

**THOMAS P. McGAHEE, PH.D.**

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Dr. McGahee specializes in economic analysis and damages quantification. He focuses on their application in complex commercial disputes and has experience in intellectual property, antitrust, breach of contract, data privacy, false advertising, and class certification matters. Dr. McGahee has filed expert reports on damages and economic issues and has testified at deposition, trial, and arbitration. He is experienced in the evaluation of lost profits, price erosion, reasonable royalty damages, unjust enrichment, alleged economic harm to consumers, corrective advertising, and claims of irreparable economic injury. In antitrust matters, Dr. McGahee has evaluated market definition, market power, alleged anticompetitive conduct, and claimed damages. In class certification matters, he has assessed claims of class-wide economic injury and evaluated proposed methods for quantifying damages on a class-wide basis. Dr. McGahee also has taught courses in economics at the undergraduate and graduate levels at the University of Georgia.

**EDUCATION**

Ph.D., Economics, University of Georgia (*Specialization: Industrial Organization, Econometrics*) 2011

B.B.A., Management, University of Georgia 2002

**PROFESSIONAL EXPERIENCE**

Analysis Group, Inc. 2011–Present

Research Assistant, Economics, University of Georgia 2008–2011

**TEACHING EXPERIENCE**

Lecturer, Economics, University of Georgia 2018–2022

Teaching Assistant, Economics, University of Georgia 2005–2011

**EXPERT REPORTS AND TESTIMONY LISTING**

(*Clients underlined*)

- *Odyssey Manufacturing Co. v. Olin Corporation* (US District Court for the Middle District of Florida, Case No. 8:23-cv-00940). Retained as an economics and damages expert for the defendant in a matter involving an alleged breach of contract and violation of Florida’s Deceptive and Unfair Trade Practices Act. Evaluated the plaintiff’s claimed damages. Prepared expert report and testified at deposition (2024).

- *HQ Specialty Pharma Corp. and WG Critical Care, LLC v. Fresenius Kabi USA, LLC* (US District Court for the District of Delaware, Civil Action No. 1:21-cv-01714-MN). Retained as an economics and damages expert for the plaintiffs in a patent infringement matter related to terminally sterilized, pre-mixed, ready-to-administer calcium gluconate injection products. Evaluated damages, economic support for a permanent injunction, and economic evidence related to the commercial success of the patented technology. Prepared multiple expert reports and testified at deposition (2023) and trial (2024).
- *Davida Minor, et al. v. Favorite World, LLC* (US District Court for the Central District of California, Case No. 2:24-cv-04425). Retained as an economics and damages expert for the defendant in a matter involving alleged violations of California's Consumers Legal Remedies Act (CLRA) and California's Unfair Competition Law (UCL). Evaluated whether economic injury and claimed damages could be determined and quantified reliably on a class-wide basis using evidence common to the proposed class. Prepared expert report (2024).
- *Mercer Global Advisors Inc. and Mercer Advisors, Inc. v. Noble Family Wealth, LLC, et al.* (Circuit Court of the 6th Judicial Circuit in and for Pinellas County, Florida, Case No. 21-003485-CI). Retained as an economics and damages expert for the plaintiffs in a matter involving alleged tortious interference with contractual and business relations, unfair competition, and breach of contract. Evaluated damages. Prepared multiple expert reports and testified at deposition (2024).
- *Regents of the University of Minnesota v. LSI Corporation and Avago Technologies U.S. Inc.* (US District Court for the Northern District of California, Civil Action No. 5:18-cv-821-EJD-NMC). Retained as an economics and damages expert for the defendants in a patent infringement matter related to read-channel technology for hard disk drives. Evaluated the plaintiff's claimed reasonable royalty damages. Prepared expert report and testified at deposition (2024).
- *Lighting Defense Group LLC v. Shanghai Sansi Electronic Engineering Co., Ltd., et al.* (US District Court for the District of Arizona, Civil Action Nos. 2:22-cv-01476 and 2:22-cv-01671). Retained as an economics and damages expert for the plaintiff in a patent infringement matter related to LED lighting products. Evaluated damages. Prepared expert report and testified at deposition (2024).
- *Blue Yonder Group, Inc. v. Kinaxis Inc. and Kinaxis Corp.* (US District Court for the Northern District of Texas, Case No. 3:20-cv-3636). Retained as an economics and damages expert for the counterclaimants in a matter involving alleged misappropriation of trade secrets. Evaluated the counterclaimants' damages associated with the alleged misappropriation. Prepared expert report and testified at deposition (2024).
- *Ever.AG, LLC v. Milk Moovement, Inc., et al.* (US District Court for the Eastern District of California, Case No. 2:21-cv-02233-WBS-AC). Retained as an economics and damages expert for the plaintiff in a matter involving allegations of misappropriation of trade secrets and interference with contractual relations. Evaluated the plaintiff's damages associated with the alleged wrongful conduct. Prepared expert report (2023).
- *Innovaport LLC v. Target Corporation* (US District Court for the Western District of Wisconsin, Civil Action No. 3:22-cv-425-wmc). Retained as an economics and damages expert for the defendant in a patent infringement matter related to in-store product location functionality in mobile applications, mobile websites, and in-store kiosks. Evaluated the plaintiff's claimed reasonable royalty damages. Prepared expert report (2023).

- Confidential arbitration matter (American Arbitration Association, Case No. 01-22-000-7897). Retained as an economics and damages expert for the claimant in a matter involving allegations of patent infringement, misappropriation of trade secrets, multiple breaches of contract, breach of the implied covenant of good faith and fair dealing, and unfair competition. Evaluated claimant's damages associated with the alleged wrongful conduct. Prepared expert report and testified at arbitration (2023).
- *Atlas Global Technologies LLC v. TP-Link Technologies Co., Ltd. and TP-Link Corporation Ltd. et al.* (US District Court for the Eastern District of Texas, Civil Action No. 2:21-cv-00430). Retained as an economics and damages expert for the defendants in a patent infringement matter related to Wi-Fi routers where the asserted patents were claimed to be essential to the 802.11ax (Wi-Fi 6) standard. Evaluated the plaintiff's claimed royalty damages and whether the royalty rates sought by the plaintiff were fair, reasonable, and non-discriminatory (FRAND). Prepared expert reports and testified at deposition and trial (2023).
- *Repairify, Inc. v. Keystone Automotive Industries, Inc. d/b/a Elitek Vehicle Services* (US District Court for the Western District of Texas, Civil Action No. 6:21-cv-00819). Retained as an economics and damages expert for the plaintiff in a patent infringement matter related to remote vehicle diagnostics and programming. Evaluated damages. Prepared expert report and testified at deposition (2023).
- *Fall Line Patents, LLC v. McDonald's Corporation and McDonald's USA, LLC* (US District Court for the Eastern District of Texas, Civil Action No. 6:18-cv-412-RWS). Retained as an economics and damages expert for the defendants in a patent infringement matter related to mobile ordering functionality in mobile applications. Evaluated the plaintiff's claimed reasonable royalty damages. Prepared expert report (2023).
- *In re: Marriage of Brinton and Brinton* (Superior Court of the State of California, San Mateo County, Case No. FAM121392). Retained as an economics expert to evaluate certain assets in connection with divorce-related proceedings. Evaluated claim for the current market value of certain financial assets. Testified at trial (2023).
- *Sun Mechanical Contracting, Inc. v. Hunter and TDIndustries, Inc. et al.* (Superior Court of the State of Arizona, Pima County, Case No. C20213455). Retained as an economics and damages expert for the defendants and counterclaimants in a matter involving alleged misappropriation of trade secrets and other alleged wrongful conduct. Evaluated the plaintiff's claimed lost profits damages. Evaluated the counterclaimants' damages associated with alleged wrongful conduct by the plaintiff and other counter-defendants. Prepared two expert reports (2022) and provided deposition testimony (2023).
- *Unicorn Global, Inc., Hangzhou Chic Intelligent Technology Co., Ltd., and Shenzhen Uni-Sun Electronic Co., Ltd. v. Hillo America, Inc. d/b/a Hoverheart* (US District Court for the Central District of California, Civil Action No. 2:19-cv-03028). Retained as an economics and damages expert for the plaintiffs in a patent infringement matter related to electric self-balancing vehicles (or hoverboards). Evaluated damages, economic support for a permanent injunction, and economic evidence relating to the commercial success of the patented technology. Prepared expert report (2020).
- *Unicorn Global, Inc., Hangzhou Chic Intelligent Technology Co., Ltd., and Shenzhen Uni-Sun Electronic Co., Ltd. v. Golabs, Inc. d/b/a GOTRAX, et al.* (US District Court for the Northern District of Texas, Civil Action No. 3:19-CV-00754-N). Retained as an economics and damages expert for the plaintiffs/counter-defendants in a patent infringement matter related to electric self-balancing vehicles

(or hoverboards). Evaluated the defendants'/counterclaimants' claimed economic support for a preliminary injunction related to alleged tortious interference and other counterclaims. Assessed claims of irreparable harm. Prepared expert report and provided deposition testimony (2019).

- *Diamondback Industries, Inc. v. Kingdom Downhole Tools, LLC, et al.* (US District Court for the Northern District of Texas, Civil Action No. 4:18-CV-00902-A). Retained as an economics and damages expert for the defendants in a matter involving allegations of misappropriation of trade secrets and violation of the Digital Millennium Copyright Act. Evaluated the plaintiff's claimed lost profits damages and assessment of claimed development costs allegedly avoided by the defendants. Prepared two expert reports (2019).

## SELECTED CONSULTING ENGAGEMENTS

### Antitrust

- Assisted in evaluating claimed antitrust damages asserted by a major airline company against a global distribution system operator for alleged anticompetitive behavior related to "full content" provisions in the parties' distribution agreements and alleged overcharges for booking fees. Analyzed the relevant benchmarks for booking fees and showed the absence of overcharges. Evaluated the econometric model of demand proffered by the plaintiff's expert and showed that it significantly overstated the plaintiff's claimed lost profits. Also evaluated the bargaining positions of the parties and the economic benefits associated with the at-issue provisions that the plaintiff's damages expert ignored when calculating claimed lost profits.
- Assisted in evaluating claimed antitrust damages asserted by a major airline company against a global distribution system operator for alleged anticompetitive behavior related to the provision of booking services to travel agencies. Assisted in evaluating the plaintiff's claimed damages related to claimed lost profits resulting from the defendant's alleged actions to impede the rollout of a competing technology for booking services, contractual restrictions allegedly preventing the airline from offering targeted discounts to price-sensitive customers, allegedly imposing retaliatory booking fee increases, and allegedly biasing fare search results displayed to travel agencies.
- Assisted in evaluating whether a major financial advisory company engaged in anticompetitive conduct through the filing of a raiding claim against a rival firm before the Financial Industry Regulatory Authority (FINRA). Evaluated the plaintiff's economic liability arguments as they related to market definition, alleged market power, alleged anticompetitive conduct, and alleged harm to competition. Assessed pro-competitive benefits derived from the availability of a raiding claim under FINRA proceedings. Showed lack of antitrust injury to the plaintiff resulting from challenged conduct.
- Assisted in evaluating the plaintiff's economic liability arguments and claimed antitrust damages relating to allegations that the defendant monopolized or attempted to monopolize the market for magnetic brakes for amusement park rides through malicious prosecution of an unlawfully obtained patent. Evaluated the plaintiff's assessment of the relevant product market, allegations of market power, and the impact of the alleged anticompetitive conduct. Identified unsupported assumptions underlying the plaintiff's claimed damages model and showed the lack of an economic causal connection between the alleged wrongful conduct and claimed damages.

- Assisted in evaluating the plaintiff's economic liability arguments relating to allegations that a major gaming and hospitality company participated in an alleged conspiracy to restrict bidding on paid search advertising associated with branded keywords. Analyzed keyword bidding data and showed that empirical evidence did not support the plaintiff's theory of liability. Assessed the defendant's unilateral incentives with respect to keyword bidding behavior. Showed lack of antitrust injury to the plaintiff.
- Assisted in evaluating the plaintiff's economic liability arguments relating to an alleged bid suppression agreement among at least three major hotel companies to restrict bidding on paid search advertising associated with hotel branded keywords. Evaluated the plaintiff's arguments related to market definition, alleged market power, alleged anticompetitive conduct, and alleged harm to competition. Assessed the three defendants' unilateral economic incentives related to keyword bidding behavior. Showed lack of antitrust injury to the plaintiff.
- Assisted in evaluating claimed antitrust damages asserted by a dental equipment distributor against major manufacturers and distributors of dental equipment related to an alleged conspiracy to fix margins and boycott or terminate low-margin distributors. Analyses showed that the claimed growth rates, incremental profit margins, and conveyed sales ratios that the plaintiff's experts assumed would be achieved in the absence of the alleged conspiracy were overstated and unreasonably high, resulting in significantly overstated claimed damages figures.

### **Breach of Contract**

- Evaluated damages associated with multiple alleged breaches of contract under a distribution agreement between a manufacturer and non-exclusive distributor in which the distributor was alleged to have breached various provisions of the distribution agreement restricting use of the manufacturer's products for the development of competitive products, restricting access and use of confidential information, requiring commercially reasonable efforts to market and promote the manufacturer's products, and specifying minimum purchase requirements. Evaluated lost profits.
- Assisted in evaluating economic damages suffered by a global distribution system operator as a result of a major airline company's breach of the confidentiality provision in its distribution agreement. At issue was the defendant's disclosure of confidential pricing information during the plaintiff's contract negotiations with other major airline customers. Analyzed the impact of the defendant's disclosure on pricing and other terms negotiated in the affected contracts. Assisted in determining the plaintiff's lost revenues and lost profits due to the defendant's disclosure.
- Evaluated claimed damages associated with an alleged breach of a purchase agreement between a disinfectant wipe manufacturer and a former customer after the manufacturer was acquired by a competitor. Evaluated the customer's claimed lost profits associated with the claimed impact on its ability to fulfill its own purchase orders from its downstream customers. Analysis showed that various components of the plaintiff's claimed losses had been mitigated through obtaining wipes from alternative suppliers and that other components of claimed losses had been double-counted in the plaintiff's calculations of claimed damages.

### **Data Privacy and Cybersecurity**

- In a matter related to data privacy brought by non-users of the defendant's social media platform, who alleged that the defendant collected information about their internet activity when they visited third-party websites that had the defendant's software installed, assisted in evaluating the plaintiff's position that claimed economic injury suffered by putative class members and alleged unjust enrichment to the defendant could be quantified on a class-wide basis using common proof. Showed that the claimed market measures of the value of user data identified by the plaintiffs' damages expert did not provide a relevant or reliable basis for quantifying alleged harm or unjust enrichment with an economic nexus to the plaintiffs' theory of liability. Demonstrated that the plaintiffs' proposed approaches failed to account for significant variations in the types and amount of data collected across putative class members.
  
- In a matter related to alleged cybersecurity vulnerabilities in certain vehicles sold by a major automobile manufacturer, assisted in evaluating the plaintiffs' position that the claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Demonstrated that the approaches proposed by the plaintiffs' experts for calculating class-wide damages would not yield reliable or relevant estimates of the alleged harm suffered by individual putative class members. Analyzed individualized factors such as knowledge and perceptions of the alleged cybersecurity vulnerabilities, local supply and demand conditions, and individually negotiated transaction prices. Identified deficiencies in the plaintiffs' experts' proposed discrete choice experiment and proposed method for converting a claimed difference in "willingness to pay" to a claimed difference in prices paid by the putative class members.

### **False Advertising and Other Class Certification**

- In a matter related to anti-aging skin care products marketed as repairing signs of aging "in just one week," assisted in evaluating the plaintiffs' position that the claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Demonstrated that the approaches proposed by the plaintiffs' expert to calculate class-wide damages would not yield reliable or relevant estimates of the alleged harm suffered by individual putative class members. Arguments presented included that the large number of repeat buyers, wide variations in retail prices associated with the accused products, and wide variations in retail price differences relative to other anti-aging products would prevent a reliable calculation of the putative class members' damages on a class-wide basis.
  
- In a matter related to alleged false advertising of LED-backlit liquid-crystal display (LCD) televisions, assisted in evaluating the plaintiffs' position that the claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Analyzed individualized factors such as exposure to the television manufacturer's challenged advertising and/or label statements, knowledge and perceptions of the relevant technology, reasons for purchase, and prices paid. Evaluated the proposed regression analysis described by the plaintiff's damages expert and identified inconsistencies between the proposed analysis and the plaintiff's theory of liability. Identified necessary data and methodological requirements for performing the proposed regression analysis that had not been acknowledged by the plaintiff's expert.

- In a matter related to alleged false advertising of coconut water products, assisted in evaluating the plaintiffs' position that claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Analyzed variations in retail prices associated with the accused products and demonstrated that there was no systematic price premium relative to benchmark products. Demonstrated that the plaintiffs' expert's hedonic regression analysis suffered from numerous flaws, including conflation of the challenged claim with an omitted relevant product attribute, inappropriate aggregation of retail sales data, and omission of relevant observations.
- In a matter related to beverages marketed as "all natural" when they contained the preservative sodium benzoate, assisted in evaluating the plaintiffs' position that the claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Demonstrated that the approach proposed by the plaintiffs' expert to calculate class-wide damages would not yield a reliable or relevant estimate of the alleged harm suffered by individual putative class members. Arguments presented included that wide variations in retail prices associated with the accused products and variations in the putative class members' reasons for purchase would prevent a reliable calculation of the putative class members' damages on a class-wide basis.
- In a matter related to allegedly deceptive advertised prices for online ticket sales, assisted in evaluating the plaintiffs' position that claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Demonstrated that the approach proposed by the plaintiffs' expert would provide compensation to putative class members who did not suffer economic injury and failed to account for the value of services that putative class members received. Established that the defendant's service fees were comparable to those of other online ticket sellers. Demonstrated that many putative class members were satisfied with the value received for the prices paid.
- In a matter related to allegedly deceptive advertised reference prices (or advertised manufacturer's suggested retail prices), evaluated the plaintiffs' position that the claimed economic injury suffered by putative class members could be quantified on a class-wide basis. Analyzed individualized factors such as the particular prices paid, the magnitude of the advertised discounts (relative to reference prices), repeat purchase patterns, and comparison-shopping behavior. Evaluated the hedonic regression analysis and demand estimation proposed by the plaintiffs' expert and identified deficiencies such as omitted variable bias and potential multicollinearity. Identified significant deficiencies and inconsistencies in the plaintiffs' expert's explanation of the data and methodological requirements for performing the proposed analyses.

### **Intellectual Property**

- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter related to turn-by-turn navigation applications for mobile devices. At issue was the use of image vector entities to overlay text information on maps shown in the application's 3D navigation view. Analyses demonstrated that the plaintiff's damages expert overstated claimed incremental profits from the paid version of the defendant's turn-by-turn navigation application. Further demonstrated that the "cost-based apportionment" methodology proffered by the plaintiff's damages expert was conceptually flawed and unsupported. Assisted in the determination of a reasonable royalty payment based on a hypothetical negotiation framework and indicators of value for the patent-in-suit derived from comparable patent license, settlement, and patent assignment agreements.

- Assisted in evaluating claimed lost profits, reasonable royalty damages, and disgorgement of the defendant's profits in a patent infringement matter related to laparoscopic surgical devices. Analyses included evaluation of *Panduit* factors, determination of the plaintiff's sales in the absence of the alleged infringement, and assessment of incremental revenue and costs. Assisted in evaluating reasonable royalty damages based on *Georgia-Pacific* analysis and hypothetical negotiation framework.
- Assisted in evaluating claimed damages in a trademark infringement matter in which a professional video editing company accused a major video sharing platform of infringing its trademarks and creating confusion in the marketplace through the name of a tool within the platform's mobile application. Analyses included evaluating the amount of royalty damages, unjust enrichment, and corrective advertising requested by the plaintiff. Analyses showed that the plaintiff's expert's damages calculations were significantly overstated, relied on flawed economic reasoning, and were based on irrelevant measures of claimed value.
- Assisted in evaluating claimed diminution of value and reasonable royalty damages related to the alleged misappropriation of trade secrets by a technology provider in the home care and hospice industry. At issue were claimed trade secrets related to technology enabling home care and hospice agencies to electronically document patient care. Also at issue were claims of fraud and breach of contract related to a nondisclosure agreement. Analyses demonstrated that the plaintiff's damages expert failed to establish a nexus between the alleged wrongful conduct and the plaintiff's claimed loss in value. Also demonstrated that the plaintiff's expert overstated claimed reasonable royalty damages.
- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter related to the dynamic allocation of uplink bandwidth on Long-Term Evolution (LTE) networks. The plaintiff alleged that mobile devices that support the 4G LTE communication standard infringed its patents. Evaluated damages models proffered by the plaintiff's experts, including conjoint analysis and econometric market demand estimation. Various analyses isolated the incremental value contributions of the asserted patents from the economic benefits associated with wireless telecommunications standards. Also evaluated licensing policies and rates for relevant patent pools associated with wireless telecommunications standards.
- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter in which a major e-commerce retailer was accused of infringing patents related to sales force automation by offering automated online product recommendations. Analyses demonstrated that the plaintiffs' damages and marketing experts overstated the defendant's revenues allegedly attributable to the accused recommendation features. Further demonstrated that the plaintiff's damages expert opined to an incorrect royalty payment structure and overstated the claimed royalty rate.
- Assisted in evaluating damages in a patent infringement matter in which a music services provider accused a competitor of infringing patents related to visual complements and video on-demand linking technology. Analyses demonstrated a causal connection between the defendant's alleged infringement and the plaintiff's lost profits and price erosion damages. Also evaluated economic support for an injunction under the *eBay* framework, including assessments of irreparable economic injury, inadequacy of monetary remedies, balance of hardships, and service to public interest.



- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter related to lipid nanoparticle technology for mRNA-based vaccine products. Evaluated economic comparability of relevant license agreements and whether further apportionment would be required to isolate the licensing value of relevant technology. Analyses showed that the plaintiff's damages expert failed to account for relevant differences in economic circumstances between certain existing license agreements and the hypothetical negotiation, leading to a significant overstatement of claimed royalty damages.
- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter related to the use of certain parallel processing functionality by microprocessors contained in mobile devices. Analyzed sales performance among mobile devices to evaluate whether the claimed patented technology was a determinative factor in the commercial success of a mobile device. Assisted in the determination of a reasonable royalty payment based on a hypothetical negotiation framework and indicators of value for the patents-in-suit derived from relevant market transactions related to the claimed patented technology. Demonstrated that the plaintiff's damages expert overstated the claimed reasonable royalty rate by relying on unsupported and overstated effective royalty rate calculations.
- Assisted in evaluating compensatory damages to a major mattress manufacturer due to a rival's alleged infringement of its trade dress and design patents. Analyses included an assessment of the defendant's profits earned through the infringement and an evaluation of plaintiff's lost profits and reasonable royalty damages. Evaluated *Panduit* factors and demonstrated a causal connection between the defendant's alleged infringement and the plaintiff's lost sales and lost profits. Determined the plaintiff's sales in the absence of the alleged infringement and evaluated the appropriate incremental profit margin to be applied to the plaintiff's lost sales.
- Assisted in evaluating claimed damages in a trademark infringement matter involving a national restaurant chain accused of false designation of origin, unfair competition, and trademark dilution. Analyses included evaluating the amount of claimed corrective advertising requested by the plaintiffs and claimed damages resulting from the alleged wrongful conduct. Analyses showed that the plaintiffs' marketing and damages expert overstated the required amount of claimed corrective advertising and failed to demonstrate that the claimed confusion between the plaintiffs' and defendant's restaurants caused economic injury to the plaintiffs.
- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter related to a method of operating an internal combustion engine. Analyses demonstrated that the plaintiff's damages expert overstated the claimed profit premium associated with vehicles that had an accused engine and opined to an unreasonable apportionment of the claimed value of the patents-in-suit between the parties. Analyses further showed that the plaintiff's claimed damages were unreasonably high in light of the amounts the plaintiff historically had been willing to accept for a license to the patents-in-suit.
- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter involving multiple defendants related to guided parametric search functionality on e-commerce websites. Analyses of sales data and usage metrics evaluated whether there was an economic causal connection between the accused functionality and the defendants' revenues or profits. Demonstrated that the plaintiff's claimed damages were unreasonably high in light of the amounts the plaintiff historically had sought for a license to the patent-in-suit. Analyses further demonstrated that the plaintiff's actual patent license agreements deviated substantially from its stated licensing policy, which the plaintiff's damages expert had relied on as the basis for the plaintiff's claimed damages.

- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter involving multiple defendants related to private label website solutions. At issue were partner-branded websites designed to have the “look and feel” of the partner’s host websites. Analyses demonstrated that the plaintiff’s claimed damages were significantly overstated and unreasonably high in light of real-world facts that would have been important considerations at a hypothetical negotiation between the plaintiff and each defendant, including relevant market transactions related to the claimed patented technology.
- Assisted in economic analyses related to the negotiation of a worldwide patent license and settlement agreement between a patent holder and a semiconductor manufacturer involved in numerous litigations in various jurisdictions around the world. Demonstrated that the patent holder significantly overstated relevant sales of to-be-licensed products and associated profits. Evaluated comparable license agreements and other economic evidence of a reasonable payment amount. Evaluated various other proposed terms of agreement from an economic perspective.
- Assisted in evaluating claimed reasonable royalty damages in a patent infringement matter related to the composition of clumping cat litter products. Performed analyses of the economic comparability of relevant patent license and settlement agreements. Evaluated various *Georgia-Pacific* factors. Analyses demonstrated that the plaintiff’s damages expert opined to an incorrect royalty payment structure and overstated claimed royalty damages.
- Assisted in economic analyses related to the amount to be paid by an enterprise resource planning software company for violating an injunction order prohibiting licensing or servicing of infringing procurement software products. Analyses included an assessment of the defendant’s gains from failing to comply with the injunction. Determined apportionments of the defendant’s licensing revenues from large suites of related software products and aggregate service revenues. Assisted in evaluating analyses proffered by the defendant’s rebuttal damages expert, including rebutting a reasonable royalty analysis and analyses of the appropriate profit margin to be used for disgorgement purposes.
- Performed valuation of copyrights to an author’s complete catalog of more than 100 books. Analyzed historical sales and royalty data and evaluated future expected royalty income. Performed discounted cash flow analysis to determine net present value of future expected royalty income.

## **COURSES TAUGHT**

### **Principles of Macroeconomics**

Topics included determination of national income/gross domestic product, social welfare, drivers of economic growth, technological change, productivity, inflation, unemployment, savings and investment, and various monetary and fiscal policies.

### **Principles of Microeconomics**

Topics included functioning of markets, supply and demand analysis, elasticities, consumer behavior, firm behavior, profit maximization, fixed and variable costs, advertising, market structure, competition, product differentiation, monopoly, market power, antitrust regulation, social welfare, allocation of resources, market efficiency, equity, market failure, and solutions to market failure.

### **Competitive Strategy and Structure**

Topics included market definition, identifying relevant competitors, strategic interaction, industry analysis, sources of competitive advantage, product differentiation, price discrimination, network effects, two-sided markets, R&D strategy, intellectual property, patents, trade secrets, licensing, bargaining, economics of contract design, breach of contract damages, and antitrust regulation.

### **Environmental Economics**

Topics included sources of market failure, economic foundations of environmental problems, depletion of natural resources, standards-based solutions, market-based solutions, economic incentives for technological innovation, benefit-cost analysis, and various economic criteria for evaluating policy intervention options.

### **PUBLICATIONS**

“Trade Secret Disputes: Quantifying Damages,” with John Browning, Della Cummings, Minh Doan, and Mickey Ferri, *Corporate Disputes* (Jul.–Sep. 2024)

### **PANELS AND PRESENTATIONS**

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|---|------|
| Antitrust and Intellectual Property Interface Panel, University of Southern California /<br>Analysis Group Global Competition Law Thought Leadership Conference | 2024 |
| Patent Infringement Damages Panel, Boston Patent Law Association  | 2022 |
| Professor Panel: Antitrust and Market Concentration, University of Georgia  | 2019 |

### **SERVICE ACTIVITIES**

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|---|-----------|
| Undergraduate Research Thesis Advisor, Economics, University of Georgia | 2018–2022 |
| Economics Society Faculty Advisor, University of Georgia                | 2018–2022 |
| Undergraduate Program Coordinator, Economics, University of Georgia     | 2018–2022 |

### **HONORS AND AWARDS**

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|---|-----------|
| Favorite Business Professors of the Class of 2021, <i>Poets &amp; Quants for Undergrads</i> | 2021      |
| Swift Award for Outstanding Lecturer Teaching in Economics, University of Georgia           | 2020      |
| Research Assistantship, National Science Foundation, University of Georgia                  | 2009–2011 |
| Swift Award for Outstanding Teaching in Undergraduate Economics, University of Georgia      | 2009      |
| H. B. Earhart Foundation Fellowship   | 2007–2009 |