

**Amy McLaughlin**  
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## **SUMMARY**

Amy McLaughlin is a forensic accountant and an associate director in BRG's Global Investigations + Strategic Intelligence practice based in London. She has over twelve years of consulting experience in the areas of forensic accounting, including fraud and financial investigations, bribery and corruption, and litigation and arbitration. She was previously in the Financial Advisory Services team at a management consulting firm, where she worked on both investigations and expert disputes.

## **EDUCATION**

Associate of the Institute of Chartered Accountants, (first time passes), 2008 - 2011

Bachelor of Business Science (Accounting), University of Cape Town, 2004 - 2007

## **PRESENT EMPLOYMENT**

Berkeley Research Group, Associate Director, January 2020 – present

## **PREVIOUS POSITIONS**

Berkeley Research Group, Senior Managing Consultant, February 2017 – December 2019

AlixPartners LLP, Vice President, April 2013 – January 2017

FTI Consulting – Economic and Financial Consulting Practice, Consultant, October 2011 – March 2013

FTI Consulting – Forensic and Litigation Consulting Practice, Consultant, July 2008 – October 2011

## **PROFESSIONAL AWARDS, RECOGNITION, AND PRIZES**

2009 – Spicer & Pegler Prize for Financial Accounting, Institute of Chartered Accountants in England and Wales

2006 – Class Medal for Corporate Reporting, University of Cape Town

## **SELECTED PROFESSIONAL EXPERIENCE**

### **Investigations Experience**

Most recently, Amy was led a team investigating the alleged misappropriation of funds in a Middle Eastern inheritance dispute. The client suspected that her siblings had engaged in a number of transactions to shift value out of her father's interest in a large and valuable construction company, without allocating her father a share in the investments. The work involved a detailed review and analysis of approximately 30 years' worth of transactional data in order to identify patterns or trends between her father's spending prior to him becoming ill, when he managed his own finances, and after he became ill, when our client's siblings had more of an active role. The team identified and investigated a number of high value investments made by her siblings which were not included in her father's estate. This information formed a key part of settlement discussions between the parties.

In 2019, Amy was part of a small team engaged by a UK listed manufacturing company to investigate allegations raised by a whistleblower regarding potentially fraudulent activities in its Latin America division. The company had acquired a medical device manufacturer a few years prior and part of the consideration was a three-year earnout mechanism based on sales performance. The investigation uncovered several schemes, in addition to those identified by the whistleblower, which the seller was running to inflate sales just prior to end of the earnout period. Part of Amy's work was to run targeted email searches and review sales documentation in order to understand the extent of the issue quickly, to meet the deadlines set in the Sales and Purchase Agreement. The team also conducted fact-finding interviews with key members of staff and distributors to gauge knowledge and awareness of the potentially fraudulent activities.

Amy was involved in an OFAC sanctions review for a medical device company based in Europe. This work has included reviewing documentation provided by the finance and customer services departments, such as invoices and delivery notes, as well as correspondence with customers. The team also identified other potential areas of concern for the company which are to be reported to the client as part of the findings.

Amy has also completed a number of other compliance reviews on behalf of a private equity firm with investments in different industries, including manufacturers and service providers. These are high level assessments designed to understand the key compliance risks for the specific business and the existing mitigation measures in place, rather than a generic checklist approach. Her work involved reviewing the documented policies and procedures, conducting interviews with senior staff members and attending sites to understand the how the business operates. The results of this work are then collated and presented to both the management of the business and to the private equity firm, setting out any areas the team consider require immediate attention or should be part of a longer-term compliance plan. A key part of this role was to ensure that the team engaged with the business and that the recommendations provided were commensurate to the risk profile of the business.

Amy completed a nine-month long secondment at the Serious Fraud Office in April 2018 where she was part of a case team of lawyers and forensic accountants working on a long running criminal

investigation into an alleged accounting fraud. As part of this work, Amy prepared for and conducted interviews both under caution, as per the Police and Criminal Evidence Act of 1984, and using Section 2 powers, as set out in the Criminal Justice Act of 1987, to compel testimony. She also drafted, with other accountants, a paper setting out the accounting evidence which was used by both the case team and external Counsel to assess the strength of the case and next steps. In addition to the above she also helped draft key witness statements and identify gaps in knowledge or understanding which would need to be addressed before a charging decision could be made.

Beginning in 2015, Amy was part of a small team engaged by the Attorney General of Cyprus to investigate the collapse of two systemically significant Cypriot banks following the financial crisis. Her work included a detailed review of various decisions made by senior individuals at the banks and regulatory authorities at the time to determine whether there is the potential to initiate criminal proceedings. She has worked closely alongside the Police Investigation Team as well as the Legal Office as part of a multi-disciplinary team throughout the case. A key part of her role was to identify areas for further investigation and to help co-ordinate and direct the investigative work of the Police Team. The case was (and still is) particularly challenging, not only because it spans a number of years and therefore a vast amount of documentation exists, but also because it is both politically sensitive and of immense public interest.

Amy has worked as part of a team undertaking an independent investigation at the request of a US listed technology company into accounting practices at its UK subsidiary. A key part of her role was reviewing large volumes of documents and data in order to understand the issues as well as identifying any additional areas of concern. This work was used to support the interview process and to escalate important issues to the legal team. The team then presented the findings to the Audit Committee and subsequently responded to an information request from the SEC.

Amy has assisted on several investigations undertaken by the Financial Reporting Council ("FRC") which concerned the conduct of directors and auditors of major UK listed companies:

- She was involved in the FRC's investigation into the directors of iSoft plc which included reviewing court transcripts, emails and meeting notes and drafting a memo detailing the findings. These findings were sent to the FRC and Counsel to review.
- She assisted in an investigation concerning the conduct of the auditors and directors of Farepak plc. This work included analysing the forecast available cash resources, examining a number of relevant documents such as audit working papers, board minutes and management accounts. She also assisted in the preparation for, and conduct of, interviews undertaken under paragraph 12(2) of the AADB Accountancy Scheme

Amy has global asset tracing experience as part of the London team acting on behalf of the US trustee for the liquidation of a financial services company following the collapse of an alleged US\$65 bn Ponzi scheme.

Amy has worked on a fraud investigation involving a leading global shipping agency that was heard in front of a European tribunal. Her responsibilities included assisting with data analysis and research and was also involved in the creation of expert reports and in the preparation of exhibits.

She assisted in an investigation into the alleged fraudulent dealings of an employee of a company in the British Virgin Islands. This involved the detailed review of bank statements and the

identification of potentially fraudulent transactions as well as the analysis of the nature of expense claims which were submitted to the company for reimbursement.

### **Other Experience**

Amy has also been involved in a number of expert determinations; most recently in a dispute between two Russian individuals over the insolvency of a bank in Eastern Europe. BRG was engaged to provide expert testimony as to the causes of the bank's insolvency, identifying whether this was owing to a change in valuation methodology, triggered by the change to IFRS 9, or by changes to the bank's underlying business over the prior years. Amy drafted the report for submission to the Tribunal, engaging with both Counsel and the legal team on the case in order to pull together the relevant narrative.

In another recent case, involving the non-payment of commission to a representative acting on behalf of the client for the sale of business to a state-owned utility company, BRG was engaged to provide an expert opinion as to whether the client's decision to not pay the commission was in line with international standards on anti-bribery and corruption. Amy's work involved the detailed review of documentation provided by the representative and client, including for example, emails, banking and tax information and ethics and compliance policies in place throughout the relevant time period, and the identification of "red flags" indicating the potential likelihood of illicit payments having been made.

She previously worked on a construction dispute in Oman where she met with senior management and the local finance team in order to understand the nature of the damages as well as setting out the documentation required to support the claim for both past losses incurred as well as future lost profits. She also prepared the expert for, and attended the Tribunal hearing in Oman, providing support to both the expert and Counsel.

She has previously spent a year on secondment to a major UK bank assisting in the redress of customers who were mis-sold Payment Protection Insurance. This work involved reviewing the latest regulations in order to understand how the bank should be redressing customers as well as investigating the practical implications in the various operations. She was able to engage with the operations teams and interact with staff at the bank to understand the products and the way they were sold, as well as the data restrictions and how these should be considered.

She has also worked on a dispute between a care homes company and a major UK bank in respect of LIBOR manipulation. This work involved the review of witness statements, emails and telephone transcripts as well as academic literature on the financial crisis. She was also closely involved in the economic analysis of large amounts of data. She drafted sections of the LIBOR expert report and the forensic expert report as well as creating the appendices and putting together the exhibit bundle.

Amy was also involved in an international arbitration concerning the potential loss of profits arising as a result of a dispute over the use of intellectual property of a German manufacturer. This involved critically reviewing and amending the financial models received from the client in respect of the intellectual property and she was also required to draft extracts of the witness statement to be submitted by the claimant's Chief Financial Officer to the Tribunal.

Amy was part of a team working on the valuation of a listed international crane company on behalf of the minority shareholders. Her work consisted of researching and analysing comparable

companies as well as considering the relationship between revenues and certain economic indicators.

Amy worked on the valuation of a non-listed health club company as part of divorce proceedings. This involved reviewing past and current performance of the business as well as considering future prospects for the industry. In addition, a number of personal transactions were conducted through the business which needed to be addressed as part of our valuation.