

Litigation and Expert Witness

Expertise and insight to assist clients and their counsel to tackle challenging legal issues

We can help answer:

- Who can support as an expert witness in an upcoming lawsuit?
- Will my company's interests be preserved in an upcoming dispute?
- How do I resolve a dispute successfully?

Highly credible, authoritative and persuasive expert testimony and analysis can be crucial in achieving a successful dispute resolution. Built on IHS Markit's reputation for impartiality and our extensive industry intellectual capital, our team has developed extensive experience through providing expert assistance to attorneys involved in litigation matters relating to the chemical, polymer, fiber and allied products industries. With experience ranging from working with engineers, regulators, business executives, to attorneys and other advisors, IHS Markit is equipped to provide guidance throughout the entire discovery and trial processes.

Combined with the data and information in our multi-subscriber databases and reports, we can truly partner with our customers to understand what issues are relevant to the case and how they can be best presented.

With our deep industry experience as well as our customized analytical approach for each engagement, IHS Markit can deliver the most persuasive and well-grounded expert report and testimony.

Core Capabilities

- Expert witness reports & testimony
- Litigation strategy
- Asset/ IP/ Business valuation
- Contract review and design
- Bankruptcy support
- Negligence determination
- Commercial mediation

Industries we support

- Integrated oil & gas companies
- Base chemicals and intermediates
- Inorganic chemicals
- Polymers and plastics
- Specialty, fine and performance chemical
- Fertilizers
- Industrial biochemicals/ biomaterials
- Converters/Industrial manufacturers/ Brand owners
- Chemical process equipment suppliers
- Technology licensors
- Engineering, Procurement, Construction (EPC)
- Investors/ Financial institutions
- Governments/ Industry associations
- Legal
- Insurance

Why choose IHS Markit?

IHS Markit Chemical has deep experience in advising chemical producers, governments, financial institutions and technology providers operating at any point along the chemical value chain, from commodity to specialty chemicals and renewables.

Together, our team offers what many consultancies cannot, a history dedicated to the chemicals industry and how it integrates with upstream oil, gas and minerals operations and downstream end-use markets. That experience enables us to understand your greatest challenges and work in partnership with you to find the optimum solution.

Project examples

This list is not exhaustive and is intended to serve as an introduction to IHS Markit Chemical Consulting's breadth of services offered:

Expert Highlight



**Mike Kratochwill, Managing Director,
Litigation and Dispute Resolution,
IHS Markit Chemical**

Mike has extensive experience in the energy and chemical industries in upstream oil and gas, midstream, and downstream refining and chemicals, including specialty chemicals and oilfield chemicals. Before his current position as a managing director at IHS Markit Chemical Consulting, he held positions at Sunoco, Atlantic Richfield, ARCO Chemical, Continental Bank, Chem Systems, Nexant and, most recently, at Chemical Market Associates. He has been a member of the AIChE since 1970 and the SPE since 1979.

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Project Name	Project Description
Consulting Expert on the Breakup of Two Mega Chemical Company Mergers	Two teams of IHS Markit consultants focused on providing market, technical and commercial forecasts for two separate clients attempting to avoid the breakup fees of two aborted merger agreements. Consulting expertise included assessments of the major business segments of the acquisition targets, their competitive positions in the market and the current state of their businesses. This work also included locating, preparing and assisting outside industry specialists for coverage of specialty business segments not normally tracked by IHS Markit.
Litigation Support in a \$700 Million Arbitration Proceeding	Our client's rights were challenged with respect to a breach of a "right of first refusal" on chemical assets. A member of IHS Markit staff was retained as the principal expert witness to provide direct testimony, expert witness reports and damage estimates that supported our client's position in the proceeding.
Cumene Supply Contract Dispute	IHS Markit Consulting was retained by the Claimant in an arbitration arising from a cumene supply contract dispute. Claimant requested the arbitrators to: (1) determine the appropriate cumene price methodology; and (2) recover the amounts owed by respondent for its share of the fixed costs of the plant. Respondent in the first arbitration commenced the second action seeking a ruling regarding fixed cost allocations. The work included a detailed analysis and forecasting of prices, US capacity, and end use demand of cumene.
Anti-Trust Claims	This case alleged monopolization of the market for a high-performance fiber in the United States. IHS Markit focused on obtaining sales and market share figures for the fiber in the United States, which were needed to substantiate defendant-third party plaintiff's allegations. IHS Markit prepared an expert report covering commercial aspects of the case focused on the manufacturing costs of high performance fibers and provided expert witness testimony in court.
Major Petrochemical Company vs State, Excessive Propylene and Polypropylene Pricing Case	IHS Markit was the expert witness for a major petrochemical company in this excessive pricing case. IHS Markit worked alongside economic and accountancy expert witnesses, as well as lawyers and Counsel to prepare expert witness reports, presentation testimony and expert witness at the tribunal. IHS Markit was involved in preparing the case over an 18 month period, during which time it provided expertise in propylene and polypropylene pricing and markets, as well as in the fundamentals of building petrochemical facilities in terms of capital spend, operating costs and other information.

For more information www.ihsmarkit.com/chemicalconsulting

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About IHS Markit

IHS Markit (Nasdaq: INFO) is a world leader in critical information, analytics and solutions for the major industries and markets that drive economies worldwide. The company delivers next-generation information, analytics and solutions to customers in business, finance and government, improving their operational efficiency and providing deep insights that lead to well-informed, confident decisions. IHS Markit has more than 50,000 key business and government customers, including 85 percent of the Fortune Global 500 and the world's leading financial institutions. Headquartered in London, IHS Markit is committed to sustainable, profitable growth.