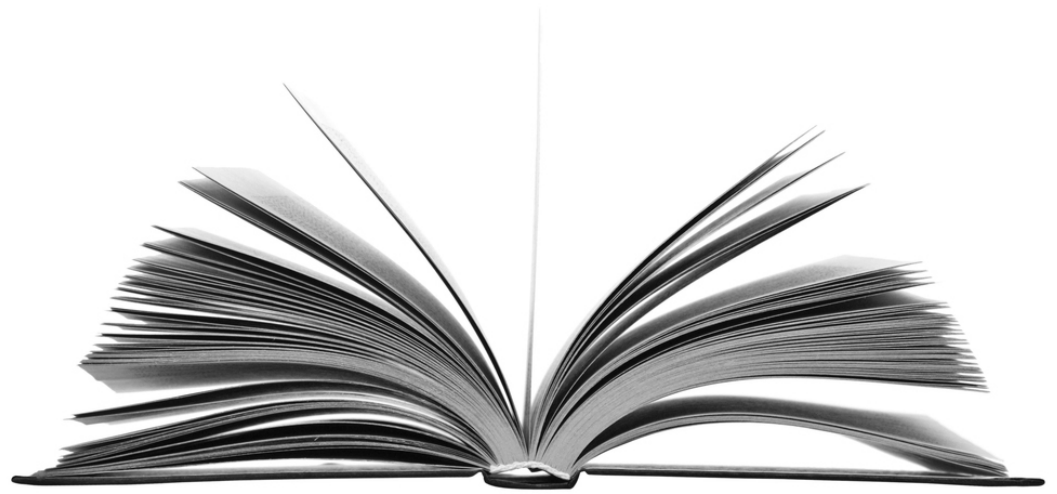




Claimant Personal Injury Work

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accountants **RTHS**



Expert Witness Work

At Forths, all of our signatory Experts are aware of their obligations under Part 35 of the CPR and are fully conversant with the preparation of Expert reports in the context of a range of different legal proceedings.

Our Experts at Forths are, by design, not members of any of the proliferation of Expert Witness organisations that abound. We feel that expertise is borne out of experience, rather than a kitemark.

In the context of Claimant / Joint cases, upon receipt of your instructions we would involve ourselves in the discovery process from the very start, as we do not believe in the traditional “dog leg” approach to this process between instructing solicitor, Claimant and ourselves, feeling that such an approach inevitably leads to spiralling costs and also often frustration on the part of the Claimant.

It is also the case that by liaising direct with the Claimant we can get a better understanding of the issues in a case and the nuances involved which lead to a quicker resolution of queries and accordingly a quicker delivery of the Expert report.

In the context of Defendant cases, we recognise that in most situations our instructing party wish us to liaise with themselves, however, we would of course be willing to liaise direct with the Claimant (their representatives) if required.

After the issue of their report our Experts are all fully conversant with the subsequent parts of the Expert related legal process i.e. answering Part 35 questions, preparation and attendance at conferences with Counsel, preparation and attendance at Expert Witness meetings, preparation of Joint Statements and attendance at Court.



Agency Work

It is the case that, in most instances, the preparation and issue of a CPR compliant Expert report is only relevant in one of the following three situations:

- a. When the Court has stated that such evidence is required.
- b. In the absence of Court direction, when the parties have agreed between themselves that either a single joint accountancy Expert is required or, alternatively, that each side requires their own accountancy Expert given the nature of the case.
- c. Where one party unilaterally decides that, regardless of the Court or the other side's decision, the nature of the dispute is such that they require their own formal accountancy evidence to properly present the case, or indeed if their ultimate client insists that this is the case.

If the dispute does not fall into any of those categories then we can undertake work, on an agency basis, effectively as an outsourced specialist quantum department.

We refer to this as our "White Label" service.

Since our introduction of this service type we have seen a substantial take up in its utilisation by our solicitor clients.



Letters of Advice

At Forths we recognise that, in certain disputes, a fully CPR compliant Expert Witness report, or indeed a substantial agency document, may not be required because of the size of the case, but our clients may require accountancy assistance because of the nature of the case.

At Forths we aim to be able to provide a full service to our clients, whether the dispute is large or small, as the ethos of our business has always been the development of relationships with our clients on a long term basis.

We consider that if we are only providing our clients with a service on their largest cases then how can we possibly aim to achieve this objective?

In a letter of advice we aim to present the merits of any particular case (or indeed the potential pitfalls) in an abridged format to assist you in heading in the right direction with regards to quantum matters.

In addition, where possible, based on the initial information provided, we can give our initial assessments of quantum to assist you in the advice that you can give to your clients. In this way you can provide your clients with best advice on quantum aspects of cases and assist your own decision making as to whether a fully comprehensive CPR compliant Expert Witness report would ultimately be required.

Our clients often request that we use letters of advice for assessing quantum on relatively low value cases in order to minimise costs.



Pension Losses

It is our experience that one of the main aspects of Personal Injury cases, involving employed Claimants, that causes solicitors to involve Forensic Accountants is the area of pension losses.

At Forths we have considerable experience in dealing with matters involving pension losses, be they stemming from a Final / Average Salary Scheme (i.e. defined benefit) or a Money Purchase Pension Scheme (i.e. defined contribution).

Given the considerable amount of work that we have undertaken in this area we are well versed with most types of pension scheme and indeed have standing data on some of the more common schemes that we have encountered, such as the NHS, the Civil Service Scheme, Police and Fire Service Schemes, and we have no doubt that we will be able to accommodate your requirements in this regard.

In addition, we have also regularly undertaken work on assessing losses from S2P (the old SERPS system).

“We’ve made it our mission to ensure the delivery of our service is timely and adds value to all cases we are involved in.”



Military Personnel

The wages structure / promotional scenarios / pension structure, in respect of military personnel, can be an absolute minefield and at Forths we have developed a sub specialism (within our normal Claimant Personal Injury work) of assessing losses for forces personnel in a myriad of different situations ranging from the lower ranks to career officers, etc.

We are well versed with considering the wages structure of all such individuals and have been regularly praised by our instructing solicitors, and the Courts, for our clear presentation of losses in such areas which, for the uninitiated, can appear involved.

In addition, because of the level of standing data that we now have, with regards to tri service rates of pay / pension, over the past 10 years, we are often able to reduce the level of discovery needed on cases in order to present our reports, saving time and indeed effort by our instructing solicitors.

We have undertaken work for both Claimant Personal Injury practitioners and indeed the internal Ministry of Defence Legal Department in this regard.

“We’re renowned for the provision of top quality advice and the adoption of pragmatic, realistic and commercial approaches to problem solving in the context of the work we undertake.”



CICA Claims

We have been involved in a number of significant CICA / CICO claims in the past and are well versed with the operations of such a system and how it differs in presentation of losses to 'normal' Personal Injury cases.

We have a full working knowledge of CICA / CICO rules, such that they apply to quantification of loss of earnings, and have, in the past, been praised by the tribunal for the work that we have undertaken in assessing and presenting such claims.

Indeed, we have also had an instance where even though the tribunal held that an individual was not entitled to compensation from them for loss of earnings, because of misdemeanours in his own historic dealings with HMRC, the tribunal awarded us our costs in full (from them directly) in recognition of our honest and professional presentations to them.

“The quality of our work is consistently praised by clients, Solicitors and Counsel alike.”



Fatal Accident Claims

It is the case that where accidents occur that involve fatalities the methodology that is generally adopted by solicitors, in the presentation of such losses, is for the benefit of the dependents of that individual through the Fatal Accident Act 1976 (as amended by the Administration of Justice Act 1982).

At Forths we are well aware of the provisions of this Act and other relevant case law, such that they impact on quantum, and have considerable experience in presenting claims of this nature, to the Court, in respect of both loss of dependency on net earnings / net income and loss of dependency on pension.

We have been involved in a considerable number of fatal accident cases where the cause of death has been for a number of different accident types, from road traffic accidents through to industrial disease.

Indeed, in the context of mesothelioma cases (a lung related industrial disease) we have special provisions in place for the operation of such cases if the Claimant is still alive (but has a very short life span resulting from the specific nature of this disease) which we would be delighted to discuss with you.

At Forths we are not just quantum machines and realise that a certain approach needs to be adopted in the context of cases where people have died (or are dying) and are conscious that our involvement should not add to the pain and suffering already being encountered by the Claimants in this matter. We guarantee to act in a delicate, professional and sympathetic manner with such Claimants.

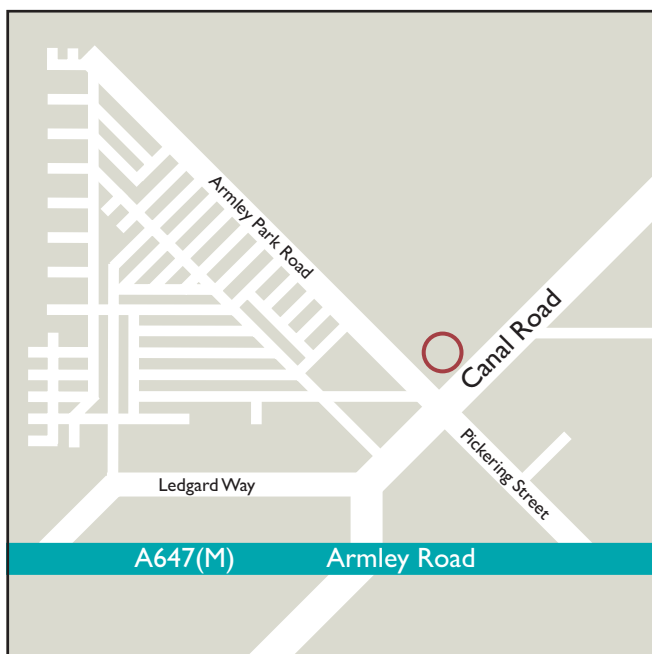
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We would be delighted to hear from you with any queries you may have on the work that we undertake in our business or indeed potential instructions and will correspond with you however you see fit.

LEEDS

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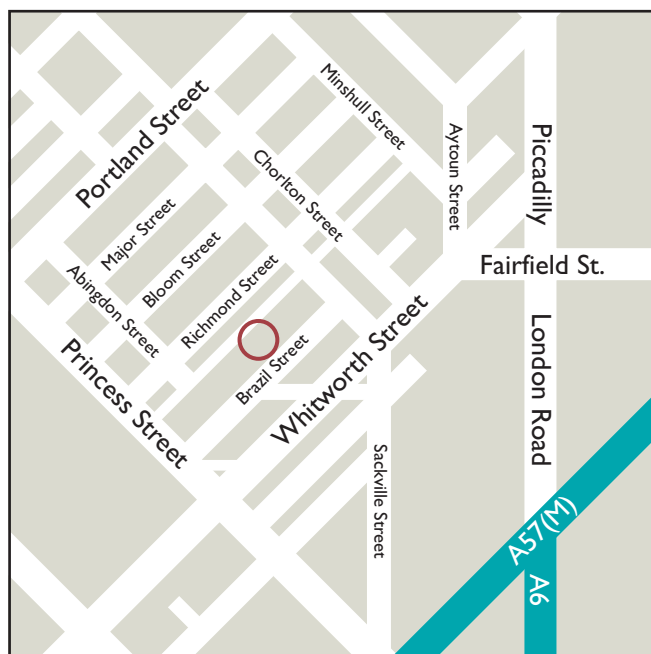
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