CURRICULUM VITAE - ALAN PEABODY

Alan is a Programme Manager with considerable experience in mission/time critical development projects and programmes. He has worked in a variety of business sectors. With over thirty five years IT and communications experience he has been a senior project and programme manager for over thirty years. Alan has normally held responsibility for the technical, financial, quality and timescale issues of his programmes, and those under his direction, as well as contract negotiations as appropriate.

Since 2000 Alan has spent an increasing proportion of his time as a consulting expert in communications and IT programme litigation and has been instructed in two of the largest IT cases in the English court advising on the technical and management issues. Alan has also been instructed on a number of smaller cases resolved through mediation and arbitration

Alan has managed a number of commercially risky programmes with overall success. At Logica and later at Oracle Alan was often brought in to turn around failing programmes. He has led a number of project rescues as Programme Manager/Project Director, normally reporting to General Manager or board level. Alan has managed programmes in the Communications, Military, Aerospace and Finance sectors. Having a background in engineering technology, Alan is always interested in the technical aspects of programmes and occasionally carries out purely technical assignments in addition to his core area of Programme Management.

Since 1997 Alan has been an independent consultant. He has continued to attract assignments of the highest quality and interest including Vodafone, NatWest Bank, L3 Communications, Johnson and Johnson, Astrium, Raytheon, CSC, Mitsubishi Electric (Europe), Fujitsu, and Tubelines.

Alan is a PRINCE II accredited practitioner and is accustomed to working in an international environment.

Alan provides expert witness services in IT disputes and has given expert evidence. He has been instructed as an IT/Programme Management consulting or testifying expert by DLA Piper, SJ Berwin, Pinsent Masons, Samdani Qureshi, Edwards Wildman, Osborne Clarke, Herbert Smith, Milbank Tweed, Samdani Qureshi, Clifford Chance, Nabarro and Hogan-Lovells.

Education

- Manchester University - BSc Honours in Physics and Electronics Engineering

Other qualifications

- Chartered Engineer: -   Member of the Institute of Engineering and Technology (C. Eng MIET)
- PRINCE II Practitioner
- SC cleared for secure assignments

Commercial

- Freelance – Jenico Ltd
- Associate X-Net Chambers

Languages:

- English – Native Tongue; French – Reasonable technical competence

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Overall Experience Summary

Significant IT Expert Instructions, contentious disputes:

- IT Expert appointed by Government of Pakistan - $550M arbitration at ICSID (London) surrounding development and supply of automated customs and excise system. Analysis of technical failures and product compliance. (2014/15)

- Programme management and delays analysis for Raytheon Systems in two separate government secure computer systems supply disputes (2010 & 2016). Analysis of technical and programme management issues leading to late delivery and performance.

- Party Expert in a dispute between EDS and BSkyB in the High Court for a Customer Relationship and call centre management system. £709M damages claim. 5 year engagement from 2003. Handled the technical and programme management defence issues and technology aspects of eDisclosure

- Expert Analysis IAAF - investigation and report into anomalies in electronic voting system resulting from challenge to outcome of election in S Korea (2011)

- Logica GMG – TfL – Mediation to resolve programme performance, asset management IT systems outsource (2006)

- Expert Analysis – CSC v NHS. Hospital management and database system implementation system. Causes of failure to perform and technical test issues.

- Tubelines v London Underground. Pre litigation technical analysis of programme failure to deliver IT systems operating improved signalling and stock management.

- eDisclosure consultancy – dispute between HMRC and CSC (2005).

- IT expert report for arbitration between two Israeli companies concerning IP theft of smartcard and payment system technology. Case heard at LCIA

- IT Expert team – Airtours v EDS (2001). £300M dispute concerning IT system and database to manage package holiday online and telephone sales, aircraft ticket allocation etc. Analysis of technical and programme management issues leading to late delivery and performance.

- Single Joint Expert Instruction – Asset management database & system using RFID. Product compliance and failure to deliver issues. (2015)

Other IT Expert instructions:

Various email hacking and forgery instructions (Insurance Fraud/Divorce etc); System virus insertion and sabotage; Banking System Programme Management, Saudi Hollandi Bank; NHS Data anonymization, telesales audio record decoding.

Major non-contentious career assignments:

- Programme delays analysis and recovery - Fujitsu and DWP Outsource Programme
- Vodafone Interim Head of IT Programme Management
- Various IT Contract Risk reviews
- Medical Smartcard development programme
- American Express – Smart Card secure systems
- Mitsubishi Electric (Europe) - Y2K European readiness programme
- Programme Manager Ariane 5, Rocket Range Launch Safety System.
- Programme Manager Skynet 5 Ground Systems enhancements.
- Programme Manager ABM AMRO Bank "Country Systems Rolloiut".
- System Engineer Battlefield Communications UK terrestrial connection.
- Programme Manager – Turksat Ground Control Systems
- System Engineer – Eutelsat Satellite Control System
- Designer, real time satellite multiple access system (Hughes Network Systems)
- Marconi Communication Systems – Principal Engineer

Detailed Career Chronological Narrative

2016

- Single Joint Expert – Dispute concerning RFID chip database application
- Technical Consultancy – Recovery of corrupt email archives in an insurance fraud
- Programme Management Consultancy, dispute preparation. IT supplier to a local government outsourcing contract
- Programme Management Consultancy, Raytheon Systems – Analysis of delays due to failure of MoD to deliver dependencies.

2015

- Assessment of a failed programme to bring a legal services comparison website online. Supply contract was renegotiated to client's satisfaction based on Alan's report.
- Prepared further reports for ICSID Arbitration following the postponement of the hearing to November 2015 for further analysis. Supported the analysis of financial and programme issues for cross examination. Shortly before the hearing was scheduled the commercial organisation that had brought the case against Pakistan withdrew all allegations and abandoned 100% of their claims. They have agreed to pay all costs, other damages are being negotiated.

2014

- Expert report into the $550M dispute surrounding the implementation of Computerised Customs Controls at ports of entry into Pakistan. Instructed by Samdani Qureshi, Islamabad, acting for the government of Pakistan. First report delivered Dec 2014. Evidence to be heard before ICSID tribunal.
- NHS and Home Office assignments continued to completion.
- Instructed by in house counsel for the International Amateur Athletic Federation to investigate anomalies arising from software faults in an electronic voting system used at council elections at the IAAF general assembly.
- Investigation into the malicious sabotage of a finance system by insertion of rogue java and php routines by a disgruntled employee.

2011/2013

- Programme Management Consultancy - Programme and Technical Consultancy to the analysis of programme management delays in the changed approach by the UK borders Agency in connection with border controls and international movements tracing. This was in connection with an arbitration between the Home Office and Raytheon Systems.
- Programme Management Consultancy. A government sponsored change programme promoting unification, alignment and data sharing of hospital management systems encountered challenges related to differing regional hospital trust practice and policy. This resulted in Requirement based challenges to the change programme and rollout. Alan was engaged by CSC, the provider of the Lorenzo hospital management system to analyse the change history and project control policies in connection with the rollout of the system to the pilot implementations in advance of general rollout. This was a "litigation expert analysis" that ultimately was settled. Following debates before a Parliamentary Committee a mutually acceptable solution to the impasse was adopted. System Quality issues, consistency of requirements between departments and individual stakeholder objections were all factors that had to be weighed in the analysis and report.
- Consultancy concerning data abstraction issues from medical records. This was a local area health trust roll out that concerned specific issues relating to the data protection act as related to the anonymity of individual patients. The issues were a consequence of attempting to roll out the new facility before all parties were properly assured of patient confidentiality.

2010

- Programme Management Consultancy - Analysis of the causes of delays in a full infrastructure/CRM outsourcing contract between the Department of Work and Pensions and Fujitsu. This represented a complete change in the management of Job Centres and related departments. Responsibilities included development of recommended strategy for recovery and

compensation negotiation for instability of requirements; which was principally a result of a lack of agreement on objectives within DWP.

- Litigation party expert - technical and programme management consultancy supporting dispute resolution between Tubelines and London Underground concerning communications infrastructure and signalling technology. Difficulties were essentially based in safety case consequences on microprocessor based hardware and machine code. Litigation was commenced, but terminated.

- Data gathering and document review strategy for a major international company concerning a litigation bought by internal staff. This included the management of an offshore disclosure review.

- IT equipment fitness for purpose report for a training organisation – Litigation contemplated, but not pursued.

- Analysis of resource allocation and recruitment in a contractual dispute between HPES and IBM centred on a joint project to provide a real time trading system.

2008 – 2009

A number of case reviews and related services for clients considering litigation, including:

- Report on the merits to a party considering disputing the interpretation of a technology supply contract.

- Decoding of encrypted audio files for an insurance company exploring a negligence claim.

- Technical analysis of internet and email traffic in a case of email account hacking leading to identification of the hacker. Civil proceedings have resulted.

- Programme Management advice to Saudi Hollandi Bank in a contract dispute with Thomson Reuters. Case settled.

- Document management and e-disclosure advice to solicitors representing an IT outsourcing company. Document collection completed and database established.

2003 to 2008; Party expert - IT litigation

Alan completed an assignment as party expert adviser to EDS on the issues that related to their defence of a £709M dispute in the Technology and Construction Court concerning the termination of their contract to provide a new call centre and CRM system to BSkyB. Consultancy and advice has been provided in the fields of Programme Management, Systems Design Integrity (hardware, software and telecommunications), Rigour of Quality Assurance, Methodology and Testing. Also provided general support to enable the legal team to understand the programme and technical issues that are outside their normal expertise.

Supported interviewing of witnesses, preparation of witness statements, interpretation of evidence, response to detailed enquiries, management of e-disclosure and the best construction for the defence. The dispute went to trial in October 2007 and the trial completed in July 2008. Alan assisted counsel in preparation for cross examination, and also supported the legal team in court with rapid analysis of witness evidence and preparation of further lines of questioning during trial.

At the beginning of the process in 2003 Alan designed and managed the provision of a database organising the electronic data files collected from some seventy computer hard drives and email accounts totalling some 2M records which was used as a support tool to disclosure.

February – April 2007, Red Team Merits review on terminated contract.

Asked to provide a review of the merits of a claim for lost profits and wrongful termination in the preliminary stages of a dispute between a software development house and a mobile telephone company. This was settled out of court. The identity of the parties is confidential.

March to November 2006 - Adviser to Programme issues.

Provided programme management and contractual advice to assist LogicaCMG in developing a £15M claim against Transport for London for the non-performance of dependencies in the rollout of a major change to communications and desktop, via an outsource contract. This claim went through formal mediation at which Alan presented his report. A substantial settlement in favour of Alan's client was agreed. The parties continue to work together on altered terms.

February to August 2005 - Adviser on Programme and Technology Issues, Pending Dispute

"Party expert" adviser to an EDS in the preparation of their position in a pending litigation with the Inland Revenue. Advice concerned document strategy for approximately 1.5 million data files. This case settled without proceedings being issued in August 2005.

July 2004

Carried out a programme health-check on behalf of Paradigm Systems concerning their procurement of major military satellite communication facilities from Astrium. This resulted in a changed approach by the parties and an offer, which other client commitments prevented Alan from accepting, to remain on the project.

2003/2004 - System Design and Technical Advice to Foreign Office

Alan provided ad hoc engineering system and component design services to an internal team developing specialist electronic communication facilities.

Dec 2002 to April 2003 for Storm Control Systems: - Programme Manager

Programme Manager for the implementation of new Telemetry Telecommand & Control systems for the Skynet V military Satellite Communication System under procurement by Astrium on behalf of Paradigm for the UK Ministry of Defence.

February to September 2002 Vodafone Group: - Programme Manager

Programme Manager for a programme to provide European roll-out of mobilisation of Corporate Office desktop products to mobile devices, PDA's, WAP phones etc across GPRS and 3G networks.

Dec 2000 – November 2001: - Expert Witness, IT Litigation

One of the two IT and Programme Management experts appointed by EDS in litigation with Airtours, a travel and leisure company. This was a major dispute concerning the outcome of a four-year service outsourced call centre sales and booking software development project. The initial claim for damages exceeded £300M. Main responsibilities were in the integrity of Programme Management, the communications technology and the capability of the legacy system that was being phased out. This case was settled on terms favourable to Alan's client during proceedings at the High Court, subsequent to the submission of expert reports.

October – November 2000: - Strategy and Technology Adviser - HSA

Voice and Data technology and strategy study for Hospital Savings Association. Study to advise the HSA concerning major changed approach to call centre strategy, voice and data infrastructure. The recommendations of this study were accepted and implemented.

May – September 2000. LifeGard Technologies Ltd: - Programme Manager

LifeGard Technologies had planned to launch a medical records smartcard on behalf of Johnson and Johnson. The technology involved was grounded in secure multi-application smartcards. Alan was the Programme Manager with responsibility for management of suppliers of back office systems for the service and support of card subscribers. Project ended when the parent company withdrew funding for internal reasons.

October 99 – April 2000, - NatWest Development Team (Platform Seven)

Alan was the Programme Director on behalf of Platform Seven (an operational data security unit of Nat West Bank) in charge of the implementation of a new smart card management platform for American Express to be supplied by NatWest.

This was a secure web-based application build and support project supporting multi-application Smart Cards. The project objectives were to support application builders for both the production and issued stages of the card lifecycle. The programme was restructured and relocated when Nat West sold Platform Seven to DataCard, a US company.

2000 - 2001 -IT Expert Witness services

Alan served as expert and gave evidence in this LCIA arbitration between two Israeli companies concerning the use of competing Smart Card technologies, products and marketplaces.

Alan also provided expert services in a dispute between the insurers of a security company and a communications network equipment supply company concerning theft of goods, subsequently recovered. Expert opinion evidence was required concerning the correct quantum to be assigned to the recovered

goods and whether efforts made to mitigate the loss were reasonable and appropriate. This case was settled out of court.

Aug – Sept 99: Barclays Technology Services: - Programme Management Consultant

Assignment to health-check an internal process re-organisation programme which was slipping against plan. This involved re-planning and imposing a more rigorous control methodology. The recommended changes were accepted and the programme was put back on track.

Dec 1998 – July 1999: Vodafone Ltd Interim Head of Technology Programme Management – IT Division

Engaged by Vodafone as Interim Manager of their Technology Programme Management department. This group managed both the IT and Network Engineering applications and system development programmes. Alan reported to the IT Director. Multiple cross disciplinary programmes fell under Alan's remit. Alan performed this role for six months until a Vodafone employee could be trained and appointed.

Dec 1998: Habib Bank: - Y2K Strategy Adviser

Habib Bank required an urgent assessment of the Millennium risks facing their systems. Alan performed a "crash" Y2K assessment and devised a remedial strategy. The advice was accepted and Alan was retained on a part time review basis until August 1999, by which time the issues had been addressed to all parties mutual comfort.

Dec 1997 – Nov 1998: Mitsubishi Electric Europe: -Programme Manager

Alan was engaged by Mitsubishi to support and implement their pan-European IT strategy for Y2K. He carried out risk assessments and generated action plans for all of the European locations that were outside the SAP programme that was separately being rolled out at that time. Alan reported to the IT General Manager. Subsequently Alan was also asked to produce the Euro currency conversion strategy and manage the implementation for those locations again not being incorporated into the central SAP system. This involved the management of project teams in seven countries. The role ended in Dec 1998 when all objectives had been met to the satisfaction of the client.

1997 - Oracle

Feb 1997: - Project Director: - Grosvenor Casino

Alan was brought in as project director to rescue a programme at the point of being terminated. It was a RAD project implementing a changed membership management system for Grosvenor Casinos distributed over a WAN. Alan identified the issues, simplified the technology and converted it to a fixed price contract which was eventually rolled out to 50+ locations.

March to Oct 1997: - ABN AMRO Global Transaction System - International Rollout Programme Manager

Based in Amsterdam, ABN AMRO planned to introduce a new international banking service to Global Corporates. Alan was appointed as "Country Systems Programme Manager". The task was to manage the customisation and implementation in the 70 plus countries where ABN AMRO is represented. This involved the study of regulations in various legislatures and generating requirements to the core system development team.

1987 – 1996 Logica CMG

Aug 1994 – 1996 Programme Manager / Programme Director

Alan held a commercial position reporting to the divisional director controlling and monitoring risk projects and programmes. In this time he was appointed director to review and rescue a number of programmes perceived as being at risk including "Pacific", a real-time trading system, and "Cascade", an operational management system for the Securities Institute.

1993 – Aug 1994 Project Director SCTV

Alan was programme director representing a consortium of three companies for a system for CNES for the radar tracking and determination of the safety of Ariane 5 launch trajectories in the planning and launch phases, also for mission preparation and post-launch analysis. Responsibilities encompassed the representation of the consortium to the customer and the management of the consortium partners as prime contractor. Alan also managed the Logica development team who were producing the real time display systems. Project involved safety of human life criticality. The working language of this project was French, as were the other consortium partners.

Sept 1991 to Oct 1993 - Project Manager Turksat Satellite Control Centre.

Programme manager for the implementation of the satellite control centre for the Turkish PTT (Turksat). Alan was responsible for system integrity, software quality assurance, subcontractor management, prime contract, project planning, financial performance etc. Completion on site was in time and within budget.

1990 to Sept 1991: - Project Manager VSC 501 UK ground communications

Project manager for the turnkey implementation of the terrestrial communications element of a strategic mobile satellite communications system for the UK MoD, interfacing to military LAN and WAN secure systems. Controlled six subcontractors and, as technical architect, performed overall system engineering. Prior to this, various assignments as systems engineer and site manager for other Logica projects.

1984 to 1986 DCC Ltd (Hughes Aerospace). Principal Engineer and Section Leader

Design and development of high speed satellite communication systems and devices. Largely based in Maryland and San Diego, USA.

Marconi Communication Systems (1976 - 1984):- Principal Engineer

Various roles in satellite communication systems hardware and software design involving systems integration and on-site implementation in international locations in the Middle East and the Far East.