




Dispute Resolution & Litigation Support

Matters of dispute come in many forms: shareholder disputes, securities fraud, contract disputes, IP disputes, lost profits, divorce, pyramid schemes, insurance claims, and more. Attorneys and advisors engage our expert witnesses to provide independent, detailed valuation and damages calculations, as well as trustee, restructuring, and investigative accounting services for a variety of challenging matters.



Our expert witnesses provide analyses, reports, and testimony for litigation matters in federal and state courts, arbitration hearings, and before administrative and regulatory bodies.

Business Disputes

- Business valuation
- Fraud investigations
- Shareholder and partnership disputes
- Business interruption
- Lost profits analysis and disputes
- Unjust enrichment
- Insurance claim disputes
- Product liability
- Shareholder oppression
- Legal malpractice
- Professional malpractice
- Buy-sell agreement disputes
- Breach of fiduciary duty
- Breach of contract

Family Law/ Marital Dissolution

- Business valuation
- Personal goodwill valuation
- Marital estate analysis
- Cash / asset tracing
- Income analysis
- Carried interests
- Appraisal review
- Rebuttal advisory

Intellectual Property

- Theft of trade secrets
- IP violation
- Reasonable royalty analysis
- Patent, copyright, and trademark infringement

Bankruptcy/Receivership

- Advising debtor / creditor committees
- Financial reporting
- Preferential transfer and fraudulent conveyance analysis
- Insolvency analysis
- Liquidation analysis
- Bankruptcy taxation
- Debt restructuring / workout
- Court-appointed receivers
- Accountant to receivers

Transactions

- Pre-transaction due diligence
- Post-transaction disputes
- Shareholder disputes
- Reasonableness assessment
- Earn-out disputes
- Securities disputes
- Fairness and solvency opinions
- ESOP, DOL and ERISA litigation support
- Personal and celebrity goodwill assessment

Taxation

- Income tax litigation
- Estate and gift tax litigation matters
- Property tax appeals
- Ad Valorem tax disputes

TRIAL SUPPORT FROM START TO FINISH

Our trial support services are specifically tailored to each case, applying creativity and insight to give you the greatest possible advantage in court.

Discovery & Pre-Trial Support

- Assist in developing damage theory.
- Identify documents and information necessary to properly analyze the case.
- Assist with interrogatory and deposition questions.
- Prepare written expert reports.
- Provide deposition testimony.
- Analyze settlement offers.

During the Trial

- Prepare outline of testimony.
- Provide expert witness testimony.
- Assist with preparation of cross-examination questions.

After the Trial

- Assist with preparation of briefs.
- Consultation related to appeals.

SPECIALTIES

Commercial Litigation - Expert witness services in commercial litigation engagements involving claims of Lost Profits, Fraud, Breach of Contract, Purchase Price Disputes, Business Interruption, and Construction Disputes, among others.

Personal Injury - Analyze and compute damages related to lost earnings and fringe benefits, future medical expenses, loss of household services, saved personal consumption, and care gratuitously rendered.

Divorce - Business, equity, debt and asset valuations, identification of marital assets, searching for hidden assets, dissipation analysis, separate property identification and tracking, income and cash flow analysis for support purposes, marital lifestyle calculations, asset return calculations, and asset allocation consulting.

Intellectual Property - Damages related to intellectual property infringement matters including the measure of economic damages, writing Rule 26 expert reports, offering expert witness testimony, and performing intellectual property valuations.

Shareholder / Partnership Disputes - Valuations may be required for IRS reporting purposes when a business owner transfers an ownership to another individual, entity, trust, or charitable organization. Our experience as expert witnesses in litigation matters allows us to recognize the areas where valuations are frequently challenged and helps us perform the valuation in a manner that will prepare us if the IRS audits a valuation used for tax purposes.

LITIGATION & VALUATION EXPERT EXPERIENCE

Our litigation support experts have knowledge of court room proceedings as well as experience and training in the field of accounting, valuation, and economic analysis.

We staff each assignment to maximize cost efficiency while delivering high-quality, defensible analyses and consulting. Our firm includes women and men who provide investigative accounting, receivership, expert witness, valuation, and transaction consulting as well as Fairness Opinions and Solvency Opinions for public and private companies, investors, fiduciaries, and trusted advisors.

Most of our senior specialists are credentialed through one or more distinguished professional organizations, including:

- CPA: Certified Public Accountant by the American Institute of Certified Public Accountants (“AICPA”)
- ABV: Accredited in Business Valuations by the AICPA
- ASA: Accredited Senior Appraisers by American Society of Appraisers
- CFA: Chartered Financial Analyst by CFA Society
- CFE: Certified Fraud Examiner by Association of Certified Fraud Examiners
- CIRA: Certified Insolvency and Restructuring Advisor by Association of Insolvency and Restructuring Advisors
- CDBV: Certification of Distressed Business Valuations by Association of Insolvency and Restructuring Advisors
- CFF: Certified in Financial Forensics by AICPA and Chartered Institute of Management Accountants (“CIMA”)
- MAI: Member of the Appraisal Institute
- MRICS: Member of Royal Institute of Chartered Surveyors

Consider us as a resource – whether it is in the early stages of a dispute or the late stages of trial preparation, we have the expertise, talent, and skills to assist in many difficult matters.

ABOUT MARSHALL & STEVENS

Founded in 1932, Marshall & Stevens is a premier transaction and dispute consulting firm. Our in-house specialists provide independent opinions of value of businesses, claims, securities, intangible assets, equipment, and real estate for transactions and matters of dispute.

For more information, please contact one of the professionals listed below.



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