

SEMINAR SERIES

2018–2019

NEW SESSIONS

SECURITIES *ERISA and fiduciary liability*

ANTITRUST ISSUES IN HEALTH CARE

M&A LITIGATION *Share price; disclosure; and governance*

WHITE COLLAR and SEC LITIGATION

INTELLECTUAL PROPERTY *Licensing and standards setting; ITC matters*

DRUG SAFETY LITIGATION

For over 35 years, Analysis Group has offered thoughtful, pragmatic perspectives to attorneys and business leaders through our seminar program. Our staff experts and academic affiliates provide fact-based interpretations of a wide range of complex business and legal issues, from the implications of changing industry regulations to new methodologies in econometrics.

About Our Seminar Series

Listed here are some of the programs our clients have found most interesting and useful; each topic can be adapted to meet individual needs. We work closely with firms to develop new topics and materials targeted to their specific interests.

In addition to in-house seminars, we regularly host Analysis Group seminars across North America and Europe, as well as live webinars, where we often present jointly with academic affiliates and experts.

All programs are led by senior staff who illustrate their presentations with examples drawn from actual case work and encourage the active participation of attendees. Some of our seminar content is already qualified for Continuing Legal Education (CLE) credit in many states; we also have developed workshops and mock trials appropriate for training and orientation sessions.

For more information on any of the above topics, or to inquire about scheduling a seminar, please contact Sue Brelus, Vice President Marketing and Business Development, at 617 425 8193, or susan.brelus@analysisgroup.com.

Also see our website: www.analysisgroup.com.

Representative Topics

ACCOUNTING ISSUES IN LITIGATION

Accounting Fraud. Analyzing impact on stock prices and assessing claims and damages based on accounting irregularities

Audit Committees and Financial Literacy. Issues involving board responsibilities related to accounting and financial business matters

Fair Value Accounting. Evolution of the fair value accounting regulations and the impact of the guidelines in legal and accounting contexts

The Role of the CPA in Litigation. Positioning the role of the accounting professional in litigation; how attorneys can work most effectively with CPAs



ANTITRUST

Antitrust Challenges to Reverse Payment Settlements. Assessing antitrust liability for reverse payment settlements between brand name and generic drug manufacturers

Antitrust Enforcement in the US and EU. An empirical assessment of the influence of protectionism

Estimating Damages in Antitrust Cases. How experts use economic arguments and economic evidence in antitrust investigations

The Implications of Low Marginal Costs. Analyzing overcharge and predatory pricing allegations

The Intersection of Intellectual Property and Antitrust. Assessing claims of anticompetitive behavior in patent infringement suits

Proving Common Impact in Antitrust Class Actions. Economic guidance in addressing proof of common impact in the certification of classes



COMMUNICATIONS, ENTERTAINMENT & MEDIA

Competition and the Cable Industry. Changes to cable television video programming distribution yield competitive concerns

Litigating Class Action Cases in Telecom. Case studies illustrating approaches to class certification, liability, and damages

Mobile Virtual Network Operators. Important developments in mobile communications markets worldwide; resale operations by non-telecommunications firms that leverage their brand reputations

Regulation and Competition Policies. US, EU, and rest-of-the-world policies and regulations for fixed, mobile, and Internet communications

Two-sided Markets and New Pricing Models for Broadband and Online Advertising. New pricing paradigms in communications services, particularly as carriers bring together different types of end users

ECONOMICS IN THE COURTROOM

Data, Documents, and Discovery. How economists use these tools to determine damages

Demystifying Damages. Successful approaches to presenting damages to a jury

The *Daubert* Challenge. How to confront a *Daubert* challenge and other challenges to economic experts in litigation

Econometrics, Biostatistics, and Statistical Analysis. Applying quantitative methodologies in litigation

Models and Forecasting. Modeling risk, probabilistic forecasting, and decision-tree modeling

Solutions for the Courtroom. Applying complex models successfully in the courtroom; statistical approaches to data analysis

Statistical Sampling. Techniques for using statistical analyses when data is missing or unwieldy

Surveys and Experiments. Designing surveys and innovative research methods for use in litigation

Using Evidence Effectively. Pragmatic approaches to using evidence and exhibits in the courtroom

Working with Economic Experts. The best ways to identify, select, and work with experts; how to avoid common pitfalls

ENERGY

Evolving Issues in the Electric Industry. Assessing the impact of restructuring and competition

Market Power and Competitive Issues. Assessing the current energy landscape and antitrust implications

Power System Models. Using modeling to develop market assessments and plans for allocating resources

Update on Federal Energy Legislation. Issues and implications emerging from recent legal and regulatory reforms

ENVIRONMENT & NATURAL RESOURCES

Climate Change Policy and Risk Management. Understanding new business and regulatory risks and the environmental challenges confronting the global community

Hydraulic Fracturing Issues and Areas of Legal Focus. Exploring the benefits, risks, and litigation questions surrounding fracking

Property Market Values and Environmental Hazards. How to quantify the economic and financial impact of hazards

The Role of Economists in Water Valuation. Factors affecting the economic value of water

HEALTH CARE

Authorized Generic Drugs. Implications for price and competition, and intellectual property issues

Comparative Effectiveness Research. The impact of CER on personalized medicine, business strategy, and contracting and reimbursement

Competing in Drug Delivery. Strategies for addressing the gap between value creation and capture; how drug delivery companies can use differentiation to capture value

Drug Safety Litigation. Applying pharmacoepidemiology techniques to investigations

Economic Analysis in Litigation. A quantitative approach to assessing causation in pharmaceutical mass tort litigation

Emerging Markets. Access challenges and opportunities in China and India

Financial Life Cycle of a New Drug. Analyzing competitive pressures and legal issues

The Future of Biosimilars. Implications of potential legislation around biosimilars; market dynamics and economic factors

Off-Label Marketing. Assessing causation and analyzing sales related to government investigations of off-label promotion

INTELLECTUAL PROPERTY

Calculating Lost Profits and Reasonable Royalties. Economic approaches to calculating lost profits and computing a reasonable royalty

Entire Market Value Rule in Patent Infringement. Application of EMVR for the recovery of patent infringement damages in IP litigation

False Patent Marking. Economic guidance on defending false marking claims

IP Litigation at the ITC. Examining several areas in which economic and financial analysis play a role in ITC patent litigation

Licensing and Standards Setting. Issues in litigation on licensing in the presence of technology standards

Misappropriation of Trade Secrets. Understanding what damages claimants can expect to recover

Patent Assertion Entities: Economic Issues for Target Companies. Economic issues associated with patent assertion entity claims and ways to minimize exposure

Overview of IP Damages and Injunctions. Lost profits damages, reasonable royalty damages, and the law and economics of permanent injunctions post-*eBay v. MercExchange*

Patent Damages: Approaches to the Georgia-Pacific Factors. Innovative applications of the Georgia-Pacific factors to patent infringement cases; using sophisticated surveys and sampling techniques

Patent Damages: The Role of Non-Infringing Alternatives. Design-arounds and other alternatives in patent infringement matters

Patent Litigation and Intellectual Property Damages. An economist's view of patent infringement damages

Pricing Intellectual Property. Factors affecting price; how to value and price IP; licensing and litigation issues

Software Technology Transfers. Determining appropriate transfer terms; new developments in software licensing and protection

Using Market and Survey Research. Addressing economic issues in IP litigation by use of surveys and quantitative research methodologies

ECONOMICS AND DAMAGES

Approaches to Calculating and Proving Damages. Working effectively with experts, evidence, and approaches to damages

Class Certification. How economists assess the underpinnings of commonality, impact, and typicality arguments; evaluating economic methods used in measuring damages

Defensible Damages. How discovery and 30(b)(6) depositions can be used to gather data for defensible damages analysis

Economic Analysis in Litigation. Applying regression, sampling, and other damages approaches to real-world examples

The Role of Business Strategy. Exploring the causal link between liability and damages often requires analyzing a business strategy and its role in corporate results



SECURITIES, FINANCE, & VALUATION

Assessing Underwriter Due Diligence. Application of information economics in the assessment of due diligence

Business Valuation. A primer for lawyers, including approaches for valuing private companies, corporate dissolutions, and businesses in stockholder disputes

ERISA Retirement Plan Litigation. Theories of liability, disclosure rules, and compliance challenges

Forecasting on Trial. Analyzing the challenges of evaluating and using economic and financial forecasts in litigation

Hedge Funds and Stock Price Manipulation. Key issues in current hedge fund litigations, focusing especially on the impact of trading techniques such as short selling

MBSs, CMOs, and CDOs. Valuation challenges of complex instruments

Merger Litigation in a Post-Airgas World. A look at key issues of valuation and corporate litigation in recent M&A-related litigation, and an overview of Airgas and its impact on current and future M&A cases

Mutual Funds. Evaluating fees post-*Jones v. Harris*

New Issues and Challenges in White Collar Criminal and SEC Cases. Review of emerging trends in white collar criminal and securities regulatory cases and the implications for involved legal counsel

Pricing Securities and Financial Instruments. Approaches to determining price for options, derivatives, and other financial products

Securities Fraud Litigation. Analyzing loss causation; measuring damages; determining appropriate settlement amounts

Subprime Lending Litigation. Valuation of collateralized instruments; accounting issues; stock drop claims; analyzing plaintiffs' theories

Valuing Employee Stock Options. An economic perspective on all aspects of ESO valuation, applied to litigation as well as business decision-making and corporate reporting ■





ABOUT ANALYSIS GROUP

Analysis Group is one of the largest economics consulting firms, with more than 850 professionals across 14 offices in North America, Europe, and Asia. Since 1981, we have provided expertise in economics, finance, health care analytics, and strategy to top law firms, Fortune Global 500 companies, and government agencies worldwide. Our internal experts, together with our network of affiliated experts from academia, industry, and government, offer our clients exceptional breadth and depth of expertise.



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