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Bruce Strombom is an expert in applied microeconomics, finance, and quantitative and statistical analysis. He provides assistance to attorneys in all phases of pretrial and trial practice, prepares economic and financial models, and provides expert testimony in litigation and public policy matters. Dr. Strombom has conducted assessments of class certification, liability, and damages issues in cases involving antitrust, breach of contract, ERISA, false advertising, intellectual property, labor and employment, product liability, securities, and general commercial disputes.

Prior to joining Analysis Group, Dr. Strombom was Executive Vice President of a middle-market merger and acquisition firm, where he managed a financial and market research organization that provided valuation and consulting services to over 500 privately held companies annually. Previously, he was Consulting Manager at Price Waterhouse, where he provided litigation support and value enhancement consulting services, and Senior Financial Analyst at the Tribune Company, where he evaluated capital projects and acquisition candidates. Dr. Strombom holds a Ph.D. in economics from the University of California, Irvine, and a B.A. in economics from San Jose State University.

EDUCATION

Ph.D. Economics, University of California, Irvine
Fields: Finance and Industrial Organization
Thesis: Switching Cost, Price Sensitivity and Health Plan Choice

B.A. Economics, San Jose State University, San Jose, CA

PROFESSIONAL EXPERIENCE

2004 – Present Managing Principal, Analysis Group, Inc., Los Angeles, CA

1993 – 2004 Senior Associate and Vice President, Analysis Group, Inc., Los Angeles, CA

1992 Regional General Manager, Prodata, Inc., Sacramento, CA

1985 – 1991 Executive Vice President, Geneva Business Research Corp., Irvine, CA

1983 – 1985 Manager of Consulting Services, Price Waterhouse, Newport Beach, CA

1981 – 1983 Senior Financial Analyst, Tribune Newspapers West, Woodland Hills, CA

SELECT CASE ASSIGNMENTS

General Commercial Litigation

- **Stanley F. Frompovicz, et al. v. Niagara Bottling, LLC, et al.**
United States District Court, Eastern District of Pennsylvania
Examine economic issues related to class certification and determine whether economic impact and damages to spring water extractors and bottlers from the alleged mislabeling of spring water can be determined on a classwide basis (expert report and deposition).
- **Debbie Krommenhock, et al. v. Post Foods LLC**
United States District Court, Northern District of California
Assess the reliability of plaintiffs' proposed methods of calculating class-wide damages in this matter involving alleged misleading health-related claims on boxes of Post cereal (expert reports and deposition).
- **Joesph Lack, et al v. Mizuho Bank and Mark Karpeles**
United States District Court, Central District of California, Southern Division
Evaluate economic issues related to class certification in this matter involving the bankruptcy of the bitcoin exchange Mt. Gox (expert report).
- **Denis Marc Audet, et al. v. Stuart A. Fraser, et al.**
United States District Court, District of Connecticut
Review economic evidence related to class certification in this matter involving the sale of virtual currency mining equipment and cloud-hosted mining and the initial coin offering of the cryptocurrency Paycoin (expert report and deposition).
- **Iconlab Inc., et al. v. Valeant Pharmaceuticals International, Inc., et al.**
United States District Court, Central District of California, Southern Division
Evaluate lost profits and unjust enrichment in this matter involving alleged misappropriation of trade secrets related to the sale of intraocular lenses in Turkey and India (expert report and deposition).
- **Gregory Greene, et al. v. Mizuho Bank and Mark Karpeles**
United States District Court, Northern District of Illinois, Eastern Division
Evaluate economic issues related to class certification in this matter involving the bankruptcy of the bitcoin exchange Mt. Gox (expert report and deposition).
- **New World TMT Limited v. Wang Wei, et al.**
High Court of the Republic of Singapore
Project defendant's net cash balance as of June 30, 2017 that is traceable to funds misappropriated from plaintiff from April 2000 to December 2006 (expert report).
- **United States of America, ex rel. Bruce Jacobs v. Bank of America, et al.**
United States District Court, Southern District of Florida
Assess whether calculations performed by plaintiff's expert provide a reliable estimate of damages from allegedly false claims for FHA insurance recoveries (expert report).

- **Strategic Partners, Inc. v. Vestagen Protective Technologies, Inc.**
United States District Court, Central District of California - Western Division
Evaluate damages from alleged false advertising under the Lanham Act and unfair business practices in the market for protective medical garments (expert report, deposition and testimony at trial).
- **Carlos McClatchy v. Gary B. Pruitt, et al.**
Superior Court of the State of California, City and County of San Francisco
Calculate damages to a trust beneficiary from the alleged failure to properly diversify the trust's holdings (deposition and testimony at trial).
- **Benjamin Michael Merryman, et al. v. Citigroup, Inc., et al.**
United States District Court, Southern District of New York
Evaluate the feasibility of calculating damages on a class-wide basis and rebut plaintiffs' damages calculation in this case involving foreign exchange transactions associated with American Depository Receipts (ADRs) (expert declaration and deposition).
- **Ronald McAllister, et al. v. The St. Louis Rams, LLC**
United States District Court, Eastern District of Missouri, Eastern Division
Identify data related to personal seat licenses available to the Rams and evaluate whether those data are suitable for identifying members of the proposed classes, establishing liability and calculating damages on a class-wide basis without individualized inquiry (expert report and deposition).
- **James J. Cotter, et al. v. Margaret Cotter, et al. and Reading International, Inc.**
District Court, Clark County, Nevada
Evaluate plaintiffs' damages analysis in this shareholder derivative action and address issues of loss causation (expert report and deposition).
- **CoreLogic, Inc. v. First American Financial Corp.**
JAMS Arbitration
Rebut Plaintiff's damages analysis in this matter involving alleged breach of contract and misappropriation of trade secrets (deposition and testimony at arbitration).
- **Maricopa County v. Office Depot, Inc.**
United States District Court, District of Arizona
Calculate damages from the alleged failure to comply with the terms of a contract that guaranteed the plaintiff the lowest prices offered by the defendant (expert report and deposition).
- **Alex Ang, et al. v. Bimbo Bakeries USA, Inc.**
United States District Court, Northern District of California
Evaluate proposed regression-based methods of determining harm to consumers and calculating damages resulting from allegedly false and misleading claims appearing on the labels of bread and other baked goods (declaration).
- **Patrick Hendricks, et al. v. Starkist Co.**
United States District Court, Northern District of California
Assess whether members of a putative class can be ascertained and whether the proposed method for calculating harm to consumers from underweight products can be applied on a common, class-wide basis (declaration and deposition).

- **David Helmer, et al. v. The Goodyear Tire & Rubber Co.**
United States District Court, District of Colorado
Assess the typicality of class representatives and numerosity of potential class members in this matter related to the manufacturing and distribution of allegedly defect hose used in hydronic heating systems (expert report and testimony at hearing).
- **Big 5 Sporting Goods Song-Beverly Cases**
Superior Court of California, County of Los Angeles
Estimate the value of certain ZIP code information collected from customers who made credit card purchases (expert report).
- **UMG Recordings, Inc. v. NBC Universal, Inc., et al.**
Superior Court of California, County of Los Angeles
Evaluate the reliability and adequacy of data provided by plaintiffs to calculate damages from the destruction of over 100,000 original master audio recordings in a warehouse fire (deposition).
- **Hansen Beverage Company v. Vital Pharmaceuticals, Inc.**
United States District Court, Southern District of California
Evaluate damages under the Lanham Act from alleged false advertising in the energy drink and energy shot markets (expert report and deposition).
- **Emily Diaz v. First American Home Buyers Protection Corporation**
United States District Court, Southern District of California
Evaluate class certification issues including plaintiff's proposed method of calculating economic damages suffered by members of the putative class using a common method of proof (expert report and deposition).
- **State Pipe and Supply, Inc. v. Coutinho & Ferrostal Inc.**
United States District Court, Central District of California
Calculate damages (a) to the plaintiff from the failure of a steel pipe supplier to deliver products as contracted and (b) to the defendant under a counter-claim assuming proper mitigation (expert report).
- **Classic Concepts v. Linen Source, Inc.**
United States District Court, Central District of California
Estimate damages related to a claim of copyright infringement (expert report and testimony at trial).
- **City of Los Angeles**
Consent Decree with U.S. Department of Justice
Evaluate claims of racial profiling by LAPD officers using advanced statistical techniques and data on motor vehicle and pedestrian stops (expert report).
- **In re: FedEx Ground Package System, Inc., Employment Practices Litigation**
United States District Court, Northern District of Indiana
In this case involving the alleged misclassification of drivers as independent contractors, led case team supporting two academic affiliates who analyzed the functions performed by FedEx drivers, the economic relationships between FedEx, the drivers and customers of FedEx, and transactions involving the sale of routes by drivers.

- **Memory Card International v. Fry’s Electronics, Inc., et al.**
California Superior Court, County of Orange
Estimate damages caused by alleged misappropriation of trade secrets related to computer memory devices (expert report).
- **New World TMT, Ltd. v. PrediWave Corp., et al.**
Superior Court of California, County of Santa Clara
Evaluate prices of SDRAM chips and calculate damages from investments, purchases and advances made by New World when a cable television venture in China failed (expert report and deposition).
- **Rajashree Karwa v. Madison Tyler Holdings, LLC**
Arbitration before JAMS
Rebut damages claimed by plaintiff related to her termination and removal as a management member of Madison Tyler Holdings without sufficient cause (expert report and deposition).
- **Mark Ford, et al. v. Bimbo Bakeries USA, Inc., et al.**
Superior Court of California, County of Los Angeles
Estimate damages suffered by independent distributors in a contract dispute with a large commercial bakery (deposition).
- **Fredrick W. Penney, et al. v. CLC, Inc.**
Arbitration before JAMS
Estimate damages suffered by law firms from failure of a prepaid legal services plan to refer members to contracted legal network (deposition and testimony at arbitration).
- **Independent Association of Mailbox Center Owners, Inc., et al. v. Mail Boxes Etc. USA, Inc.**
Superior Court of California, County of San Diego
- **O’Cubed Technology, Inc., et al. v. Mail Boxes Etc., Inc.**
Arbitration Before JAMS
- **Anything Goes, LLC, et al. v. Mail Boxes Etc. USA, Inc.**
Superior Court of California, County of Los Angeles
- **Catherine Thomas, et al. v. Mail Boxes Etc. USA, Inc.**
Arbitration before the American Arbitration Association
- **Morgate LLC, et al. v. Mail Boxes Etc., Inc.**
Superior Court of California, County of Los Angeles
Case team leader supporting multiple experts in this series of cases brought by franchisees related to the acquisition of franchisor Mail Boxes Etc. USA, Inc. by United Parcel Service, Inc. and conversion of Mail Boxes Etc. stores to The UPS Stores.
- **Jason Brett, et al. v. The Walt Disney Company, et al.**
Superior Court of California, County of Los Angeles
Led a case team that gathered information from both electronic and paper sources, interviewed staff members, and created a comprehensive database covering over 8,300 television writers and analyzed the data for evidence of age discrimination.
- **In re Quanex Corporation and Affiliated Subsidiaries**
United States Tax Court
Assess the economic substance and business purpose of a transaction establishing a special purpose subsidiary (expert report and testimony at trial).

- **Impact Management Consulting v. National Scrip Center**
Arbitration before JAMS
Estimate lost profits from the breach of an exclusive marketing agreement (expert report).
- **Larry Plancich v. United Parcel Service, Inc.**
Superior Court of California, County of San Bernardino (testimony at trial)
- **Ben Lopez v. United Parcel Service, Inc.**
United States District Court, Northern District of California (declaration)
- **Daniel Kline v. United Parcel Service, Inc.**
United States District Court, Northern District of California (declaration)
- **Gerald Shoemaker v. United Parcel Service, Inc.**
United States District Court, District of Idaho (declaration)
Analyze time records to determine whether the FLSA Motor Carrier Exemption applied in these wage and hour matters.
- **Microsoft Corp. – Private Antitrust Litigations**
Consulting support to counsel related to potential overcharges from anticompetitive conduct in markets for PC operating system and application software. Estimated damages exposure in an antitrust action brought by Netscape for alleged anticompetitive conduct in the market for internet browsers.
- **Robert Kahn v. Financial Management Advisors, Inc.**
Arbitration before JAMS
Evaluate the equivalence of shares in an S-corporation with membership units in a majority owned subsidiary limited liability corporation (expert report and testimony at arbitration).
- **Janice Millius, et al. v. Los Angeles Unified School District**
Superior Court of California, County of Los Angeles
In this case seeking recovery of unpaid wages and benefits, calculated the difference in cost between bus service provided by district employees and service provided by independent third party vendors (expert report).
- **Kan Di Ki, Inc. v. Timothy B. Ferrigan, et al.**
Superior Court of California, County of Fresno
Estimate damages from breach of a non-solicitation agreement associated with the sale of a mobile radiology company (expert report and deposition).
- **Gary M. Kawesch, M.D. Inc. v. Antione L. Garabet, M.D., Inc., et al.**
United States District Court, Northern District of California
Estimate damages resulting from trademark/trade dress infringement by a laser eye surgery provider (expert reports).
- **Consumer Justice Center, et al. v. Brother Industries, Inc., et al.**
Superior Court of California, County of Orange
Case team leader supporting an academic affiliate in developing, implementing and analyzing a consumer survey to determine whether product advertising misled consumers about product features.

- **Western Filter Corporation v. Vickers Inc.**
United States District Court, Central District of California
Assess damages resulting from the breach of an alliance agreement involving the sales and marketing of industrial hydraulic equipment (expert report and testimony at arbitration).
- **SEC v. Henry Yuen, et al.**
United States District Court, Central District of California, Western Division
Provide consulting support on liability issues related to revenue recognition and market acceptance of a new interactive programming guide offered by Gemstar-T.V. Guide International.

ERISA

- **Melissa Haley, et al. v. Teachers Insurance and Annuity Association**
United States District Court, Southern District of New York
Evaluate whether members of a proposed class can be ascertained and various economic questions can be answered on a class-wide basis using common evidence (expert report).
- **Kevin Moitoso, et al. v. FMR LLC, et al.**
United States District Court, District of Massachusetts
Evaluate whether a defined contribution retirement plan and its members incurred economic losses attributable to alleged breaches of fiduciary duty under ERISA (expert reports, declarations and deposition).
- **Theresa Brown, et al. v. Nationwide Life Insurance Company, et al.**
United States District Court, Southern District of Ohio Eastern Division at Columbus
Assess, from an economic perspective, whether claims that Nationwide charged unreasonable asset-based fees for the provision of recordkeeping and other administrative service can be evaluated on a class-wide basis (expert report and deposition).
- **Steve Wildman, et al. v. American Century Services, LLC, et al.**
United States District Court, Western District of Missouri
In this ERISA class action involving claims that a 401(k) plan sponsor breached fiduciary duties, plan fees were excessive and investment options were imprudent, evaluate whether liability and damages can be determined on a class-wide basis without individualized inquiry and evaluate plaintiffs' damages estimate (expert reports, deposition and testimony at trial).
- **Jaclyn Santomenno, et al. v. Transamerica Life Insurance Company, et al.**
United States District Court, Central District of California
In this case involving claims that fees charged by an ERISA retirement plan service provider were excessive, evaluate whether questions related to liability and damages can be addressed on a class-wide basis without individualized inquiry and calculate damages (expert reports and deposition).
- **Beverly Kanawi, et al. v. Bechtel Corporation**
United States District Court, Central District of California
Case team leader in rebutting analyses of seven opposing experts in ERISA case involving claims that 401(k) plan sponsor breached fiduciary duties, plan fees were excessive and investment options were imprudent.

- **Joan Ned-Sthran v. Methodist Hospitals of Dallas, et al.**
United States District Court, Northern District of Texas
Evaluate claims of breach of fiduciary duty and damages in ERISA case involving alleged excessive charges for employees' share of health insurance premiums (expert report).
- **Penske Logistics, LLC, et al. v. Freight Drivers and Helpers Local No. 557 Pension Fund**
Before Arbitrator Ira F. Jaffe
Evaluate economic issues related to the alleged evasion and avoidance of an unfunded pension liability under ERISA (expert report, deposition and testimony at arbitration).

Health Care and Health Insurance

- **In re Glumetza Antitrust Litigation**
United States District Court, Northern District of California
Evaluate whether antitrust injury to each putative class member can be proven with common evidence and whether the proposed method for calculating aggregate overcharges through common evidence is reliable (expert report).
- **In re Zetia (Ezetimibe) Antitrust Litigation**
United States District Court, Eastern District of Virginia, Norfolk Division
Examine economic issues related to the certification of a class of direct purchasers (expert report and deposition).
- **Camille Cabrera, et al. v. Bayer Healthcare LLC and Bayer Corporation**
United States District Court, Central District of California
Evaluate whether data on transaction prices and volumes support claims of a price premium associated with an allegedly false label claim and whether the proposed methodology can be used to calculate damages on a classwide basis (expert reports and deposition).
- **The Hospital Authority of Metropolitan Government of Nashville and Davidson County Tennessee, et al. v. Momenta Pharmaceuticals, Inc., et al.**
United States District Court, Middle District of Tennessee, Nashville Division
Evaluate the proposed method of calculating class-wide damages to end-payors from the alleged manipulation of the generic approval process and resulting delay of generic entry and determine to what extent increased prices at the manufacturer level impact prices paid by end-payors (expert report and deposition).
- **In re Loestrin 24 FE Antitrust Litigation**
United States District Court, District of Rhode Island
Evaluate availability of an administratively feasible method for ascertaining the members of a proposed end-payor class and the economic role of PBMs in retail prescription drug transactions (expert report, deposition and testimony at hearing).
- **In re Asacol Antitrust Litigation**
United States District Court, District of Massachusetts
Evaluate economic issues related to the ascertainability of the class and evidence that defendant's actions caused class-wide harm and evaluate plaintiffs' damages claims (expert report and deposition).

- **Francis Fenwick, et al. v. Ranbaxy Pharmaceuticals, et al.**
United States District Court, District of New Jersey
Evaluate plaintiffs' proposed methodology for identifying class members and calculating damages on a class-wide basis to consumers who purchased generic atorvastatin that may have contained a foreign material (expert report and deposition).
- **In re Wellbutrin XL Antitrust Litigation**
United States District Court, Eastern District of Pennsylvania
Evaluate the ascertainability of members of a class of indirect purchasers given risk-sharing arrangements in the distribution of pharmaceuticals and the “pass-on” of health care costs by health plans in the form of higher premiums (expert reports and deposition).
- **New Mexico Oncology and Hematology Consultants v. Presbyterian Healthcare Services, et al.**
United States District Court, District of New Mexico
Evaluate damages to a medical specialty group from alleged unlawful maintenance of monopoly power in the markets for private health insurance and inpatient services and attempted monopolization of the market for a speciality medical service by an integrated health insurer and provider organization (expert reports and depositions).
- **Lake Travis Transitional LTCH, LLC v. Lakeway Regional Medical Center, LLC, et al.**
The District Court of Travis County, Texas, 345th Judicial District
Review and evaluate cash flow projections for a start-up long-term care hospital and assess the reasonableness of estimated lost profit damages (deposition and testimony at trial).
- **Mylan Pharmaceuticals, Inc., et al. v. Warner Chilcott Public Limited Company, et al.**
United States District Court, Eastern District of Pennsylvania
Evaluate the relevance of “pass-on” issues to the damages claimed by indirect purchasers of an oral antibacterial drug (expert reports and deposition).
- **WellSpan Health, et al. v. Quantum Imaging and Therapeutic Associates, Inc.**
Court of Common Pleas of York County, Pennsylvania
Calculate damages from the alleged breach of noncompete provisions of employment contracts and unfair competition related to provision of radiology and radiation oncology services (expert report).
- **Allegheny General Hospital v. UPMC Health Plan, Inc.**
Court of Common Pleas of Allegheny County, Pennsylvania
Evaluate methods of calculating “actual costs” incurred by a hospital in providing emergency and other medical services to health plan enrollees (declaration, expert report and deposition).
- **Beverly Clark, et al. v. The Prudential Insurance Company of America**
United States District Court, District of New Jersey
Evaluate whether the existence and extent of damages to members of the proposed class due to the closure of a block of health insurance business can be determined using a common method of proof without individual inquiry (declaration, expert report and deposition).
- **Neurosurgical Specialties of Nepa, Inc., et al. v. Wyoming Valley Health Care System, Inc.**
Court of Common Pleas of Luzerne County, Pennsylvania
Calculate damages from the alleged breach of contract for neurosurgery services between a medical practice and a hospital (expert report).

- **Capital Funding Group, Inc. v. Credit Suisse Securities LLC, et al.**
Circuit Court for Montgomery County, Maryland (expert report, deposition and testimony at trial)
- **Leonard Grunstein et al. v. Ronald E. Silva, et al.**
Court of Chancery of the State of Delaware (expert report and deposition)
Evaluate whether defendants used plaintiffs' proprietary information related to HUD-insured refinancing of commercial mortgage backed securities (CMBS) issued in the acquisition of assisted living facilities throughout the U.S.
- **California State Auditor**
Several assignments including review of the financial status and future prospects of the Los Angeles County Department of Health Services and review of a decision by CalPERS to limit the hospital network available to health plan enrollees.
- **Nevada Attorney General - Health Plan Merger**
Retained by Nevada State Attorney General to prepare an expert report and testify concerning market definition and the impact of a proposed health plan merger on competition in health insurance markets. Evaluate possible monopsony power in the market for physician services.
- **In re Managed Care**
United States District Court, Southern District of Florida
Provide expert support to a large commercial health plan in a dispute involving claims adjudication practices, including the use of automated claims review and editing software, and prepare detailed analyses of over 100 million fee-for-service claims.
- **Oncure Medical Corporation v. Mission Hospital Regional Medical Center**
Superior Court of California, County of Orange
Estimate damages suffered by a radiation therapy provider from the breach of a non-compete agreement and provide assistance in mediation.
- **Unilab Corporation v. Westcliff Medical Laboratories**
California Superior Court, County of Los Angeles
Estimate damages associated with the acquisition of a medical testing laboratory.
- **Health Net, Inc. v. State Department of Health Services, et al.**
Superior Court of California, County of Sacramento
Estimate damages suffered by Health Net from the State's failure to properly allocate MediCal managed care enrollees to the health plan (deposition).
- **John Muir Medical Center v. Health Net, Inc.**
Arbitration before JAMS
Evaluate whether inflation in hospital charges exceeded the amount allowed in a provider services contract (deposition).
- **Sutter Health v. Health Net, Inc.**
American Arbitration Association
Assess the reasonableness of a hospital's billed charges during contract negotiations with a health plan (expert report and testimony at arbitration).

- **Cost Shifting in Hospital Services**
For a consortium of community hospitals, compare hospital reimbursement rates paid by government payers (Medicare, Medicaid and County Indigent Programs) with those paid by commercial health plans and estimate the impact of “cost shifting” on health plan premiums and enrollment.
- **Wichita Clinic, P.A., v. Columbia/HCA Healthcare Corporation**
United States District Court, District of Kansas
Support academic affiliate in economic analysis and evaluation of the alleged monopolization of hospital services market.
- **Vitascan Partners v. G.E. Healthcare Financial Services**
Superior Court of California, County of Santa Barbara
Evaluate claims that poor performance of EBT scanners caused the failure of plaintiffs’ business and estimate damages (deposition and testimony at trial).
- **The Commissioner of Corporations of the State of California v. Western Dental Services, Inc.**
California Superior Court, County of Orange
Support academic affiliate in evaluating the statistical sampling methodology used by the Department of Corporations to assess the quality of dental services.
- **MedImmune, Inc., v. Centocor, Inc., et al.**
United States District Court, District of Maryland
Support an academic affiliate in evaluating whether the monoclonal antibody product, Synagis, was commercially successful and whether the patented technology at issue contributed to that success.

Valuation

- **Dikla Gavrieli v. Kfir Gavrieli**
Superior Court of the State of California, County of Los Angeles
Determine the value of a digital native vertical retailer at various dates and rebut plaintiff’s damages calculation (depositions and testimony at trial).
- **In re September 11 Litigation**
United States District Court, Southern District of New York
Led a case team that supported academic affiliate in estimating the value of the 99-year master leasehold interests held by Silverstein Properties and calculating damages from destruction of World Trade Center Towers One, Two, Four, Five and Seven on 9/11.
- **Center Partners, Ltd., et al. v. Urban Shopping Centers, L.P, et al.**
Circuit Court Cook County, Illinois
Value a minority interest with complex allocation and option provisions in a multi-billion dollar limited partnership with investments in regional shopping malls.
- **Gary Pudles v. William Robertshaw, et al.**
California Superior Court, County of Orange
Value a controlling interest in a software company providing communications, business process automation and performance management applications to businesses (deposition).

- **Sunset Drive Corporation v. City of Redlands**
United States District Court, Central District of California
Prepare financial projections, value a low- to moderate-income residential development and estimate damages suffered by a developer when defendant blocked construction (expert report and deposition).
- **MVU Investors LLC v. General Electric Corporation**
United States District Court, Central District of California
Estimate value and calculate damages from the alleged breach of an agreement to purchase a patent portfolio involving MRI technology (expert report).
- **Equipoint Financial Network, Inc. v. Bruce Barnes, et al.**
California Superior Court, County of San Diego
Review and critique defendants' valuation report and estimate the fair market value of a minority interest in an originator of FHA Home Equity Conversion (reverse) Mortgages (expert report).
- **SOC-SMG Inc. v. Day & Zimmermann, Inc.**
Arbitration before JAMS
Value two merging businesses and calculate the amount of overpayment in a joint venture transaction caused by misrepresentations and non-disclosure of material adverse events related to procurement of military contracts (expert report and testimony at arbitration).
- **Conrad P. Lee Company, et al. v. EPS Solutions Corp., et al.**
Arbitration before JAMS
Estimate the fair market value of five privately held companies, evaluate factors leading to the failure of a professional services firm and estimate damages resulting from non-disclosures in a roll-up transaction (expert reports, deposition and testimony at arbitration).
- **David Salomon v. Michael Gould, et al.**
Arbitration before JAMS
Review two competing valuations of a securities trading firm engaged in arbitrage in exchange-listed equities, fixed-income products and derivatives using proprietary algorithms and electronic trade execution software (deposition and testimony at arbitration).
- **Horowitz Limited Partnership I v. Deloitte and Touche, et al.**
American Arbitration Association (expert report and testimony at arbitration);
- **James Holden and Christine Holden v. Deloitte and Touche, et al.**
American Arbitration Association (expert reports, deposition and testimony at arbitration); and
- **Victor Arias, et al. v. Deloitte and Touche, et al.**
American Arbitration Association (expert reports, deposition and testimony at arbitration)
Value eight privately held companies, assess loss causation issues and estimate damages resulting from non-disclosures in a roll-up transaction involving over thirty professional service companies.
- **Peter Vagenas, et al. v. Demetrios Kefallinos, et al.**
Arbitration before ADR Services, Inc.
Value a fast-food restaurant chain, rebut plaintiffs' damages analysis and estimate damages from alleged infringement of trademark/trade dress (deposition and testimony at arbitration).

- **Marshall Hospital v. Eliot R. Drell, M.D., et al.**
Arbitration before JAMS
Estimate the fair market value of an Ambulatory Surgery Center and calculate lost profits from termination of a joint venture between a hospital and medical group (deposition and testimony at arbitration).
- **Chinyun Kim v. The Grover Coors Trust, et al.**
District Court, Jefferson County, Colorado
Provide analytic support to an academic affiliate in the valuation of convertible preferred stock in a financial distressed packaging materials manufacturer.
- **California State Auditor**
At the request of the State Legislature, evaluate the merger of UCSF Medical Center and Stanford Health Services to determine the benefits of integration and assess the relative value of assets contributed by the two organizations.
- **Pacific Coin Management v. BR Telephony Partners, et al.**
California Superior Court, County of Los Angeles
Estimate damages suffered by the buyer of a pay telephone company from the seller's failure to disclose information allegedly pertinent to the value of the company (expert report, deposition and testimony at trial).
- **Bell and Associates, Inc. v. Fidelity National Information Solutions, Inc., et al.**
Superior Court of California, County of Orange
Value a start-up internet-based business enterprise and estimate damages caused by the alleged breach of a joint venture agreement (expert report and deposition).
- **Gray v. ODS Technology, LP, et al.**
United States District Court, Southern District of Florida
Value an option to acquire an equity interest in an internet gaming enterprise.
- **In re the Marriage of Downey**
California Superior Court, County of Orange
Value a manufacturer of commercial and general aviation aircraft cabin interior products (expert report and deposition).
- **California Food Plan, Inc. v. Robert Size, et al.**
California Superior Court, County of Orange
Value a direct marketing food retailer and analyze alleged excess compensation under a consulting agreement (expert report and deposition).

Real Estate and Mortgage Lending

- **AMBAC Assurance Corporation, et al v. Nomura Credit & Capital, Inc., et al**
Supreme Court of the State of New York, County of New York
Evaluate damages caused by alleged defective loans originated by the defendant and included in two residential mortgage backed securitizations insured by the plaintiff (expert report).

- **Panagiotis Mallios v. Bank of America, NA, et al.**
District Court, Clark County, Nevada
Estimate damages to borrower when defendant declined to modify residential mortgages and foreclosed (expert report and testimony at trial).
- **Confidential Assignment – Residential Mortgage Portfolio Valuation**
Value a multi-billion dollar portfolio of first and second lien residential mortgages for tax purposes.
- **Lionel Lima, Jr., et al. v. Deutsche Bank National Trust Company, et al.**
United States District Court, District of Hawaii (expert report and declaration)
- **Evelyn Jane Gibo, et al. v. U.S. Bank National Association, et al.**
United States District Court, District of Hawaii (expert report and declaration)
- **Nancy L. Manchester, et al. v. U.S. Bank National Association, et al.**
Circuit Court of the First Circuit, State of Hawaii (expert report)
In this series of related class actions, evaluate the nature and extent of class-wide injuries arising from foreclosure sales of residential real estate.
- **In Re: RFC and ResCap Liquidating Trust Litigation**
United States District Court, District of Minnesota
Case team leader supporting multiple academic and mortgage industry experts in addressing issues including statistical sampling methods, mortgage origination standards and practices, loss causation and damages arising from the settlement of RMBS trust and monoline claims in the bankruptcy of RFC.
- **Old Republic Insurance Company v. The Bank of New York Mellon, et al.**
Circuit Court of Cook County, Illinois, County Department, Chancery Division
Case team leader supporting multiple academic and mortgage industry experts in addressing residential real estate and mortgage industry conditions, underwriting standards and practices and whether alleged misrepresentations had a statistically significant impact on loan performance.
- **Carmel Development Company v. Monterra Ranch Properties, LLC, et al.**
Superior Court of California, County of Monterey
Analyze financial and other records related to a failed residential real estate development and evaluate the amounts properly claimed under mechanics' liens (expert report, deposition and testimony at trial).
- **Bank of America, N.A. v. Old Republic Insurance Company**
United States District Court, Western District of North Carolina
Case team leader supporting academic affiliate in evaluating developments in the residential real estate and mortgage markets prior to, and during, the Great Recession and the impact of those developments on loan performance and mortgage market participants including mortgage insurers.
- **Conley D. Wolfswinkel, et al. v. Joseph Arpaio, et al.**
United States District Court, District of Arizona
Estimate damages resulting from inability to restructure real estate loans as a result of disruption to plaintiffs' business caused by illegal execution of a search warrant and seizure of company property (expert report and deposition).

- **Eagle Real Estate Group, LLC, et al. v. Kenneth R. Melton, et al.**
Superior Court of California, County of Orange
Support academic affiliate in the valuation of multifamily residential properties and estimation of damages resulting from breach of a partnership agreement.
- **Countrywide Financial Corporation, et al. v. Republic Mortgage Insurance Company, et al.**
American Arbitration Association
Case team leader supporting academic affiliate in addressing statistical sampling and inferences concerning mortgage underwriting practices and quality control procedures.
- **Confidential Assignment – Residential Mortgage Underwriting Standards**
Evaluate the impact on minority borrowers of changes to underwriting standards of a large residential mortgage lender that were motivated by falling residential real estate values and present findings to HUD.
- **Bank of America, N.A. v Republic Mortgage Insurance Company, et al.**
American Arbitration Association
Case team leader supporting academic affiliate in evaluating risk management practices in mortgage lending and securitization and describing of factors that contributed to home price appreciation in the early to mid-2000s and the collapse that followed.
- **EMC Mortgage Corporation v. Ameriquest Mortgage Corporation**
District Court of Denton County, Texas 16th Judicial District
Support academic affiliate in preparing expert report analyzing how trends in residential real estate prices, loan repurchase obligations and developments in the securities markets interacted to force the closure of many subprime lenders.
- **First American Corporation**
Prepare expert reports and provide testimony before various state regulators concerning competition in markets for title insurance and real estate closing services, variation in real estate conveyance practices across markets and proposed changes in title insurance regulation.
- **Cecil Barret, Jr., et al. v. Option One Mortgage Corp., et al.**
United States District Court, District of Massachusetts
Led a case team supporting an academic affiliate in evaluating whether plaintiffs' statistical analyses showed a common mode of exercising discretion in loan pricing across brokers and a common disparate impact on minority borrowers.

Title Insurance

- **In The Matter of First American Title Insurance Company Market Conduct Examination**
Before the Indiana Commissioner of Insurance
Review and evaluate the methods of statistical sampling, extrapolation and calculation of alleged overcharges and premium tax underpayments used in the Department of Insurance's Market Conduct Examination (expert report, deposition and testimony at hearing).

- **Cynthia A. Patterson, et al. v. Fidelity National Title Insurance Company, et al.**
Court of Common Pleas of Allegheny County, Commonwealth of Pennsylvania, Civil Division
Assess the accuracy of certain data stored in Fidelity's database systems related to real estate transactions (expert report and deposition).
- **Sjobring v. First American Title Co.**
Superior Court of the State of California, County of Los Angeles
Assess the feasibility of using defendant's electronic data to prove, on a class-wide basis, whether charges exceeded rates filed with the California Department of Insurance (declaration and deposition).
- **Bruce Levine, et al. v. First American Title Insurance Co.,**
United States District Court, Eastern District of Pennsylvania
Review and evaluate plaintiffs' proposed method of identifying class members and calculating damages on a class-wide basis (expert report).
- **Miriam Haskins, et al. v. First American Title Insurance Company**
United States District Court, District of New Jersey
Evaluate the feasibility of identifying members of a proposed class using electronic data and calculating damages on a class-wide basis (expert report, deposition and testimony at hearing).
- **Patrick Kirk, et al. v. First American Title Insurance Company, et al.**
Superior Court of California, County of Los Angeles
Evaluate the level of filed rates and estimate the fair market value of various real estate settlement services (declaration, deposition and testimony at trial).
- **Denise P. Edwards, et al., v. The First American Corporation, et al.**
United States District Court, Central District of California
Estimate the values of various interests in title insurance agencies acquired by First American to determine if purchase prices exceeded fair market value and constituted kickbacks for referrals of title insurance business under RESPA (expert reports and deposition).
- **Anthony L. Slapikas, et al. v. First American Title Insurance Company**
United States District Court, Western District of Pennsylvania
Evaluate the feasibility of identifying on a class-wide basis individuals that were entitled to, but did not receive, either the Reissue Rate or the Refinance Rate based on electronic data maintained in defendant's data processing systems (declaration).
- **Campbell v. First American Title Insurance Company, Inc.**
United States District Court, District of Maine
Evaluate class certification issues and review the statistical sampling method used by plaintiffs' expert to estimate the frequency of overcharges for title insurance policies issued in refinance transactions (expert report).
- **Raffone, et al. v. First American Title Insurance Company, Inc.**
Circuit Court, Nassau County, Florida
Assess the feasibility of using the company's electronic data to determine whether consumers were entitled to, but did not receive, discounted prices on a class-wide basis (expert reports).

- **Daniel Perez, et al. v. First American Title Insurance Company, Inc.**

United States District Court, District of Arizona

Draw and evaluate a sample of title insurance policy files to determine the frequency of mispricing and assess whether damages can be calculated on a class-wide basis without individual inquiry (expert report and deposition).

Automotive

- **Barry Rebuk v. Ford Motor Company of Canada, et al.**

Ontario (Canada) Superior Court of Justice

Evaluate whether representations of fuel consumption ratings based on an older 2-cycle Testing Method resulted in overcharges for Ford vehicles sold in Canada (Expert Report).

- **Biljana Capic, et al. v. Ford Motor Company of Australia Limited**

Federal Court of Australia, District Registry: New South Wales

Evaluate the plaintiffs' method of calculating excess depreciation, diminution in value at the point of initial purchase and other harm resulting from allegedly defective transmission in certain Ford vehicles (expert reports and testimony at trial).

- **In re: FCA US LLC Monostable Electronic Gearshift Litigation**

United States District Court, Eastern District of Michigan, Southern Division

Analyze used car prices for evidence of diminution of value resulting from alleged defects in electronic gearshifts (expert reports and depositions).

- **Tom Kondash, et al. v. Kia Motors America and Kia Motors Corp.**

United States District Court, Southern District of Ohio

Evaluate the plaintiffs' proposed method of calculating class-wide damages resulting from alleged defects in panoramic sunroofs (expert report and deposition).

- **Billy Glenn, et al. v. Hyundai Motor America, et al.**

United States District Court, Central District of California

Evaluate the plaintiffs' proposed method of calculating class-wide damages and conduct a statistical analysis of the fracture rates of conventional and panoramic sunroofs (expert report and deposition).

- **Paul Butler, et al. v. Porsche Cars North America, Inc.**

United States District Court, Northern District of California

Assess whether a common methodology exists to measure the alleged diminution in the value of class vehicles had an allegedly defect been disclosed at the time of purchase (expert report).

- **Alfred Salas and Gloria Ortega v. Toyota Motor Sales, U.S.A. Inc.**

United States District Court, Central District of California

Evaluate plaintiffs' proposed Benefit of the Bargain Damages Methodology and determine if it provides a reliable method of calculating class-wide damages without individualized inquiry (expert report and deposition).

- **Galo Coba, et al. v. Ford Motor Company**

United States District Court, District of New Jersey

Assess whether used vehicle prices support the claim of diminution in the value of class vehicles as a result of allegedly defective fuel tanks (expert report and deposition).

- **In re General Motors OnStar Litigation**
United States District Court, Eastern District of Michigan
Assess whether common proof exists of injury to all members of the putative class and whether damages can be calculated on a class-wide basis without individual inquiry (expert report and deposition).
- **Margie Daniel, et al. v. Ford Motor Company**
United States District Court, Eastern District of California
Evaluate repair costs for fleet vehicles for evidence of excess tire wear and review prices of used car transactions for evidence of excess depreciation in the Ford Focus (expert report, deposition and testimony at trial).
- **Peter Diamond, et al. v. Porsche Cars North America, Inc.**
Circuit Court of the 11th Judicial Circuit, Miami-Dade County, Florida
Evaluate whether quantitative and statistical methods could be used to establish liability and loss causation in this case involving allegedly defective headlights in Porsche vehicles (deposition and testimony at hearing).
- **Johnette C. Alexander, et al. v. Kia Motors America, Inc., et al.**
Superior Court of California, County of Orange
Assess damages suffered by class members caused by alleged defective rear seat belt systems in the Kia Sephia (deposition and testimony at trial).
- **Regina Little, et al. v. Kia Motors America, Inc., et al.**
Superior Court of New Jersey – Law Division Union County (expert report and testimony at trial);
- **Maria Santiago, et al. v. Kia Motors America, Inc., et al.**
Superior Court of California, County of Orange (deposition); and
- **Shamell Samuel-Bassett, et al. v. Kia Motors America, Inc., et al.**
Court of Common Pleas of Philadelphia County, Pennsylvania (expert report and testimony at trial)
Estimate excess depreciation of vehicle and other damages suffered by class members as the result of an allegedly defective braking system in the Kia Sephia in this series of cases in state courts.

SELECTED PAPERS AND PRESENTATIONS

“Product Liability Litigation Involving Pharmaceuticals and Medical Devices: How Has It Changed in the Big Data/Social Media Era?” Law and Economics Symposium, MIT Sloan, Samberg Center, May 6 2019, Cambridge, MA.

“Using Cash Flows Versus Accrual Net Income,” (co-author), *Calculation of Lost Profits Damages – Theory and Practice*, 1st ed., Everett and Kinrich, eds., Valuation Products and Services LLC, 2017.

“Competition in Title Insurance Markets Since the Great Recession,” presented at the National Conference of Insurance Legislators, Summer Meeting, July 11, 2013, Philadelphia, PA.

“Class Certification and Damages Theories: Consumers’ Valuation of Un-priced Product Attributes,” presented at a Webinar continuing legal education forum sponsored by Ballard Spahr, May 16, 2012.

“Statistical Analyses in Proactive Audits and Employment Litigation,” presented at a Webinar continuing legal education forum for attorneys sponsored by Analysis Group, Inc. May 20, 2009.

“The Subprime Mortgage Crisis and Disclosures: What Went Wrong?” presented at a Webinar continuing legal education forum for attorneys sponsored by Analysis Group, Inc., July 29, 2008

“The Subprime Mortgage Crisis and Disclosures: What Went Wrong?” presented at a continuing education forum for attorneys sponsored by Analysis Group, Inc., June 24, 2008, San Francisco, CA.

“Subprime Litigation: A Survival Guide,” presented at Institutional Investor Legal Forum Summer Roundtable, June 18, 2008, Santa Monica, CA.

“Subprime Lending Litigation,” Program Co-chair at a continuing education forum for attorneys sponsored by CLE International, May 8 and 9, 2008, Los Angeles, CA.

“Reductions in Force: Strategies to Minimize Litigation Risk in Downsizing,” presented at a continuing education forum for attorneys sponsored by K&L Gates, January 17, 2008, New York, NY.

“Investigation of Racial Profiling by the LAPD – Pedestrian and Motor Vehicle Post-Stop Data Analysis Report,” City of Los Angeles, July 2006.

“An Assessment of Competition in California Title Insurance and Escrow Markets,” with Bruce Stangle, report prepared for First American Title Insurance Company, August 30, 2006.

“Evaluation of Proposed Regulations for the California Title Insurance and Escrow Industry,” with Bruce Stangle, report prepared for First American Title Insurance Company, August 30, 2006.

“Competition and Title Insurance Rates in California,” with Bruce Stangle, report prepared for First American Title Insurance Company, January 23, 2006.

“Competition and Title Insurance Prices in California,” report and presentation to the National Association of Insurance Commissioners (NAIC), Title Insurance Working Group, June 2006, Washington DC.

“Switching Cost, Price Sensitivity and Health Plan Choice,” *Journal of Health Economics* 21, January 2002, p. 89-116.

“Risk Selection Caused by the Correlation of Health Status and Sensitivity to Price,” Research in Health Care Financial Management Symposium, August 2001, Best Research Paper Award.