



## Wynand Mullins

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### Qualifications & Memberships

- Bachelor of Management Studies Accounting, University of Waikato, New Zealand
- Member, CA ANZ
- Forensic Accounting Specialist, CA ANZ and Macquarie University
- Business Valuation Specialist, CA ANZ and Kaplan
- Member of the Economics Society of Australia, NSW Branch
- Member, ARITA

Wynand is a trusted dispute advisory, financial investigations and valuations expert, advising major corporate and government bodies. He is one of the few professionals accredited by Chartered Accountants Australia and New Zealand (CA ANZ) as a specialist in both forensic accounting and business valuation.

Wynand has prepared expert reports in a significant number of legal proceedings and advised clients in respect to loss, damage, solvency and valuation matters. He has given evidence in various courts including the Federal Court of Australia, Supreme Court of New South Wales and Grand Cayman Court.

In 2018, Wynand was engaged by Macquarie University and approved by CA ANZ to lead the successful design and delivery of the Forensic Accounting Specialisation accreditation course.

Prior to joining McGrathNicol, Wynand led the NSW forensic accounting practice of another chartered accounting firm and has previously worked in business advisory and corporate recovery practices in Australia, New Zealand and the United Kingdom.

### Engagement Experience

#### Dispute advisory

- Significant experience across a range of industries via engagements to develop loss quantification models and settlement fund distribution models used in representative proceedings (both security and non-security class actions).
- Analysis and consideration of accounting and financial records to assess whether (and if so, how much) profit distributions were payable by a bus operator to two other bus operators based on a shareholder agreement.  
Busways Blacktown Pty Ltd v Westbus Region 1 Pty Ltd & Ors
- Review of loss suffered as a result of a contract pricing dispute. Review contractual obligations and prepare an analysis reconciling and substantiating actual and anticipated costs under the contract. Initial contract valued at approximately \$25 million and loss estimated at more than \$105 million.
- Quantification of loss and damage in relation to the compulsory acquisition of land for public purpose.  
Taverns Pty Ltd v Transport for New South Wales
- Prepared a report setting out a methodology and assessment of the loss allegedly suffered by the Applicant in the MyBudget class action.  
Kelvin Turner v MyBudget Pty Ltd
- Assessment of loss suffered by an Agency as result of the alleged wrongful termination of an agency agreement. Assessment of the cross claim in relation to commission deducted from international agency receipts.  
Selwa Muna Anthony v Kate Morton



## Wynand Mullins

## Partner

- Court appointed Scheme Administrator of a class action settlement fund. Assisted with developing the loss methodology and performing the loss assessment for each group member, distributing settlement funds. Petersen Superannuation Fund v Bank of Queensland Limited
- Assessment of loss as a result of an alleged breach of contract, in relation to the purchase of Mahogany Notes Series II and Scarborough Notes. Arenare Pty Ltd as Trustee for the Tuscany Investment Trust v Peter Graham Smith & Ors

### Financial investigations

- Engaged as the 'Independent Accountant' to attend multiple sites, interview multiple persons for the purpose of identifying, extracting and collating relevant financial information to assist the independent experts to prepare loss assessments in relation to a patent dispute in the pharmaceutical industry. H. Lundbeck A/S & Anor v Alphapharm, Apotex, Aspen Pharma and Sandoz. CNS Pharma v Alphapharm & Ors
- Investigation and quantification of loss suffered by a large multinational business as a result of the alleged misappropriation of funds by an employee.
- Investigate allegations by WaterNSW into alleged water misuse by a farmer on the Barwon-Darling River.
- Investigation into the alleged fraud by an employee, including identifying the modus operandi, tracing and quantifying the misappropriated funds.

### Valuations

Wynand has prepared valuation reports of businesses and shares of companies both in the context of litigation and for non-litigious purposes in a broad range of industries. Recent assignments include:

- Disputes between shareholders;
- Dissolution of joint family interests;
- Fair / Market value on disposal; and
- Value of businesses for security, taxation, reporting and restructuring purposes.

### Examples of engagements include:

- Valuation of manufacturer and distributor of patented product in relation to a shareholder dispute. Limestone Holdings Pty Ltd
- Valuation of a professional services firm for the purpose of a restructure and taxation consideration. Binyan Studios 3D Visualisations Pty Ltd
- Valuation of a Cayman based Limited Partnership, with a diverse asset portfolio in the UK, Australia and New Zealand, in relation to various allegations. Torchlight Fund Limited Partnership Grand Court of the Cayman Islands. FSD 103 of 2015
- Valuation of a printing business for the purposes of assessing the equity interest of an exiting shareholder. Ogg & Anor v Becaal Pty Ltd & Ors