

FIRM PROFILE

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**BRIAN
FORENSICS LLP**
Assembling Financial Puzzles



CERTIFIED FRAUD EXAMINER



CONTENTS


BRIAN FORENSICS LLP.....	01
- Who we are.....	01
- Our global outlook.....	03
- Why choose us.....	03
- Our experience.....	04
- Our recent project.....	05
OUR STRATEGIC DIRECTION.....	07
- Our Vision.....	07
- Our Mission.....	07
- Our Core Values.....	07
- Our Commitment to you.....	07
FORENSICS - HOW WE CAN HELP.....	08
OUR LEAD PEOPLE.....	09
- Partners.....	09
- Forensic Technology Team.....	12
- Forensic & Investigative Accountant.....	14
- Audit & Tax Consultants.....	15
OUR SERVICES.....	19
- Litigated Business Valuation Services.....	19
- Forensic Technology.....	19
- Forensic Investigations.....	20
- Lost Profits & Damages.....	20
- Accounting Malpractice Claims.....	21
- Tax Advisory.....	22
- Audit and Assurance.....	23

Brian Forensics LLP is a public accounting and national financial investigation firm that specializes in analyzing the interrelationships between people, events, and data within financial records so that trends are identified and inconsistencies and irregularities are exposed. With seven integrated practice areas, including fraud examination, lost profits and damages, litigated business valuation, forensic technology, audit and assurance, tax advisory, and accounting malpractice, we serve businesses and organizations across numerous sectors, including law firms and legal entities, insurance companies, banks, accounting firms, government agencies, and corporate stakeholders.

Brian Omondi, a Certified Public Accountant (CPA) with over ten years of accounting and investigation experience, founded the firm. The firm was initially known as B Omondi Consulting East Africa, which was then rebranded to Brian Forensics LLP in 2022. The firm's main aim is to uncover the facts and help resolve client matters. Brian has a Master's Degree in Forensic Accounting, which provided him the foundation to establish a team. He is also a Certified Fraud Examiner (CFE). Brian's technical expertise and intuitive investigative awareness have made him **a sought-after litigation expert** and strategic member of any investigative team.

Brian Forensics utilizes technology to effectuate well-organized, solid cases from start to finish. The firm utilizes a custom evidence tracking system and storage facility to establish and maintain a chain of custody over evidence. Most accounting firms offer the "traditional" menu of services. While experienced accountants well versed in accounting and/or taxes can address many accounting and tax-related matters, when issues arise either very specific in nature or outside the traditional accounting services, **specialists** with the appropriate background and experience should be considered to best address the matter.

As forensic accountants, we draw upon our expertise and experience to find resolutions for our clients by excelling in the following areas:



As forensic accountants, we draw upon our expertise and experience to find resolutions for our clients by excelling in the following areas:

Litigated Business Valuation Services: This includes, marital divorce, asset tracing, consulting experts, early case assessment and consultation, discovery assistance, expert testimony, arbitration and mediation support, active/passive analysis, owner disputes, and business divorces, and customized deliverables.

Forensic Technology: This includes Data analytics and data mining, Data visualization, and Computer and cellphone forensic examinations.

Lost profits & damages: This includes, financial litigation consulting, litigated financial dispute resolution, economic damages calculation services, intellectual property damages, financial distress cases, and illustrated analysis for litigation.

Accounting malpractice claims: This includes, Early Case Assessment (ECA) for Accounting Malpractice Allegations, Professional Accounting Standards Compliance Analysis, and Accounting Malpractice Expert Witnesses

OUR GLOBAL OUTLOOK


Brian Forensics LLP has an extensive strategic network and partnerships across the Middle East and North Africa with a head office in Nairobi, Kenya. We have an unrivaled presence in the East African Region for over 9 years. The firm has a total of 3 Partners and 22 staff. We pride ourselves in being a reputable firm with a good understanding and working relationship with the private and public sector service in Kenya and the region.

WHY CHOOSE US

Let us help you resolve your matter by combining our accounting knowledge with experience with:

- Court systems
- Filing requirements
- Overall litigation process
- Investigative methodologies
- Interactions with criminal justice agencies
- Interviewing skills
- Communicating with audiences from advocates & judges to victims & suspects

When it comes to litigation support, fraud investigations and forensic accounting, the selection of the most appropriate specialist to meet a specific need in these areas could make the difference between addressing your matter and satisfactorily resolving your matter.



We go beyond the numbers to get to the facts. We add value to cases in the following ways and more:

- o Crafting questions to be posed
- o Responding to questions posed
- o Identifying documents to be requested and/or subpoenaed
- o Identifying individuals to be most knowledgeable of facts
- o Conducting research relevant to facts of the case
- o Identifying and preserving key evidence
- o Evaluating produced documentation and information for completeness
- o Analyzing produced records and other information for facts
- o Identifying alternative means to obtain key facts and information
- o Providing questions for deposition and cross-examination of fact and expert witnesses

OUR EXPERIENCE

Our firm specializes in analyzing the interrelationships between people, events and data within financial records. We work with businesses and organizations across numerous sectors, including law firms and legal entities, insurance companies, banks, accounting firms, government agencies and corporate stakeholders. Our services include Litigated Business Valuation, Forensic Technology, Forensic Investigations, Lost Profits & Damages and Accounting Malpractice Claims.

OUR RECENT PROJECT

Active Passive Appreciation Analysis

Brian Forensics LLP relied on their engaging counsel regarding the validity of the trust, as this was a legal issue rather than a valuation issue.

SITUATION: A settlement offer made by a husband to his wife during the course of their divorce and equitable distribution case was declined by the wife. She subsequently hired a business valuation expert. The Husband's counsel hired Brian Forensics LLP to value the business interests in the marital estate, opine on active passive appreciation issues, rebut the opinions of the wife's expert, and to testify in court regarding our findings and opinions.


Several issues were present in this case, including but not limited to:

1. The validity of a trust in which the husband's separate assets were transferred prior to marriage;
2. The value of separate and marital business interests; and,
3. Identifying and quantifying factors that caused changes in the value of separate and marital business interests during the marriage.

The opposing expert presented a value of the marital business interests in excess of Kes. 100 million in their report and deposition. Based on our valuations and active-passive appreciation analysis, Brian Forensics LLP found no marital value.

STRATEGY: Brian Forensics LLP relied on their engaging counsel regarding the validity of the trust, as this was a legal issue rather than a valuation issue.

We valued the business interests using recognized and generally accepted valuation methods. We performed an active-passive appreciation analysis to estimate the marital and separate values of the business interests as of the date of separation. In performing the active passive appreciation analysis, we relied upon our extensive experience as applied in accordance with our engaging counsel's interpretation of equitable distribution statute and case law.



RESULTS: In addition to providing reliable business valuation and active-passive appreciation opinions, the work performed by Brian Forensics LLP resulted in our finding and bringing to the attention of our engaging counsel the following:

- o The opposing expert developed untested valuation and tracing methods rather than using recognized and generally accepted methods;
- o The opposing expert performed insufficient due diligence – spending only approximately 5 hours on the analysis of each of 33 entities – and did not interview anyone at the companies other than their client;
- o The opposing expert opined on the value of real estate income streams, even though they were not licensed in real estate appraisal; and,
- o The opposing expert effectively failed to perform an active passive appreciation analysis in accordance with generally accepted practice, and in the manner that our engaging counsel determined is required by the statute and case law.
- o In the end, the work of Brian Forensics LLP contributed to the case settling during early stages of the trial, with the wife accepting less than 4 percent of the amount opined by her expert.

OUR STRATEGIC DIRECTION

Our Vision

To be the most admired financial investigation firm in Kenya, Africa, and the rest of the World.

Our Mission

To provide client-focused quality financial investigation services in an environment of love and care using the most modern techniques and technology.

Our Core Values

Our shared core values give us purpose, and direction and define our responsiveness to employees, clients, and the community – these are;

- o Portray the love of God in our service
- o Integrity and objectivity
- o Customer focus and confidentiality
- o Innovation and application of modern technology; and
- o Socially responsive.

Our Commitment to you

We are committed to delivering competent, effective, and satisfactory services whatever the nature of each client's circumstances. We believe that consistent client satisfaction is the only basis for our growth and success.

The firm looks forward to mutually beneficial and satisfying partnerships with our clients.



FORENSICS - HOW WE CAN HELP.

Embezzlement | Fraud | White-collar crime | Business Litigation.

They are inevitable parts of the fabric of today's business environment. Investigating them requires experience, integrity, and determination to find the truth, no matter what it takes. We are your partners in that pursuit. With over ten years of experience in forensic accounting behind us, we know how to dig into the facts and identify the truth you need to handle your case effectively.

"Forensic" means, "of, relating to, or used in courts of law or public debate or argument." Forensic accounting is the specialty practice area of accounting that describes engagements involving real or anticipated litigation and encompasses both litigation support and investigative accounting.

Forensic accounting has many contexts, including but not limited to:

- o Reconstructing records that were accidentally or intentionally destroyed
- o Investigating accounting records including tracing transactions to supporting source documents
- o Requesting identified necessary financial documents
- o Coordinating requests for replacement documentation
- o Analysing financial results and balances for completeness and reasonableness

Our forensic accounting skills have been used in a variety of areas, including:

- o Civil litigation matters
- o Partner disputes
- o Breach of contracts
- o Tenant/landlord disputes
- o Corporate investigations
- o Employment issues
- o Marriage dissolutions
- o Probate matters
- o Due diligence engagements
- o Trespass and constructive interference matters



BRIAN OMONDI – Managing Partner

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Excellence is an achievable standard when one makes a serious personal commitment to its attainment. That's what firm founder and managing partner Brian Omondi believed when he opened the doors to his public accounting and national financial investigation firm office, and it's what he still believes today.

This commitment to excellence, along with Brian's entrepreneurial spirit, permeates every aspect of the firm's culture and serves as the foundation for the teamwork and dedication it takes to provide the best possible service to every client.

Brian has a broad range of forensic expertise, testifying as an expert witness in Kenyan courts on matters involving complicated financial transactions, including fraud, economic damages, business valuation, bankruptcy, and accountants' malpractice. He works closely with plaintiff and defense lawyers, corporate boards and audit committees, bankruptcy trustees and creditors' committees, insurance company special investigation units, government inspector generals, and government entities. Brian's trial experience is extensive, including appearances in Kenyan courts. He is qualified as an expert witness as a Certified Public Accountant, (CPA), and a Certified Fraud Examiner, (CFE). Brian is a frequent guest lecturer on a variety of fraud-related topics including the use of data mining tools to detect fraud, electronic evidence and discovery, and internal investigations.

Brian graduated from the University of Nairobi with honors, receiving a Bachelor of Commerce (Accounting Option). He also holds a Master of Commerce (Forensic Accounting Option) from Strathmore University. Brian is currently a Doctoral fellow at Strathmore Business School where he is undertaking a PhD in Accounting Research. He is a member of the Institute of Certified Public Accountants of Kenya (ICPAK) and the worldwide Association of Certified Fraud Examiners (ACFE).



LAURYN AKINYI – Partner

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Lauryn is a Partner at Brian Forensics LLP and the member in charge of forensic investigations. She has a broad range of forensic experience including financial and white-collar investigations, fraudulent financial reporting, accountants' malpractice, and the calculation of economic damages. She has extensive experience conducting interviews and has secured numerous confessions. Maureen has conducted forensic examinations for publicly held and closely held businesses, county governments, and governmental and educational entities.

In her work as a forensic accountant, Lauryn works closely with defense and plaintiff attorneys, audit committees, corporate boards, and government inspector generals. Her experience in litigation consulting includes services in civil proceedings including the calculation of economic damages in a broad range of personal and corporate disputes.

Lauryn graduated from Kenyatta University with honors, receiving a Bachelor of Economics and Finance. She also holds a Master of Commerce (Forensic Accounting Option) from Strathmore University. She is a member of the Institute of Certified Public Accountants of Kenya (ICPAK).

OUR LEAD PEOPLE

**MAUREEN ATIENO – Partner**

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Maureen is a Partner at Brian Forensics LLP and a member in charge of valuation services at Brian Forensics LLP. A specialist in litigated business valuation, Maureen's extensive business valuation and litigation consulting experience includes services in hundreds of engagements involving over 1,00 entities for a wide variety of purposes, including gift, estate, family law matters, shareholder disputes, shareholder buyouts, buy/sell agreements, charitable contributions, purchase price allocation, goodwill impairment testing, intangible asset valuation, mergers and acquisitions, ESOPs, business damages, asset tracing, and active/passive appreciation analysis. These services have been related to corporations, partnerships, limited liability companies, and proprietorships across the manufacturing, wholesale, retail, and service sectors. She regularly makes presentations on business valuation and related topics to professional groups.

Maureen graduated from KCA University, receiving a Bachelor of Commerce – Finance Option. She also holds a Master of Commerce (Strategic Management Option) from Strathmore University. She is a member of the Institute of Certified Public Accountants of Kenya (ICPAK).



SILVAH N. KIVINDU(PhD Student, MSc, BCom, FMVA, CPA) – Partner

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Based in Kigali, Rwanda, Silvah is our Partner in the Kigali office. He is a seasoned financial analyst with extensive experience stemming from working with Impact Investment firms and funds from the Europe (UK, Norway, Switzerland, The Netherlands), USA, Singapore, Egypt, Kenya, South Africa & Rwanda. Silvah has led pre-investment analysis, due diligence, investment valuation and development of Inclusive Business Plans (IBPs) as well as post-investment analysis including forensic audits.

He is a Certified Public Accountant of Kenya and Rwanda, and a Financial Modelling and Valuation Analyst (Canada). He has been on several trainings in Harvard Business School (2024) and been part of the Stanford Seed Program (2018) from the Stanford Graduate School of Business. He is an active member of ICPAK and ICPAR where he currently practices in Rwanda. Currently, he is pursuing a PhD program at Strathmore University (Kenya) where his research interest and passion are aligned on the sustainability of impact investing in emerging markets and Sub-Saharan Africa.

During his free time, he enjoys watching and reading comics and playing basketball.

OUR LEAD PEOPLE

**MARLEEN MAGETTO – Director, Forensic Technology**

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Marleen is the director of forensic technology at Brian Forensics LLP. Marleen has a breadth of experience in data analytics, computer forensics, internal investigations, antifraud programs, and controls, fraud vulnerability assessments, and lost profits and damages. She has extensive experience with the latest data mining, data preparation, and visualization methods to detect fraud, waste, and abuse. Marleen has experience with the latest interview techniques and has secured numerous confessions. Marleen has conducted forensic investigations for publicly and closely held businesses in a wide range of industries and governmental and educational entities.

Marleen works closely with plaintiff and defense lawyers; corporate boards and governmental agencies. Her work in lost profits and damages includes services in civil and criminal proceedings. Prior to joining the firm, Marleen was an internal auditor at a major healthcare conglomerate. Her audit duties included evaluation of the adequacy, effectiveness, and compliance with the system of internal controls, recommendations to management for the correction of internal control deficiencies, improvement of operations, and reductions in cost.

Marleen graduated from Kabarak University, receiving a Bachelor of Commerce – Finance Option. She also holds a Master of Commerce (Forensic Accounting Option) from Strathmore University. She is a member of the worldwide Association of Certified Fraud Examiners.



KEATLARETSE METSHILE – Forensic & Investigative Accountant

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Keatlaretse is a forensic and investigative accountant specializing in fraud examination, forensic accounting, and litigation consulting. She has experience with record reconstruction and data preparation to identify the patterns and trends indicative of fraud, waste, and abuse.

Prior to joining the firm, Ms. Keatlaretse served as a staff accountant in public and business accounting providing her a well-rounded foundation that enhances her abilities as a forensic analyst.

Keatlaretse graduated from Tshwane University of Technology, receiving a Baccalaureus Technologiae (Cost and Management Accounting). She is currently pursuing a Master of Commerce (Forensic Accounting Option) from the University of Pretoria. She is a member of the worldwide Association of Certified Fraud Examiners.

OUR LEAD PEOPLE

**HOPE MUTANU ROBERT – Consultant; Audit, Assurance & Tax.**

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Firm consultant Hope, with 4+ years of prior experience leading investigations in the private industry, has proven to be an extremely valuable resource for Brian Forensics staff and clients since she came on board.

Hope has many years of experience in performance management, cost control & accounting, pricing management, and incentive management. She was extensively involved in transforming the firm menu from a “traditional” accounting menu to forensic accounting and litigation support services. Earlier, Hope worked in various private organizations in Kenya.

Hope graduated from Strathmore University receiving a Bachelor of Commerce (Finance Option). She also holds a Master of Commerce (Finance Option) from the same University.

OUR LEAD PEOPLE



MACKRINE AWUOR OREM – Consultant; Audit, Assurance & Tax.

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Firm consultant Mackrine, with over 5 years of prior experience managing tax affairs in the private industry, has proven to be an extremely valuable resource for Brian Forensics staff and clients since she came on board.

Mackrine has many years of experience in domestic and international taxation, as well as in public and private accounting.

Earlier, Mackrine held both audit and assurance-related positions in the firm. She holds a Bachelor of Commerce (Accounting Option) degree from the University of Nairobi.

OUR LEAD PEOPLE



ANDREW CEAZER – Audit Manager

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Audit Manager Andrew has over 4 years of experience in Audit & Assurance and Business Advisory, with skills in data visualization, predictive analytics, and complex problem-solving.

He has worked on both internal and external audit engagements in East Africa, South Sudan, Malawi, and Mauritius, and has held positions at Ernest & Martin Associates, BDO East Africa Kenya, and Grant Thornton Kenya.

Andrew holds a BSc in Applied Accounting from Oxford Brookes University and is an ACCA member. He also has a Diploma and Advanced Diploma in Accounting and Business, ACCA Ethics and Professional Skills, CVA Certificate, and CDAV Certificate.

OUR LEAD PEOPLE



JENKINS KIGGUNDU – Audit Associate

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Jenkins is an ambitious and dedicated Audit Associate at Brian Forensics, holding a Bachelor of Commerce Degree in Accounting from Strathmore Business School. As a member of the Association of Chartered Certified Accountants (ACCA), Jenkins has a strong foundation in financial reporting, auditing, and tax regulations.

Jenkins's academic background and ACCA membership equips him with the necessary skills to contribute effectively to audit engagements, ensuring compliance and accuracy in financial assessments. Eager to apply theoretical knowledge to real-world scenarios, Jenkins is committed to delivering high-quality work and growing within the forensic audit profession.

OUR SERVICES.

LITIGATED BUSINESS VALUATION SERVICES

How Much is My Business Worth?

The question is difficult to answer and is important when the company's value is at the center of current or potential litigation. In these circumstances, a valuation must not only be reliable, but the calculations and methodologies used must survive the scrutiny of courts, opposing counsel, and opposing experts.

You may need to determine the value of a business involved in litigation including:

- o Marital divorces
- o Divorces among business owners
- o Dissenting and oppressed shareholder statutory fair value actions
- o Breach of fiduciary duty allegations
- o Fraud allegations
- o KRA challenges
- o Breach of contract allegations
- o Disputed or ambiguous terms of purchase and sale agreements
- o Missing or incomplete financial data or information

FORENSIC TECHNOLOGY

We seamlessly integrate our capabilities in forensic technology and fraud investigation to identify, retrieve, normalize, and analyze large, diverse, and complex data sets. By using advanced technology we produce fact-driven insights enabling our clients to make defensible and informed decisions related to litigation, dispute resolution, regulatory and prosecutorial investigations, false claims, whistleblower claims, or other critical matters.

Our forensic technology services include:

- o Data analytics and data mining
- o Data visualization
- o Computer and cellphone forensic examinations

FORENSIC INVESTIGATIONS

We are a team of certified fraud examiners, certified public accountants, investigators and forensic technology experts. We understand and assess quantitative and qualitative evidence to ferret out the truth; detect financial improprieties and accounting discrepancies; illustrate, present and testify about findings; and identify and offer recommendations to protect vulnerable business processes.

Our team combines investigatory, accounting, and forensic technology expertise to reveal relevant facts and isolate incidents of wrongdoing in financial disputes. Examples of forensic investigations we perform include:

- o Asset misappropriation
- o Embezzlement
- o Corruption
- o Kickback schemes
- o Trust disputes
- o Financial statement fraud
- o Misappropriation of trade secrets and intellectual property
- o Asset tracing
- o Ponzi schemes
- o Conflicts of interest
- o Sources and uses of funds analysis
- o White collar investigations
- o Whistleblower investigations
- o False Claim Act violations
- o Fraudulent conveyance

LOST PROFITS & DAMAGES

Our financial investigation expertise and litigation experience uniquely position us to offer unparalleled lost profits and damages services. Our mission is to provide clarity in disputed financial transactions, find missing puzzle pieces and solve financial mysteries to help litigants—whether claimants or defendants—strengthen their case.

Our team analyzes financial issues involving commercial and personal disputes to identify the financial implications and the amount of losses, if any.

We understand commercial disputes can be complex, and we specialize in investigative financial services for:

- o Breach of contract
- o Breach of fiduciary responsibility, and
- o Intellectual property

In personal financial disputes, our team provides services for:

- o Property ownership disputes
- o Partnership disputes
- o Family business disputes
- o Settlement proceedings arising from legal claims and litigation.
- o Settlement proceedings arising from bankruptcy trustees' claims involving property disputes.
- o Marital separation or family law proceedings
- o Wage based claims resulting from personal injury or employment litigation.

ACCOUNTING MALPRACTICE CLAIMS

Our expertise in accounting and financial reporting is invaluable when alleged accounting malpractice stems from fraud not uncovered by certified public accountants (CPAs) or by failures of CPAs to follow professional standards.

Litigators, in-house legal teams and outside counsel, CPAs and auditors rely upon FSS to assist them through every phase of an accounting malpractice claim.

We provide:

Early Case Assessment for Accounting Malpractice Allegations. Deploying cutting-edge technology and unmatched investigative experience, we advise both plaintiffs and defendants on the viability of accounting malpractice claims.

Professional Accounting Standards Compliance Analysis. No matter the location, industry, or type of organization, our team is able to analyze whether a CPA has—or has not—complied with the professional standards pertinent to an accounting malpractice claim.

Accounting Malpractice Expert Witnesses. Not only do we bring unmatched professional experience to the witness stand, but we are also adept at explaining highly complex accounting and financial subject matter in easy-to-comprehend language.

TAX ADVISORY

Tax is a dynamic area in East Africa. The changes that the Government has implemented in tax policies have far-reaching implications on business every year and as a result, there is a need for a dynamic team to keep abreast of them. The firm is focused on finding opportunities and leveraging them to clients' best advantage in the form of significant tax savings. Our tailored tax planning advice enables clients to gain a competitive advantage.

Our tax services include:

Tax health checks

Given the complex and dynamic nature of tax, we provide tax health check services. These reviews are designed to assess the organization's level of compliance with all tax laws, assist the organization to quantify any tax exposures that arise from the review and assist you to identify the risk areas that exist in your tax processes.

Tax compliance

Taxpayers are required to file tax returns on a periodic basis – Corporate Income Tax returns, employee tax returns, withholding tax returns or Value Added Tax returns.

We provide to you some peace of mind by computing entries to the returns, preparing the returns, and eventually filing them with the authorities on a timely basis.

Focused tax research

We assist our clients in undertaking specific tax related research designed to form the basis of engagement with regulators and the treasury on tax policies. Our research output is used to inform pricing decisions, market position, investment decisions and engagement with government and non-government agencies.

Tax review assistance & tax litigation support

Tax reviews are time-consuming. We step in to assist you in handling the review from the initial to the final stages. We review revenue authority findings, advise on the legitimacy of demands, assist in raising objections, and generally represent your interests with the Tax Authority. We can represent you in Revenue Authority meetings/discussions and assist in resolving any arising issues.

We also assist in tax litigation support by representing clients in alternative dispute resolution process, the Tax Appeals Tribunal and even the High Court. We have represented clients and appealed against tribunal rulings in the High Court of Kenya and succeeded in client representation.

Tax strategy, structuring and planning

Our tax planning services include advising on any changes in tax laws and regulations and providing tax planning ideas in respect of the changes where applicable. We review new business activities and significant transactions and advise on the most tax efficient structure.

Transfer Pricing Services

Businesses now find that their tax decisions are under close scrutiny, compared to years gone by. Information sharing on various technological platforms has enhanced the efficiency of tax authorities in the assessment of personal and corporate taxes, thereby increasing the potential for unforeseen tax liabilities.

International businesses and conglomerates make numerous attempts to increase efficiencies in operations, so as to maximize profits, and Revenue Authorities worldwide target such corporations in relation to related-party transactions.

We assist in:

- o Drafting TP policies aligned to the Income Tax Act and the OECD guidelines
- o Assist in putting the proper documentation in place
- o Reviewing and updating of TP policy documents
- o Managing controversies with the authorities
- o Tax planning ahead of such transactions

AUDIT AND ASSURANCE.

To build solid foundations with effective management structures, businesses need to record their financial transactions, evaluate their systems, and measure results. Our audit which covers assurance and advisory goes beyond compliance with statutory requirements. We adopt an added-value approach to the businesses of our clients, enhance productivity by listening to them and establish or make a model that considers all business implications.

Our aim is to ensure that clients meet their objectives, measure performance, and manage risks adequately. We place a strong emphasis on early planning and learning the unique aspects of a client's business to have an effective, cost-efficient, independent audit, performed in a timely manner.

The audits we offer include the following:

- o Statutory audits
- o Value for money audits
- o Project audits
- o Retirement and pension audits (RBAs)
- o Service charge audits
- o Special purpose audits

Our location

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CERTIFIED FRAUD EXAMINER



Globally preferred by employers, the Certified Fraud Examiner (CFE) credential denotes proven expertise in fraud prevention, detection, deterrence and investigation.