MICHAEL CARSON
Vice President

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Mr. Carson specializes in applying economics and data analysis to complex business issues in litigation and non-litigation matters. He has provided consulting and expert support across a range of cases in litigation and arbitration, including health care litigation and government investigations, intellectual property (IP) disputes, and antitrust and competition matters. Mr. Carson's experience in health care litigation and government investigations has included evaluating liability and damages related to breaches of noncompete agreements involving major dialysis centers and pharmaceutical companies. He has also supported experts in quantifying damages and opining on industry custom and practice around important contract provisions in disputes between pharmaceutical companies in international arbitrations. He has also analyzed large health care transaction-level and claims databases. His IP experience has included patent damages analyses, licensing and royalty disputes, and trade secret litigation involving life sciences technologies such as oncology therapeutics, biologics, and cell and gene therapy platforms. Mr. Carson's antitrust and competition experience includes evaluating alleged reverse payment settlements and other transactions between brand and generic pharmaceutical companies. He has developed, administered, and analyzed surveys in trademark, IP, antitrust, consumer protection, and false advertising matters. His publications have focused on health economics issues such as modeling the budget impact of the market entry of prescription drugs.

EDUCATION

2018	M.B.A., NYU Stern School of Business
2012	B.S., economics and mathematics (*summa cum laude*), Northeastern University

PROFESSIONAL EXPERIENCE

2012–Present Analysis Group, Inc.
Vice President (2024–Present)
Manager (2021–2023)
Associate (2018–2020)
Part-Time Consultant (2016–2018)
Senior Analyst (2014–2016)
Analyst (2012–2014)

SELECTED LITIGATION CASE WORK

- ***ATP III GP, LTD v. Rigmora Biotech Investor One, et al.***
  Court of Chancery of the State of Delaware
  Supported a clinical and regulatory expert in a breach of contractual funding dispute involving multiple early-stage biotech companies. Assessed the scientific, clinical, regulatory, and commercial prospects of companies pursuing novel biologics, genomics, RNA-based therapeutics, AI-enabled drug discovery platforms, cell therapies, and oncology products.

- ***Lilly [Confidential Commercial Dispute]***
  International Court of Arbitration of the International Chamber of Commerce
  On behalf of Lilly, supported an expert who testified on proposed damages analyses and economic issues related to causality.

- ***DaVita Inc., et al. v. Associates in Nephrology, et al.***
  US District Court, Southern District of Georgia, Augusta Division
  Supported an expert in the development of a report and the evaluation of damages due to the alleged breach of a non-compete agreement involving a major dialysis center. Aided an expert in assessing the value of confidential information contained in a dialysis provider's policies and procedures.

- ***Memorial Sloan Kettering Cancer Center, et al. v. Juno Therapeutics***
  Supreme Court of the State of New York, County of New York
  Supported an expert in a breach of contract dispute involving CAR T-cell therapy technology. Evaluated scientific, clinical, and commercialization issues related to the development of an oncology product, including commercially reasonable efforts and clinical development strategy.

- ***Sorrento Therapeutics, Inc., et al. v. Anthony Mack, et al.***
  Court of Chancery of the State of Delaware
  Supported an expert in preparing a report and testimony on the substitutability of various pain relief drugs in a matter concerning the breach of a non-compete agreement involving pharmaceutical companies.

- ***Staley, et al. v. Gilead Sciences, Inc., et al.***
  US District Court, Northern District of California
  Supported an expert in preparing a report and testimony in a pharmaceutical reverse-payment matter involving HIV drugs. Topics included assessments of the prevalence of non-compete agreements in the pharmaceutical industry.

- ***In re: Opana ER Antitrust Litigation***
  US District Court, Northern District of Illinois
  Supported an expert in preparing a report and testimony in a pharmaceutical reverse-payment matter involving pain relief and Parkinson's disease drugs. Topics included analyses of whether efforts to develop a drug product were commercially reasonable.

- ***In re: Loestrin 24 FE Antitrust Litigation***
  US District Court, District of Rhode Island
  Supported an expert in preparing a report and testimony in a pharmaceutical reverse-payment matter involving oral contraceptives. Topics included evaluations of commercially reasonable license payments.

- ***Medtronic, Inc. and Consolidated Subsidiaries v. Commissioner of Internal Revenue***
  US Tax Court, Docket No. 6944-11
  Provided support to experts on behalf of Medtronic, Inc. in a transfer pricing dispute with the Internal Revenue Service (IRS) over the pricing of transactions between Medtronic's US and Puerto Rican entities.

SELECTED CONSULTING EXPERIENCE

Health Care Litigation and Government Investigations

- **Confidential biopharmaceutical commercialization dispute**
  Supported an industry expert in assessing the commercial and economic implications of a pharmaceutical licensing agreement involving a PD-1 immunotherapy. Evaluated commercialization strategies, competitive positioning, development decisions, and royalty-related issues associated with oncology therapeutics.

- **Litigation involving impact of changing reimbursement rates on dialysis clinics and patients**
  Supported a physician economist expert in analyzing the economic impacts of changes in reimbursement rates for end-stage renal disease treatment on dialysis clinics and patients.

- **Government investigations concerning prescription drug marketing practices**
  Used economic approaches to evaluate the alleged conduct (including kickbacks, off-label promotion, and False Claims Act violations). Quantified the relevant sales and assessed the causal connection, if any, between the allegations and the at-issue sales.

- **Support of pharmacy chains in strategic risk management for controlled substances**
  Helped develop and implement Suspicious Order Monitoring algorithms to mitigate the risk for pharmacy chains. Engineered real-time monitoring algorithms for the client to fulfill US Drug Enforcement Administration (DEA) regulations by monitoring the distribution of controlled substances for unusual size, frequency, or pattern.

Intellectual Property

- **Patent infringement litigation pertaining to haptic features in virtual reality systems**
  Supported an expert in evaluating reasonable royalty damages in a patent infringement matter involving haptic technologies incorporated into virtual reality systems. Analyzed comparable license agreements, commercialization contributions, and factors relevant to a hypothetical negotiation between the parties.

- **Confidential pharmaceutical licensing and co-development agreement dispute**
  Supported an industry expert in a dispute concerning the interpretation and application of a pharmaceutical licensing agreement. Analyzed industry custom and practice related to the sharing of development costs, commercialization responsibilities, financial risks, and economic returns between collaborating pharmaceutical companies.

- **Confidential trade secret misappropriation matter**
  Supported a drug development expert in evaluating the relative scientific, clinical, regulatory, and commercial value of a gene therapy product in a dispute involving alleged trade secret misappropriation. Assisted with the analysis of biotech assets, product development pathways, IP considerations, and competitive dynamics relevant to the development and commercialization of advanced genetic medicines.

- **Trade secret misappropriation litigation pertaining to health care algorithm software**
  Supported an expert in evaluating whether software code, technical documentation, and proprietary health care algorithm development materials constituted protectable trade secrets. Assisted in assessing the confidentiality, economic value, and competitive significance of the information at issue.

- **Patent infringement litigation pertaining to oncology drug product features**
  Supported an expert in the design, development, and analysis of a physician survey to assess oncologists' prescribing habits related to certain types of lung cancer drugs.

Transfer Pricing and Valuation

- **Evaluation of high-tech company's sales and marketing activities and intangible assets**
  Assisted expert in evaluating a high-tech company's sales and marketing activities, assessing the profitability of such activities and the useful economic lives of associated intangible assets.

- **Estimation of reasonable royalty for licensing of technology and know-how**
  Supported expert in development of report and testimony regarding the estimation of an arm's-length royalty for a wholly owned foreign subsidiary to pay its US parent for the licensing of technology and know-how associated with certain medical devices.

Antitrust and Competition

- **Litigation support in pharmaceutical class action lawsuits**
  Provided expert support in multiple reverse-payment settlement class action lawsuits. Evaluated the terms and structure of at-issue pharmaceutical alliance agreements and analyzed thousands of other real-world arm's-length agreements to identify potentially comparable agreements.

- **Government investigation of competition practices at Mexico City International Airport**
  Aided experts in the development of a white paper presented to the Mexican Competition Authority that framed issues related to the allocation of takeoff and landing slots at Mexico City International Airport, and addressed airline economics and features of hub-and-spoke competition/slot concentration.

Marketing, Consumer Behavior, and Survey

- **Class action involving probiotic dietary supplements**
  Supported a survey expert in the design and analysis of consumer surveys evaluating purchasing preferences, perceptions, and decision-making behavior related to probiotic dietary supplements.

- **False advertising litigation involving probiotic dietary supplements**
  Supported a survey expert in the design and analysis of false advertising surveys to test the impact of allegedly misleading claims in advertising for probiotic dietary supplements.

ARTICLES AND PUBLICATIONS

"Assessing Factors Behind Biosimilar Uptake And Competition," Darling P., Fournier A., Carson M.E., *Law360* (2026).

"Economic Considerations Related to Biosimilar Market Entry," Darling P., Fournier A., Carson M.E., *ABA Antitrust Law Section* (2024).

"Modeling the Potential Impact of Abuse-Deterrent Opioids on Medical Resource Utilization," Yenikomshian M., White A.G., Carson M.E., Jia Z.B., Mendoza M.R., Roland C.L., *Journal of Medical Economics* (2019).

"Projecting the Cost, Utilization, and Patient Care Impact of Prescribing Extended Release Non-Abuse-Deterrent Opioids to Chronic Pain Patients," White A.G., Yenikomshian M., Carson M.E., Garrison L.P., Oderda G., Biskupiak J.E., Hlavacek P., Roland C.L., *Value In Health* (2017).

"A Model to Quantify Potential Medical Events Avoided and Cost Savings from Abuse Deterrent Opioids," White A.G., Yenikomshian M., Carson M.E., Masters E., Roland C.L., *The Journal of Pain* (2016).

OTHER PRESENTATIONS

Panelist, "Expert Opinion or Opinion on Experts?," American Conference Institute's (ACI's) Forum on Pharma & Biotech Patent Litigation USA, October 2025.