

DOV ROTHMAN, PH.D.
Managing Principal

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Dr. Rothman specializes in the economic analysis of antitrust and competition issues. He is retained by private parties to present analyses to the US Department of Justice (DOJ) and the US Federal Trade Commission (FTC). He is also retained by and has testified for the FTC as an expert witness in merger litigation. Additionally, Dr. Rothman has recently led teams that supported the DOJ's testifying economist in its challenge of the Anthem/Cigna merger, the FTC's testifying economist in its challenge of the Sanford Health/Mid Dakota Clinic merger, and the FTC's testifying economist in its challenge of the Penn State Hershey Medical Center/PinnacleHealth merger. In addition to his merger work, he has worked on multiple joint conduct and unilateral conduct matters.

Dr. Rothman is a senior editor of the *Antitrust Law Journal*. He has published research in outlets including *Antitrust Law Journal*, *The Antitrust Source*, *Journal of Health Economics*, *Journal of Competition Law & Economics*, and *Concurrences: Competition Law Journal*. Dr. Rothman has taught a course on the economics of merger analysis in the economics department at Harvard University. Prior to joining Analysis Group, he was an assistant professor at Columbia University.

EDUCATION

- Ph.D. Business Administration, Haas School of Business at the University of California, Berkeley, Berkeley, CA
- M.Phil. Development Studies, Cambridge University, Cambridge, UK
- B.A. Political Science, University of California, Berkeley, Berkeley, CA

PROFESSIONAL EXPERIENCE

- 2006–Present Analysis Group, Inc.
Managing Principal
Vice President
Manager
Associate
- 2004–2006 Department of Health Policy and Management, Columbia University Mailman School of Public Health
Assistant Professor

SELECTED CASEWORK

- **Merger of health care industry firms**
Served as an expert on behalf of the FTC.
- **Mergers of hospital systems (multiple)**
Served as an expert on behalf of the merging parties.
- **Merger of Wilhelmsen Ships Services and Drew Marine Technical Solutions**
Testified on behalf of the FTC.
- **Merger of seafood processors**
Served as an expert on behalf of the merging parties.
- **Merger of Fresenius Kabi and Akorn**
Consulted on behalf of the merging parties.
- **Merger of Sanford Health and Mid Dakota Clinic**
Supported an expert in the analysis of merger effects.
- **Merger of Anthem and Cigna**
Supported an expert in the analysis of merger effects.
- **Merger of University of Pittsburgh Medical Center and PinnacleHealth**
Supported an expert in the analysis of merger effects.
- **Merger of Penn State Hershey Medical Center and PinnacleHealth**
Supported an expert in the analysis of merger effects.
- **Merger of Alaska Air and Virgin America**
Supported an expert in the analysis of merger effects.
- **Merger of R.J. Reynolds Tobacco Company and Lorillard Tobacco Company**
Supported an expert in the analysis of merger effects.
- **Merger of Expedia and Orbitz**
Supported an expert in the analysis of merger effects.
- **Merger of Express Scripts and Medco Health Solutions**
Supported an expert in the analysis of merger effects.
- **Pre-merger antitrust due diligence (multiple)**
Assisted in the analysis of potential antitrust risks associated with an acquisition.
- **Monopolization (multiple)**
Supported experts in the analysis of alleged monopolization and attempted monopolization.
- **Price-fixing (multiple)**
Supported experts in the analysis of alleged conspiracies to fix prices, including bid rigging.
- **Wage-fixing (multiple)**
Supported experts in the analysis of alleged wage-fixing.
- **Market manipulation (multiple)**
Supported experts in the analysis of alleged market manipulation.
- **Refusal to deal and conspiracy to monopolize**
Supported an expert in the analysis of alleged refusal to deal and conspiracy to monopolize.

- **Exclusive dealing**
Supported an expert in the analysis of alleged exclusive dealing.
- **Restraint of trade, breach of contract, and misappropriation of trade secrets**
Supported an expert in the analysis of lost profits and damages resulting from a restraint of trade, breach of contract, and misappropriation of trade secrets.

EXPERT TESTIMONY

- ***Federal Trade Commission v. Wilhelmsen and Drew***
US District Court, District of Columbia, No. 18-cv-00414-TSC
Testifying expert for the FTC (2018).
- ***Oula Zakaria, individually and as a representative of the class v. Gerber Products Co.***
US District Court, Central District of California, Western Division
Declaration in support of defendant Gerber’s opposition to plaintiff’s motion for class certification (2015).
- ***James P. Finton, Jr., et. al. v. ExxonMobil Pipeline Company, et. al.***
Circuit Court of Faulkner County, Arkansas, No. 23CV-13-445
Affidavit on statistical sampling of bellwether plaintiffs (2015).
- ***In re: Cathode Ray Tube (CRT) Antitrust Litigation***
US District Court, Northern District of California, No.: 13-cv-05261-SC
Testifying expert for a defendant (2014).

ARTICLES AND PUBLICATIONS

- “Up or Down? The Price Effects of Mergers of Intermediaries,” with David Dranove and David Toniatti, *Antitrust Law Journal* (April 2019)
- “A Primer on Bargaining: How Mergers May Affect Negotiated Prices,” with David Toniatti, *The Antitrust Source* (April 2018)
- “Comment on ‘The Flaws in Using the Hypothetical Monopolist Test from the ‘Payor Perspective’ in Health Care Merger Cases,’ by Field, Fisher, and Coglianesi,” with David Toniatti, *The Antitrust Source* (December 2017)
- “United States: Economics,” with Samuel Weglein, *Global Competition Review’s The Antitrust Review of the Americas 2018* (November 2017)
- “The Economics of Pass-Through with Production Constraints,” with Philipp Tillmann and David Toniatti, *Journal of Competition Law & Economics* (May 2016)
- “A Modified Approach to Random Selection of Bellwether Cases,” with Matthew Holian and David Toniatti, *Bloomberg BNA Product Safety & Liability Reporter* (July 6, 2015)
- “Average Overcharge Models and Determining Individual Harm in Collective Actions,” with Pierre Cremieux and Mark Lewis, *Concurrences: Competition Law Journal*, No. 2, pp. 38-44 (2015)
- “A Note on the Economics of Pass-Through with Two-Part Tariff Pricing,” *Journal of Competition Law & Economics* (May 2015)

“The Fallacy of Inferring Collusion from Countercyclical Prices,” with Aaron Yeater, *Economics Committee Newsletter*, Antitrust Section of American Bar Association, Vol. 14, Number 1 (Spring 2015)

“Random Selection Is Best For MDL Bellwether Trials,” with Loren Brown and Matthew Holian, *Law360* (October 20, 2014)

“Applying Econometrics Methods to Address Class Certification,” with Pierre Cremieux and Adam Decter, in *Econometrics: Legal, Practical and Technical Issues* (Second Edition), ABA Antitrust Section American Bar Association (2014)

“Teleseminar Summary: Resale Price Maintenance Following *Leegin*: US and Canadian Perspectives,” *The Price Point*, Newsletter of the ABA Section of Antitrust Law Pricing Conduct Committee (Spring 2011)

“Development of a Budget-Impact Model to Quantify Potential Cost Savings from Prescription Opioids Designed to Deter Abuse or Ease of Extraction,” with Alan White, Howard Birnbaum and Nathaniel Katz, *Applied Health Economics Health Policy*, Vol. 7, Issue 1, pp. 61-70 (2009)

“Does Trade Affect Child Health?” with David I. Levine, *Journal of Health Economics*. Volume 25, Issue 3, pp. 538-554 (May 2006)