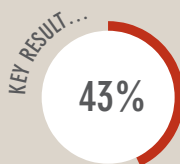
Public sector potential for growth in the future



- Do not know
- Decrease
- No change
- Increase by up to a third, but not more than a half
- Increase by a third



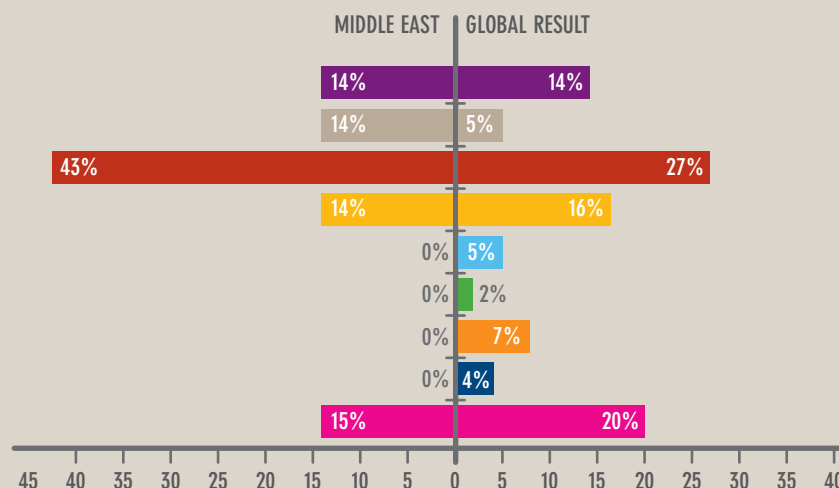
78% of respondents who work in the government and public sector market said they expect the volume of cases to increase in the next 12 months (especially those based in the UK and Asia Pacific)



43% of respondents in the Middle East said that contractual disputes have the most potential for growth in the future

- Acquisition, shareholder and partnership disputes
- Competition enquiries
- Contractual disputes
- Fraud investigations and asset tracing
- Intellectual property disputes
- Matrimonial and probate disputes
- Other
- Professional negligence disputes
- Regulatory investigations, including bribery and corruption

The potential for growth in the future



MIXED EXPERIENCE ON QUANTUM

Asia Pacific

Just over half of survey respondents are experiencing an increase in the quantum of disputes, especially those who work in connection with Regulatory investigations, IP disputes and Competition enquiries.

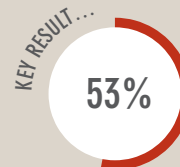
MAZARS

As Asian economies rebound from the financial crisis, this has caused a surge in business activities and investments. We have seen an increase in cross-border commercial disputes as well as regulatory investigations focusing on bribery and corruption.

There were a number of corporate Foreign Corrupt Practices Act settlements involving business operations in Asia in 2012. One of these settlements related to employees of a US-based aircraft maintenance company who had executed fictitious sales agreements with third parties, using the payments to bribe employees of a Chinese state-owned airline to obtain a contract to repair aircraft engines. The US-based company entered into a non-prosecution agreement with the United States Department of Justice ('USDOJ') by paying criminal fines of US\$2m.

In another example, in September 2012, Tyco International including seven subsidiaries located in Asia, settled criminal and civil charges brought by the USDOJ and the Securities and Exchange Commission respectively for bribery schemes. The penalties exceeded US\$26m.

ANNIE CHAN, FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, HONG KONG

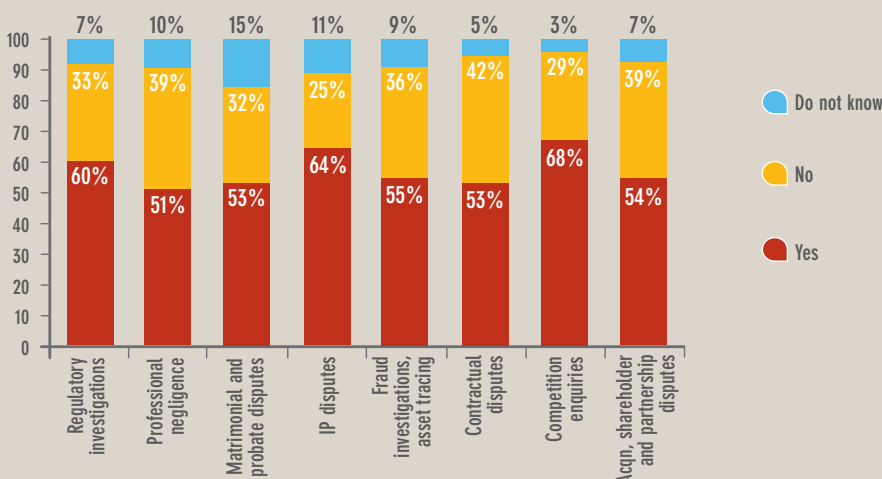


On average, 53% of respondents said the quantum of disputes is larger than previously experienced



60% of respondents who work on regulatory investigations said the quantum of disputes is getting larger than previously experienced (especially in Asia Pacific)

Is the quantum of disputes larger than previously experienced?



KEY RESULT ...

57%

57% of respondents who work in the insurance/reinsurance sector said the quantum of disputes is getting larger than previously experienced

Financial scandals increasing insurance claims size

MAZARS

“ In the last year we have seen larger quantum insurance disputes and have found it more challenging to reach a negotiated settlement. This would appear to be a reflection of the current economic environment, where neither party is prepared to compromise to facilitate an early resolution. Whilst a negotiated settlement is still an objective to save the cost of a litigation/dispute resolution process, parties are undoubtedly seeking to maximise their respective positions. ”

STEPHEN LEWIS – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, BIRMINGHAM

LAWYER

“ Over the last year, we have seen some large disputes but the question of whether the size of claims is increasing will depend upon the particular sector. In Financial Lines, there have been many large claims since 2008 as a result of the variety of financial “scandals”, such as Madoff, Stanford, PPI and LIBOR; the last year has not seen any great increase in the number of large-scale claims from our point of view. The PI sector has also seen large-scale claims with factors such as the government crack-down on tax avoidance schemes leading to new claims. ”

ANGUS DUNCAN – INSURANCE AND REINSURANCE PARTNER, MAYER BROWN INTERNATIONAL LLP, LONDON

Larger frauds

MAZARS

“ My experience in the last year certainly echoes the sentiments of those respondents that reported that the quantum feels larger than previously. I think that my perception is influenced by the work I have been doing following the Arab Spring which involves extremely large amounts. I have traced assets, investigated money flows and given evidence in Court in Arab Spring countries and the quantum involved amounts to more than the biggest ever UK reported fraud – the amounts are quite staggering. ”

MARK TAYLOR – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, LONDON

INDUSTRY EXPERT

“ In times of economic downturn, management’s focus turns to retaining and preserving the business. This change in focus translates to cost review and/or savings strategies being adopted by businesses rather than growth strategies which are the primary focus in times of economic prosperity. This results in more frauds being uncovered. Given we experienced a decade of growth prior to the downturn in 2008, it is not surprising that the quantum involved in the frauds being uncovered is larger than respondents have experienced previously. Our respondents’ experience is borne out by the value involved in the instructions we ourselves are seeing. ”

HEATH SINCLAIR – PROCEEDS OF CRIME PARTNER, MAZARS, LONDON

LAWYER

“ We have seen higher value frauds in recent times, particularly in the financial services sector where trading frauds can lead to startling numbers. The financial crisis seems to have left us all a little blasé about figures which had been shocking a few years earlier. The Nick Leeson £900m trading loss, for example, now seems almost modest. It is perhaps not surprising that we are seeing larger losses on the corporate investigations and fraud claims we are handling. That said, we have found that in many recent cases of fraud investigations and recovery actions, the real issue is not the size of the fraud or loss but the reputational and regulatory implications of the underlying issue. ”

ANDREW HOWELL, PARTNER, TAYLOR WESSING LLP, LONDON

KEY RESULT ...

55%

55% of respondents who work in the fraud investigation and asset tracing sector said the quantum of disputes is getting larger than previously experienced

SPLIT JURY ON JACKSON

There is significant uncertainty over the impact of the Jackson Reforms in England and Wales and the respondents are equally divided as to the impact on the number of cases with approximately a third saying there will be no impact, a third expecting an increase and a third expecting a decrease.

MAZARS

“ I am finding it difficult to predict whether or not the Jackson Reforms will influence my work. Even before the reforms, I had experienced law firms approaching me to potentially act as Expert at a much earlier stage, and to provide quotations on a number of DBAs. This involved providing a fee estimate for acting as Expert when the case is only in its preliminary stages, and it is not even certain it will reach the Expert stage. This proves tricky when the complexities of the case are not fully known and I am presented with limited information on which to base my estimate. Provide a quote that is too low and the client is given an unrealistic view on the cost of using an Expert; provide a quote that is too high and the client may be scared off. Finding the right balance will be something that, as Experts, we will have to become accustomed to doing. ”

JAMES GILBEY – FORENSIC AND INVESTIGATION SERVICES DIRECTOR, MAZARS, LONDON

LAWYER

“ The even split between the three different responses is of course interesting, although unsurprising. Under the reforms, there is something for both claimants and defendants in the post Jackson world: putting it bluntly, it is the effect of abolishing the recoverability of success fees and ATE premiums on the one hand, versus a share of the winnings under the Damages-Based Agreement Regulations 2013 on the other. However, the latter are poorly drafted and there are widely held fears that DBA's entered into now will be unpicked by a Court, leaving the lawyers unpaid. I anticipate that few lawyers will use DBAs until the Regulations are amended, which they will be. In terms of volume of litigation, my own view is “more of the large and less of the small”; we will see more £5m plus actions encouraged by lawyers and/or their funders, with more creative approaches to funding, but fewer smaller claims which are not suited to DBA's and are far less attractive under the post reform CFAs. ”

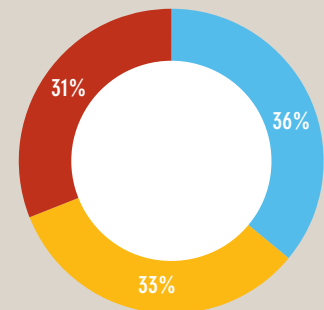
RICHARD HIGHLEY – PARTNER, DAC BEACHCROFT LLP, LONDON

MAZARS

“ The Jackson Reforms, which came into force on 1 April 2013, have fundamentally changed the way in which litigation is funded, how costs are managed and how litigation is managed. Of particular relevance are the reforms around the proportionality of costs, stricter cost management procedures, and increases in costs for defendants unable to better claimant Part 36 offers at trial. The effect of these changes remains to be seen but it may be that some litigants will reconsider their approach when deciding how their case should be progressed when faced with these new cost considerations. The Jackson Reforms may act as a disincentive to pursue the traditional path of litigation. The survey response seems to reflect a view that litigation will only be used less frequently where other avenues of dispute resolution have been exhausted or matters can only be resolved in this way. ”

TIM THACKABERRY – FORENSIC AND INVESTIGATION SERVICES MANAGER, MAZARS, BIRMINGHAM

Will the Jackson Reforms impact upon the number of litigation cases?



- No impact
- Yes - increase
- Yes - reduce



70% of respondents who work on matrimonial and probate disputes said they anticipate changes to contingency fees, damages-based agreements and conditional fee arrangements, under the Jackson Reforms, to reduce the number of litigation cases

CASES ARE BEING FOUGHT FOR LONGER

Transaction disputes

On average 65% of survey respondents said that cases are not settling at an earlier stage than in previous years, especially in relation to Transaction disputes, IP disputes and Competition enquiries.



71% of respondents who work on acquisition, shareholder and partnership disputes said that cases are not settling at an earlier stage than previously experienced



74% of respondents who work on competition enquiries said that cases are not settling at an earlier stage than previously experienced

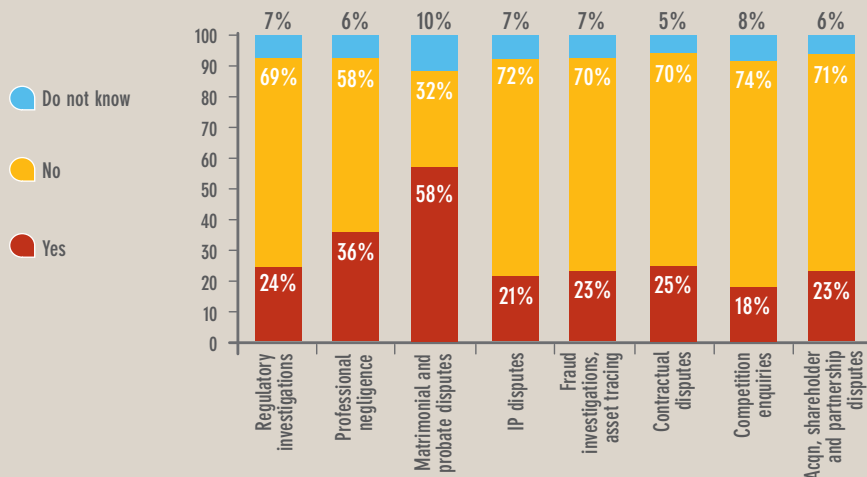
MAZARS

Despite corporate transaction volumes still being relatively low, we are certainly experiencing the same trends as the survey respondents who report that transaction disputes are increasing, taking longer to resolve and ultimately are not settling outside of the formal resolution process.

Whilst there are inevitably still some cases that relate to transactions completed at the height of the market, the majority are far more recent. Our experience is telling us that, in common with many other strands of litigation, parties are adopting more entrenched positions and are unwilling to compromise on settlements which fail to give them what they believe they deserve, to effectively drive more value out of the transaction. In essence, the various disputes mechanisms can be seen as an extension of the price negotiation.

STEPHEN LEWIS – FORENSIC AND INVESTIGATION SERVICES PARTNER, MAZARS, BIRMINGHAM

Are cases settling earlier than previously?



Matrimonial and probate

The notable exception to the trend of cases fighting for longer is Matrimonial and Probate disputes, with 58% of respondents who work in this area confirming that cases are settling at an earlier stage than in previous years.

MAZARS

It is difficult to say whether this is a sign of the current straitened economic times or whether there is a trend towards litigants attempting to avoid the financial and emotional costs of court proceedings. It may be that in circumstances where capital values of assets have remained suppressed, a more pragmatic approach to the settlement of such disputes is being taken.

Drawing out disputes can lead to a reduction in asset values and any ultimate settlement as capital is required to pay for the costs of litigation. If a reasonable settlement is proposed then many parties may feel that it is better to accept such an offer rather than risk the uncertainty that accompanies litigation and court proceedings. Given this background, there is a risk that lower settlements might be accepted than would otherwise be achieved. An expert advisor can still play an important role in assessing whether proposed settlements are reasonable.

TIM THACKABERRY – FORENSIC AND INVESTIGATION SERVICES MANAGER, MAZARS, BIRMINGHAM

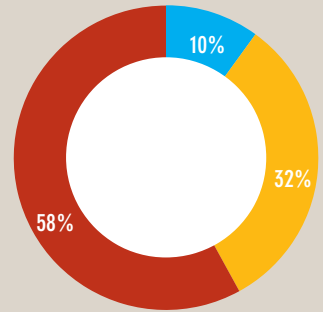
LAWYER

I anticipate the percentage may be even higher than this. I think we are as a profession far more alive to the criticism that has been levelled against us on costs. We need to focus on our competition, be they ABSs, Co-Op Law or our competition in our local market place; but we need to be far more cost-conscious. As a result fewer cases are going to final hearing.

In addition we need to think about all the other opportunities that present themselves, be they through ADR, collaborative, round table meetings, mediation. In many ways we just need to remember the advice we give at all first meetings - i.e. that the only person who makes anything out of going to court is the lawyer. That could of course also apply to accountants.

MARC SAUNDERSON – PARTNER, MILLS & REEVE LLP, BIRMINGHAM

Are matrimonial and probate disputes settling earlier than previously?



- Do not know
- No
- Yes



58% of respondents who work on matrimonial and probate disputes said cases are settling at an earlier stage than previously experienced

OUR GLOBAL TEAM



Nigel Grummitt
Partner, London

Nigel is the Global Head of Mazars' Forensic and Investigation Services. He has worked on numerous civil litigation and investigation cases both as expert and adviser accountant in connection with professional negligence, financial valuation, breach of contract, loss of profits, catastrophic personal injury, fraud, asset tracing and post transaction disputes. He has also recently been involved in a number of high profile criminal matters.

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Mark Taylor
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Mark has acted as an expert accountant and adviser on a broad range of civil and criminal disputes across a broad range of sectors, including shipping, energy and financial services. Mark's international arbitration and Court work includes loss of profit assignments, breach of contract, account manipulation, fraud, asset tracing and post transaction disputes.

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Stephen Lewis
Partner, Birmingham

Stephen has acted in a wide range of civil litigation and investigation cases and as both expert witness and expert adviser. He has extensive experience of ADR, including mediation and expert determination. Stephen's experience includes insurance claim disputes, loss of profit, breach of contract, post transaction disputes, business and share valuation disputes, asset tracing and fraud investigations.

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James Gilbey
Director, London

James has considerable experience of providing expert accounting assistance to lawyers, corporates, and regulators. James' forensic accounting and dispute resolution experience includes breach of contract and loss of profit claims, intellectual property disputes, contentious valuation matters and regulatory investigations.

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Luc has acted as an expert accountant and as an investigator on a range of financial dispute and forensic cases. He has been involved in major ICC and ad hoc arbitration proceedings. He has acted on numerous cases as expert including financial and accounting frauds and contractual loss. He is a member of the French branch of ICC and a member of ACFE.

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Luc Marty
Partner, Paris

Ghassan heads the provision of Forensic and Investigation Services in the Middle East. He has extensive experience of conducting forensic investigations and providing litigation support. In addition, Ghassan maintains an active audit portfolio with clients in a number of sectors. Ghassan is a member of the American Institute of Certified Public Accountants.

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Ghassan Sakhnini
Partner, Dubai

Annie has specialised in forensic accounting for over 19 years and has provided accounting assistance relating to financial investigations, dispute resolution and corporate and fraud investigations. Annie has significant experience in litigation support, working with lawyers on both civil and criminal cases in a wide range of disputes including loss of profits claims, shareholders disputes and probate disputes.

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Annie Chan
Managing Director, Hong Kong

Harry specialises in providing litigation support and business valuation services. Along with due diligence and analysis of financial information, he is an expert in forensic accounting, bankruptcy and insolvency, and securitisation issues. Harry has represented financial institutions and law firms in bankruptcy and fraud cases as well as other forensic accounting matters.

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Harry Steinmetz
Partner, New York

ABOUT MAZARS

71

countries

13,500

professionals

18

UK offices

1,250

UK employees

116

UK partners

Mazars is an international, integrated and independent organisation specialising in audit, advisory, accounting and tax services. The Group has a presence in 71 countries and draws on the expertise of 13,500 professionals to assist businesses, major international groups, SMEs, entrepreneurs and public bodies at every stage in their development.

Mazars also has correspondents and local representative offices in a further 14 countries, which gives it additional capability to serve clients to the same strict quality standards across five continents. By listening closely to clients and understanding their needs, Mazars offers a range of services designed to provide the assurance of recognised technical and regulatory expertise together with the added-value of a business partner that can advise effectively on improving performance at all levels.

Forensic and Investigation Services

Mazars' Forensic and Investigation Services team has tried and tested experience of preparing expert reports and providing expert testimony on financial and accountancy matters. It is our practice to propose an assignment team that best fits the requirements of the case, whether that team comprises solely Forensic and Investigation Services specialists or combines the experience and expertise of our Forensic and Investigation Services team with that of other sector or service line specialists within our global firm.

We provide a practical and tailored approach to each assignment, sensitive to concerns over business disruption, confidentiality and reputation issues.

We understand the dispute resolution arena and our role as experts and have a wealth of experience of presenting our findings as a written report or statement and, when required, in the witness box.

We have experience of acting in a number of sectors including banking, oil & gas, telecommunications, shipping, energy, insurance, pharmaceuticals and property & construction.

TABLE OF RESULTS

Which of these regions do you perceive to have the most potential for growth in the future?										
	Asia Pacific	Central and Eastern Europe (CEE)	Mainland Europe (excluding the CEE region)	Middle East	UK	USA	Other			
Asia Pacific	92%	53%	55%	43%	53%	31%	40%			
Other	0%	10%	12%	0%	15%	7%	40%			
Central and Eastern Europe (CEE)	0%	22%	10%	14%	7%	6%	0%			
Middle East	5%	9%	13%	43%	4%	6%	20%			
UK	3%	2%	0%	0%	12%	0%	0%			
USA	0%	0%	0%	0%	5%	44%	0%			
Mainland Europe (excluding the CEE region)	0%	4%	10%	0%	4%	6%	0%			
Which type of dispute resolution work do you perceive to have the most potential for growth in the future?										
Acquisition, shareholder and partnership disputes	11%	15%	23%	14%	11%	19%	11%			
Competition enquiries	11%	11%	0%	14%	2%	0%	2%			
Contractual disputes	27%	31%	29%	43%	24%	37%	24%			
Fraud investigations and asset tracing	8%	18%	19%	14%	16%	13%	16%			
Intellectual property disputes	5%	7%	3%	0%	3%	25%	3%			
Matrimonial and probate disputes	8%	2%	3%	0%	1%	0%	1%			
Other	11%	3%	7%	0%	8%	0%	8%			
Professional negligence disputes	3%	4%	0%	0%	6%	0%	6%			
Regulatory investigations, including bribery and corruption	16%	9%	16%	15%	29%	6%	29%			
In the past twelve months, how has the volume of contentious cases in your service lines and sectors changed?										
Decreased	14%	4%	6%	0%	13%	19%	13%			
No change	35%	34%	43%	43%	34%	50%	34%			
Increased by up to a third, but not more than a half	8%	20%	15%	14%	11%	0%	11%			
Increased by a third	30%	34%	32%	29%	35%	25%	35%			
Increased by more than half as much, but not as much as double	5%	4%	0%	14%	3%	6%	3%			
Do not know	0%	0%	3%	0%	2%	0%	2%			
Doubled or more	8%	4%	3%	0%	2%	0%	2%			

	Retail	Property	Insurance	Government & public sector	Energy	Banking & financial services	Shipping	Aviation	TMT	Regulatory investigations	Professional negligence	Matrimonial & probate disputes	IP disputes	Fraud investigations, asset tracing	Contractual disputes	Competition enquiries	Acq, shareholder & partnership disputes	Other
Other	29%	2%	0%	5%	5%	7%	0%	0%	5%	3%	3%	11%	2%	1%	3%	0%	8%	12%
Regulatory investigations	40%	32%	43%	34%	41%	39%	42%	50%	36%	42%	30%	21%	43%	36%	33%	29%	34%	26%
Professional negligence	2%	5%	3%	5%	4%	5%	0%	0%	4%	6%	4%	11%	8%	9%	4%	6%	5%	3%
Matrimonial & probate disputes	21%	13%	15%	20%	11%	15%	8%	7%	12%	15%	16%	10%	19%	12%	13%	15%	15%	17%
IP disputes	11%	10%	12%	2%	2%	7%	11%	14%	7%	7%	16%	10%	2%	7%	9%	0%	8%	12%
Fraud investigations, asset tracing	13%	10%	24%	34%	34%	50%	39%	29%	34%	27%	29%	37%	24%	33%	36%	29%	34%	38%
Contractual disputes	11%	36%	24%	34%	34%	34%	39%	29%	34%	27%	29%	37%	24%	33%	36%	29%	34%	38%
Competition enquiries	21%	36%	24%	34%	34%	34%	39%	29%	34%	27%	29%	37%	24%	33%	36%	29%	34%	38%
Acq, shareholder & partnership disputes	11%	10%	12%	2%	2%	7%	11%	14%	7%	7%	16%	10%	2%	7%	9%	0%	8%	12%

	Asia Pacific	Central and Eastern Europe (CEE)	Mainland Europe (excluding the CEE region)	Middle East	UK	USA	Other	Retail	Property	Insurance	Government & public sector	Energy	Banking & financial services	Shipping	Aviation	TMT	Regulatory investigations	Professional negligence	Matrimonial & probate disputes	IP disputes	Fraud investigations, asset tracing	Contractual disputes	Competition enquiries	Acqn, shareholder & partnership disputes	Other
In the next twelve months, how do you expect the volume of contentious cases in your service lines and sectors to change?																									
Decreased	8%	4%	0%	0%	3%	0%	0%	3%	3%	3%	0%	3%	3%	8%	7%	5%	2%	3%	5%	0%	4%	3%	0%	4%	5%
No change	27%	27%	39%	0%	34%	50%	0%	28%	28%	33%	17%	28%	22%	31%	22%	28%	19%	25%	31%	18%	31%	17%	25%	39%	
Increased by up to a third, but not more than a half	11%	4%	16%	0%	5%	13%	40%	10%	14%	7%	15%	9%	8%	8%	14%	5%	4%	9%	16%	4%	8%	9%	9%	12%	
Increased by a third	43%	51%	42%	71%	51%	31%	60%	46%	46%	49%	63%	52%	55%	59%	50%	53%	67%	51%	32%	55%	60%	59%	50%	35%	
Increased by more than half as much, but not as much as double	3%	5%	0%	0%	1%	0%	0%	5%	2%	1%	0%	3%	4%	0%	0%	4%	5%	3%	5%	6%	2%	6%	3%	0%	
Do not know	8%	9%	3%	29%	6%	6%	0%	8%	7%	7%	5%	5%	8%	14%	7%	5%	3%	9%	11%	6%	6%	9%	9%	9%	

	Asia Pacific	Central and Eastern Europe (CEE)	Mainland Europe (excluding the CEE region)	Middle East	UK	USA	Other	Retail	Property	Insurance	Government & public sector	Energy	Banking & financial services	Shipping	Aviation	TMT	Regulatory investigations	Professional negligence	Matrimonial & probate disputes	IP disputes	Fraud investigations, asset tracing	Contractual disputes	Competition enquiries	Acqn, shareholder & partnership disputes	Other
Are the cases you are involved in primarily arbitration or litigation?																									
All litigation	30%	16%	23%	0%	28%	0%	28%	28%	20%	22%	24%	9%	24%	0%	21%	19%	29%	30%	42%	19%	22%	18%	15%	19%	22%
Mostly litigation with some arbitration	45%	62%	25%	57%	38%	81%	38%	56%	49%	55%	43%	35%	52%	34%	36%	49%	47%	59%	53%	56%	56%	50%	70%	53%	44%
Equal split between litigation and arbitration	8%	13%	23%	14%	15%	13%	15%	10%	14%	12%	12%	24%	15%	19%	29%	16%	15%	8%	5%	15%	17%	15%	6%	16%	12%
Mostly arbitration with some litigation	14%	7%	16%	29%	18%	6%	18%	2%	14%	10%	12%	26%	6%	44%	14%	12%	7%	3%	0%	8%	4%	14%	9%	9%	20%
All arbitration	3%	2%	13%	0%	1%	0%	1%	2%	2%	0%	7%	6%	2%	3%	0%	4%	1%	0%	0%	0%	0%	3%	0%	2%	2%
Do not know	0%	0%	0%	0%	0%	0%	0%	2%	1%	1%	2%	0%	1%	0%	0%	0%	1%	0%	0%	2%	1%	0%	0%	1%	0%

	Asia Pacific	Central and Eastern Europe (CEE)	Mainland Europe (excluding the CEE region)	Middle East	UK	USA	Other	Retail	Property	Insurance	Government & public sector	Energy	Banking & financial services	Shipping	Aviation	TMT	Regulatory investigations	Professional negligence	Matrimonial & probate disputes	IP disputes	Fraud investigations, asset tracing	Contractual disputes	Competition enquiries	Acqn, shareholder & partnership disputes	Other
In the last twelve months, at what stage have most of your cases settled?																									
Court or Arbitration hearing	22%	42%	35%	29%	8%	25%	8%	30%	34%	16%	17%	23%	25%	14%	21%	24%	24%	13%	16%	34%	21%	23%	41%	28%	22%
Did not settle	30%	16%	42%	29%	13%	19%	13%	23%	17%	16%	27%	31%	21%	19%	36%	23%	21%	17%	5%	25%	21%	21%	15%	19%	15%
Disclosure	14%	16%	6%	0%	25%	31%	25%	18%	12%	18%	12%	12%	16%	33%	14%	16%	10%	21%	21%	15%	15%	20%	21%	19%	20%
Do not know	2%	12%	11%	13%	2%	0%	2%	4%	3%	5%	6%	6%	3%	6%	8%	6%	5%	2%	0%	3%	6%	3%	5%	2%	5%
Pre-disclosure	8%	9%	6%	0%	26%	0%	26%	10%	13%	24%	9%	9%	12%	14%	0%	15%	15%	18%	32%	6%	13%	13%	9%	13%	20%
Witness statements and Expert Reports	24%	5%	0%	29%	26%	25%	26%	15%	21%	21%	29%	19%	23%	14%	21%	16%	25%	29%	26%	17%	24%	20%	9%	19%	18%

	Asia Pacific	Central and Eastern Europe (CEE)	Mainland Europe (excluding the CEE region)	Middle East	UK	USA	Other	Retail	Property	Insurance	Government & public sector	Energy	Banking & financial services	Shipping	Aviation	TMT	Regulatory investigations	Professional negligence	Matrimonial & probate disputes	IP disputes	Fraud investigations, asset tracing	Contractual disputes	Competition enquiries	Acqn, shareholder & partnership disputes	Other
Do you think cases are settling at an earlier stage than you previously experienced?																									
Yes	32%	20%	6%	0%	40%	13%	40%	21%	26%	38%	20%	15%	20%	22%	0%	20%	24%	36%	58%	21%	23%	25%	18%	23%	29%
No	57%	71%	90%	86%	56%	87%	56%	67%	67%	56%	68%	78%	73%	78%	86%	72%	69%	58%	32%	72%	70%	70%	74%	71%	66%
Do not know	11%	9%	4%	14%	4%	0%	4%	12%	7%	6%	12%	7%	7%	0%	14%	8%	7%	6%	10%	7%	7%	5%	8%	6%	5%

		Do you anticipate changes to contingency fees, damages-based agreements and conditional fee arrangements, under the Jackson Reforms England and Wales, to impact upon the number of litigation cases?																															
		Asia Pacific	Central and Eastern Europe (CEE)	Mainland Europe (excluding the CEE region)	Middle East	UK	USA	Other	Retail	Property	Insurance	Government & public sector	Energy	Banking & financial services	Shipping	Aviation	TMT	Regulatory investigations	Professional negligence	Matrimonial & probate disputes	IP disputes	Fraud investigations, asset tracing	Contractual disputes	Competition enquiries	Acqn, shareholder & partnership disputes	Other							
Not applicable		57%	78%	78%	71%	5%	68%	5%	58%	56%	36%	61%	51%	47%	19%	72%	48%	51%	39%	47%	58%	47%	46%	58%	52%	40%							
No impact		19%	9%	16%	29%	27%	19%	27%	16%	18%	25%	7%	21%	23%	28%	7%	20%	21%	26%	11%	21%	19%	22%	21%	21%	17%							
Yes - increase		19%	11%	3%	0%	29%	13%	29%	16%	13%	15%	17%	21%	14%	25%	14%	18%	18%	14%	5%	13%	19%	18%	15%	15%	17%							
Yes - reduce		5%	2%	3%	0%	39%	0%	39%	10%	13%	24%	15%	7%	16%	28%	7%	14%	10%	21%	37%	8%	15%	14%	6%	12%	26%							
Have you noticed an increase in clients using litigation funding to pay for their litigation?																																	
Yes		14%	16%	23%	14%	42%	25%	42%	20%	23%	25%	44%	36%	32%	19%	14%	38%	39%	33%	26%	23%	34%	27%	29%	30%	37%							
No		62%	56%	42%	86%	50%	69%	50%	46%	50%	56%	39%	50%	52%	67%	57%	39%	49%	55%	68%	55%	53%	56%	50%	54%	42%							
Do not know		24%	28%	35%	0%	8%	6%	8%	34%	27%	19%	17%	14%	16%	14%	29%	23%	12%	12%	6%	22%	13%	17%	21%	16%	21%							
Is the quantum of your disputes getting larger than you previously experienced?																																	
Yes		51%	58%	55%	57%	50%	56%	50%	54%	51%	57%	54%	54%	51%	50%	57%	57%	60%	51%	53%	64%	55%	53%	68%	54%	49%							
No		30%	35%	45%	43%	46%	38%	46%	39%	38%	37%	32%	39%	42%	50%	36%	36%	33%	39%	32%	25%	36%	42%	29%	39%	48%							
Do not know		19%	7%	0%	0%	4%	6%	4%	7%	11%	6%	14%	7%	7%	0%	7%	7%	7%	10%	15%	11%	9%	5%	3%	7%	3%							
What percentage of your cases require an Expert on accounting or quantum issues?																																	
None of my cases		19%	13%	6%	0%	11%	18%	11%	10%	14%	13%	12%	5%	15%	14%	7%	11%	12%	9%	11%	11%	14%	11%	6%	11%	20%							
Up to a third of my cases		54%	47%	55%	42%	66%	25%	66%	57%	60%	58%	41%	49%	55%	50%	57%	53%	54%	67%	53%	53%	53%	56%	62%	56%	54%							
Between one third and two thirds		19%	24%	16%	29%	10%	25%	10%	18%	11%	25%	12%	23%	17%	25%	21%	19%	19%	12%	21%	21%	19%	18%	26%	19%	15%							
More than two thirds		0%	7%	16%	29%	5%	19%	5%	7%	10%	1%	12%	12%	6%	3%	7%	8%	4%	5%	0%	4%	6%	8%	3%	7%	3%							
All of my cases		3%	2%	3%	0%	5%	13%	5%	3%	4%	3%	10%	6%	4%	3%	0%	7%	9%	3%	0%	6%	3%	4%	3%	3%	5%							
Do not know		5%	7%	4%	0%	3%	0%	3%	5%	1%	0%	13%	5%	3%	5%	8%	2%	2%	4%	15%	5%	5%	3%	0%	4%	3%							
How willing are your clients to use e-discovery?																																	
Very willing		8%	2%	13%	29%	23%	25%	23%	Very willing														18%	20%	32%	4%	21%	17%	3%	15%	22%		
Willing		30%	16%	13%	14%	34%	43%	34%	Willing														34%	37%	11%	26%	23%	26%	26%	26%	25%	23%	
Resistant		14%	24%	19%	0%	8%	13%	8%	Resistant														12%	10%	10%	23%	13%	14%	14%	24%	15%	15%	
Very resistant		5%	11%	19%	29%	2%	0%	2%	Very resistant														6%	4%	0%	9%	5%	7%	7%	9%	9%	5%	
Ambivalent		43%	47%	36%	28%	33%	19%	33%	Ambivalent														30%	29%	47%	38%	38%	36%	36%	36%	36%	36%	35%

Mazars LLP is the UK firm of Mazars, an international advisory and accountancy organisation, and is a limited liability partnership registered in England with registered number OC308299. A list of partners' names is available for inspection at the firm's registered office, Tower Bridge House, St Katharine's Way, London E1W 1DD.

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