

CASE STUDIES - LITIGATION SUPPORT

Australian Commonwealth
government agency –
2002/3

*A YTK project mis-
managed by an
opportunistic vendor*

Like most organisations, this agency had critical systems which required remediation or replacement for Y2K. The agency contracted for replacement while also pursuing remediation.

The replacement was never delivered and the case went to litigation. The agency's counsel sought expert opinion on the conduct of the vendor as it related to their culpability.

Len's expertise in project management and administration suggested that the vendor had ample opportunity to mitigate its and the client's exposure to the failure, long before the budget and the required timelines had expired. He also identified specific insights into their own problems which the vendor failed to address, which negated their claims of best efforts.

Singapore government
agency – 2005/2006

*A major system re-
development mis-handled
at several major stages*

A large agency had contracted with an international leader in systems integration to replace its legacy systems with a web-based integrated solution.

The fixed price contract was premised on a modified package solution. However, shortly after the initial requirements review the vendor suggested a custom built solution.

Despite several years of effort on the part of both parties, no solution was forthcoming and the client sought protection under the contract terms.

Len identified a long trail of project governance mistakes which contributed to the inevitable failure to deliver the required outcome while apparently demonstrating progress and achieving milestone payments.

Major telecommunications
provider - 2003

*A systems vendor refused to
provide the data mapping
for the existing database to
facilitate conversion to a
new system.*

The client had contracted with a new vendor to re-develop its aging GIS-based network asset management system.

The current vendor refused to provide the data format or present the client's data in standard data transfer format for conversion to the new system.

Len conducted research into the genesis and evolution of the package and determined that the data architecture was in the public domain.

He was also able to identify industry / legal precedents in other jurisdictions which suggested that their own data cannot lawfully be withheld from clients.