

A Commercial Law Association halfday seminar

# forensics, fraud & litigation

- Successfully utilising forensic evidence in complex litigation
- Recent developments in the use of forensic accounting evidence in resolving claims and disputes
- Computer forensic evidence and experts: avoiding the pitfalls of an investigation
- Expert witnesses
- Unravelling the numbers: Investigating fraud
- Recent case law
- Forensic evidence: tackling white-collar crime and corporate fraud

Thursday, October 27, 2005. 9.30am to 12.30pm  
Dixon Room, Mitchell Wing, NSW State Library

Our expert speakers are:

#### JUSTICE ROBERT C MCDOUGALL

Robert McDougall QC was sworn in as a judge of the Supreme Court of NSW on 2003. He was appointed to the Equity Division of the Court and regularly sits in the Commercial List and Technology and Construction List. Justice McDougall was admitted as a solicitor of the Supreme Court of NSW in early 1972 and admitted to the Bar in 1974. He developed an extensive practice in the Equity and Commercial jurisdictions, appearing mainly in the Supreme Court and the Federal Court of Australia. He took silk in 1990. In the latter part of his career at the Bar, Justice McDougall was active in the affairs of the NSW Bar Association. His service included membership of a number of Professional Conduct Committees and the Professional Standards Committee. He regularly wrote articles on ethical matters for the Bar Association's publications, Bar News and Stop Press.

#### CHRISTOPHER HODGEKISS SC

Chris Hodgekiss is a barrister practising at the NSW bar. He was appointed a Senior Counsel in 2003. His practice is predominantly in the areas of commercial/equity litigation, including competition law. He has been involved in a number of significant trade practices cases, including matters involving price fixing, misuse of market power and mergers. Chris was previously a solicitor with Allen Allen & Hemsley, and then a Senior Lecturer in Law at the University of Sydney. In the period 1983-1995 he taught the post-graduate Restrictive Trade Practices course at the University of Sydney Law School. Chris has been a member of the Trade Practices Committee of the Business Law Section of the Law Council since 1985. He has convened the Trade Practices Discussion Group since 1985, and since 1989 he has also convened the Competition Law Conference. He has been the Casenote Editor of the Trade Practices Law Journal since 1993. In 1998 and 1999, Chris was a member of the Education Committee of the NSW Bar Association and was that body's representative on the Faculty of Law at the University of Sydney.

#### STEPHEN MCMAHON, PRINCIPAL, MCMAHON WORTH FORENSIC ACCOUNTANTS

Stephen is a Chartered Accountant and a member of the Securities Institute of Australia. He is a founding principal of McMahon Worth Forensic Accountants. His firm specialises in forensic accounting, litigation support, investigating and solving complex financial and business issues which require the application of a combination of accounting and detective skills. Stephen's interests are applying forensic accounting skills in resolving commercial claims and disputes. He was appointed as a CLA Director in 1998 and currently serves as the Membership Chairman.

#### NICHOLAS ADAMO, PRINCIPAL, FORENSIC DATA

Forensic Data is Australia's foremost independent supplier of data recovery and computer forensic services. Nick specialises in the forensic analysis of all forms of electronic storage media, data recovery and reconstruction, data conversion and tape recoveries. Nick has given evidence of an expert nature in most Australian jurisdictions, including the Supreme Courts of NSW, Victoria, Queensland and Western Australia, and the District and Local Courts of NSW and Victoria. He has also been involved with investigations in Papua New Guinea and parts of Asia, as well as providing technical expertise for several major investigations with the ACCC, ASIC and Royal Commissions. Nick was also involved in the design, development and implementation of a national standard for data imaging and data conversion of all legacy electronic records held by the National Archives of Australia.

#### JONATHAN MCTIGUE, SPECIAL COUNSEL, CLAYTON UTZ

Jonathan is a commercial litigator in the Sydney office of Clayton Utz whose practice includes acting for parties seeking to recover the proceeds of fraud.

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## PROGRAM

- 9.30 Justice Robert McDougall**  
Welcome and introduction.
- 9.35 Jonathan McTigue**  
Commercial litigator's perspective on the response to fraud and the available avenues of recovery.
- 10.10 Nicholas Adamo**  
Computer Forensic Evidence and Experts: avoiding the pitfalls of an investigation.
- 10.50 Morning tea**
- 11.00 Christopher Hodgekiss SC**  
Expert witnesses.
- 11.40 Stephen McMahon**  
Unravelling the numbers: use of forensic accounting in investigating litigation, white-collar crime and corporate fraud.
- 12.15 Panel discussion and questions**  
Chaired by Justice Robert McDougall
- 12.30 Close**

## SEMINAR REGISTRATION/TAX INVOICE

Commercial Law Association of Australia Ltd • (02) 9979 1364 • maxwilson@cla.org.au • ABN 91 914 874 903

**Please return your registration form to:**

**GPO Box 5186, Sydney NSW 2001 • DX 1285 Sydney • fax: (02) 9979 1599**

**Thursday, October 27 from 9.30am-12.30pm. Dixson Room, Mitchell Wing, NSW State Library**

\$275 CLA members or \$315 non-members (GST and morning tea included)

Seminar = three units of MCLE and CPD points

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