

JOSH BROWN, M.S.

Manager

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Josh Brown has over ten years of experience in economic consulting. He is currently a Manager at Cirque Analytics. Mr. Brown's consulting focuses on the economic analysis of disputes related to labor, wage and hour, and employment matters (e.g., single-plaintiff, multiple plaintiff, and class action), intellectual property (e.g., patent, trademark, and copyright), competition (e.g., antitrust, price-fixing, vertical restraints, and class certification), survey methodology including choice-based conjoint analysis, and other litigation matters related to commercial disputes.

Mr. Brown earned his Master's Degree in Economics from the University of Illinois, Urbana-Champaign through the Economics Ph.D. program (fields of labor economics and econometrics), and his Bachelor's Degree in Statistics and Economics from the University of California, Berkeley.

Prior to leaving the University of Illinois to rejoin the private workforce, Mr. Brown was given numerous awards for his teaching, including the Robert E. Demarest Teaching Award Fellowship, and being awarded outstanding distinction four times for his teaching of undergraduate economics and statistics.

Mr. Brown loves teaching others by applying rigorous economic methods to complex questions and then simplifying those analyses into communicating results through expert reports, working closely with counsel, preparing experts for deposition testimony, and developing compelling trial demonstratives.

EDUCATION

- M.S. Economics, 2009, University of Illinois, Urbana-Champaign
B.A. Statistics and Economics, 2005, University of California, Berkeley

PROFESSIONAL EXPERIENCE

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|--------------|-------------------------------------------------------------------------|
| 2021–Present | Manager, Cirque Analytics (Irvine, CA) |
| 2019–2021 | Senior Associate, Nathan Associates (Irvine, CA) |
| 2017–2019 | Senior Analyst, Analysis Group (Los Angeles, CA) |
| 2012–2016 | Senior Consultant, Bates White (Washington, DC) |
| 2006–2012 | Teaching and Research Assistant, University of Illinois (Champaign, IL) |
| 2005–2006 | Associate Economist, Welch Consulting (Santa Monica, CA) |

Jackson Hole, WY

Irvine, CA

Los Angeles, CA

Washington, DC

SELECTED CONSULTING EXPERIENCE (2015–2023)

Labor, wage and hour, and employment

- *Maria Torres v. Southern California Permanente Medical Group, Kaiser Foundation Health Plan, Inc., and Kaiser Foundation Hospitals* (2022). Performed analysis related to rebuttal damages calculation under disability discrimination claims. Assisted expert with rebuttal report.
- *Eric Pierce v. County of Los Angeles* (2022). Performed analysis related to loss of earnings calculation for a wrongful termination claim. Assisted in development of expert opinions for deposition.
- *Plaintiff Class v. Akash Management LLC & OC Burger Boys, LLC* (2022). Managed extensive data analysis regarding wage and hour violations for a large number of fast food restaurant locations. Assisted expert in submitting seven declarations as well as prepared counsel for mediation. Jointly retained by Plaintiff class and Defendants for initial data processing.
- *Jeremy Gilmore, et al., v. Vansh, Inc. et al.* (2021). Managed analysis related to wage and hour class action matter. Assisted expert with preparation of declaration in opposition to class certification motion.
- *Lauryn Latravia Vargas v. Kaiser Foundation Health Plan, Inc.* (2021). Performed analysis related to rebuttal damages calculation in discrimination claims. Assisted expert with deposition and trial.
- *Department of Fair Employment and Housing v. Pathways Community Services, LLC, and Pathways Health and Community Support, LLC* (2021). Assisted in analysis related to rebuttal damages calculation in discrimination claims. Worked closely with expert and counsel to prepare for deposition.
- *Maria Martinez v. Pharmavite, LLC* (2021). Performed analysis related to loss of earnings calculation for a wrongful termination claim. Assisted in development of expert opinions for deposition.

Intellectual property

- *Mocha Gunaratna and Renee Camenforte v. Dr. Dennis Gross Skincare, LLC* (2022). Analysis of false advertising claims related to class certification and damages issues in the market for skin care products.
- *Dr. Joseph Ciccio, et al. v. SmileDirectClub, Inc., et al* (2022). Assisted in developing expert damages opinions for class certification consideration in the market for orthodontic treatment.
- *Monster Energy Corporation v. Metro Giant and Christopher Ankawi* (2022). Analyzed Defendant's profits and royalty damages in a trademark and trade dress matter involving a company logo.
- *VRtoysone, LLC, et al v. Disney Interactive Studios, Inc.* (2022). Developed expert opinions on behalf of Defendant involving damages related to alleged patent infringement involving video games.

- *Sprint Communications Company LP v. Cequel Communications, LLC, et al.* (2022). Assisted in development of opinions related to lost profits and royalty damages from alleged patent infringement involving VoIP telephony network services.
- *Premier Specialty Brands, LLC., d/b/a Kamado Joe, Inc., v. Dansons US LLC and Dansons, Inc.* (2021). Assisted in development of expert opinions on behalf of Defendants regarding the alleged infringement of trademarks related to BBQ grill products.
- *Sprint Communications Company LP v. Atlantic Broadband Finance LLC, et al.* (2020). Assisted in development of opinions related to lost profits and royalty damages from alleged patent infringement involving VoIP telephony network services.
- *Sprint Communications Company LP v. Charter Communications Inc. et al.* (2020). Assisted in development of opinions related to lost profits and royalty damages from alleged patent infringement involving VoIP telephony network services.
- *Sprint Communications Company LP v. Mediacom Communications Corp.* (2020). Assisted in development of opinions related to lost profits and royalty damages from alleged patent infringement involving VoIP telephony network services.
- *Sprint Communications Company LP v. TPC Global LLC et al.* (2020). Assisted in development of opinions related to lost profits and royalty damages from alleged patent infringement involving VoIP telephony network services.
- *Sprint Communications Company LP v. Wideopenwest Inc. et al.* (2020). Assisted in development of opinions related to lost profits and royalty damages from alleged patent infringement involving VoIP telephony network services.
- *Vitality Group International, Inc. v. Vitality Health Plan of California, Inc.* (2020). Assisted in development of expert testimony regarding unjust enrichment and royalty damages on behalf of Defendant related to alleged trademark infringement in the medical insurance and wellness industries.
- *3G Licensing, et al., v. Lenovo Group Ltd., et al* (2019). Developed expert opinions and managed creating expert report on behalf of defendants Lenovo and Motorola Mobility related to reasonable royalty damages for patent infringement involving cellular phone network technologies.
- *T.R.P. Company, Inc., v. Similasan AG and Similasan Corporation* (2019). Assisted in development of deposition testimony and expert reports on behalf of plaintiff/counter-defendant involving unjust enrichment and lost profits related to trademark infringement of certain homeopathic products.
- *Wi-LAN Inc. v. VIZIO, Inc.* (2019). Managed project in the development of expert opinion and deposition testimony on behalf of defendant for alleged patent infringement utilizing reasonable royalty approach for technology embodied in televisions.
- *Centripetal Networks, Inc. vs. Keysight Technologies, Inc. & Ixia* (2019). Assisted in development of expert opinion and deposition testimony on behalf of defendant for alleged patent infringement for technology embodied in hardware for network security.
- *ALS Scan v. Cloudflare* (2018). Assisted expert in valuing allegations of copyright violations by defendant, an internet service provider.
- *The Dow Chemical Company et al. v. Nova Chemicals Corporation* (2016). Managed team and supported testifying expert in a Canadian patent infringement case utilizing reasonable royalty and disgorgement analyses concerning polyethylene.

Antitrust and competition

- *In re Pork Antitrust Litigation* (2022). Supported expert in class action antitrust matter for direct purchaser plaintiffs related to class certification and merits assessment involving pork products.
- *In re Broilers Indirect Purchaser Antitrust Litigation* (2021). Supported expert in class action antitrust matter related to class certification and merits assessment involving broiler chickens.
- *In re Molded Doors Indirect Purchaser Antitrust Litigation* (2020). Supported expert in antitrust case on behalf of an indirect purchaser plaintiff class related to the evaluation of common impact, pass-through, and class wide damages involving alleged collusion on the prices for interior molded doors.
- *In re Packaged Seafood Products Antitrust Litigation* (2019). Analysis of anticompetitive impact of price fixing cartel involving packaged seafood products.
- *In re Western States Wholesale Natural Gas Antitrust Litigation* (2016). Managed team and supported testifying expert in a class action alleging conspiracy to manipulate natural gas prices. Assisted expert in report and deposition preparation. Supported expert in testimony before Federal Energy Regulatory Commission.
- *Golden Boy Promotions LLC v. Al Haymon and Haymon Boxing Management et al.* (2016). Analysis of alleged anticompetitive conduct on behalf of plaintiff related to vertical consolidation in the market for boxing promotion and boxer management.
- *In re Libor-based Financial Instruments Antitrust Litigation* (2015). Extensive analysis of alleged collusion among a dozen financial institutions. Development of financial models to understand potential damages to assorted putative classes.
- *Anderson News, LLC, and Lloyd Whitaker, as assignee for the benefit of creditors of Anderson Services, LLC, v. American Media, Inc. et al.* (2015). Supported both a liability and damages expert for plaintiff alleging antitrust violations through a conspiracy of publishers, distributors, and direct competitors. Analysis related to developing liability arguments. Performed discounted cash flow and options-based valuations of the business value.

Survey and choice-based conjoint

- *Truinject Corp. v. Galderma, S.A., Galderma Laboratories, L.P., Nestlé Skin Health, Inc.* (2022). Survey analysis in connection with allegations of breach of contract, patent infringement, and trade secret misappropriation claims. Assisted two experts in development of rebuttal report.
- *In re Juul Labs, Inc., Marketing, Sales Practices, and Products Liability Litigation* (2022). Analysis related to rebuttal opinions on survey methodology for several choice-based conjoint surveys. Assisted in development of rebuttal expert report.
- *In re MacBook Keyboard Litigation* (2021). Analysis related to rebuttal opinions on proposed choice-based conjoint and repair rate analyses. Assisted in development of rebuttal expert report. Prepared expert for deposition testimony.
- *Bay Parc Plaza (Aimco) v. Airbnb* (2019). Assisted team in support of academic expert who assessed Airbnb's liability for short-term rental activity in Aimco properties. Applied survey findings to an assessment of liability.

- *In re FCA US LLC Monostable Electronic Gearshift Litigation* (2018) Supported two experts in this matter by evaluating plaintiffs' proposed conjoint analysis and critiquing the plaintiffs' expert's damages model and issues related to class certification.
- *Nestle USA, Inc. v. Crest Foods, Inc.* (2018). Assisted expert in assessing lost profits damages and disgorgement related to trademark dilution and consumer confusion through survey analysis related to retail food stores.

Other commercial disputes

- *Patrick Calhoun, et al. v. Google LLC* (2021). Assisted in development of expert reports on behalf of plaintiff class involving damages and common impact related to alleged breach of contract involving the collection and retention of personalized information connected to web browsing activity.
- *QC Manufacturing, Inc., v. Solatube International, Inc. et al.* (2020). Assisted in preparation of arbitration testimony on behalf of complainant related to a breach of contract involving whole house fans.
- *M.A. Mobile Ltd. v. Indian Institute of Technology Kharagpur* (2019). Assisted expert in development of damages opinion on behalf of defendant.
- *E&G v. ERA* (2019). Assisted in analysis of breach of contract and related damages involving nightclub management and investment.
- *Citcon USA LLC v. Riverpay Inc. et al.* (2019). Developed trial, deposition testimony, and multiple expert reports on behalf of defendant/counterplaintiff concerning damages from alleged tortious interference and breach of contract involving electronic payment processing network services.
- *Sanchez et al. v. California Public Employees Retirement System, et al.* (2019). Assisted in analyzing potential damages related to premium increases for long-term care insurance.
- *Juarez-Segura, et al. v. Western Dental Services, Inc.* (2019). Analyzed late fees assessed on customers on behalf of defendant.
- *Firefighters' Retirement System, et al. v. Citco Group Limited, et al* (2018). Assisted expert in developing opinions and expert report related to anti-money laundering claims.
- *Gregory Greene et al. vs. Mizuho Bank, Ltd. and Mark Karpeles* (2018). Assisted two experts in developing opinions and an expert report for defendant Mizuho Bank related to class certification and industry background for a cryptocurrency exchange.
- *Gastelum and Bryden, et al. v. Verizon California, Inc.* (2017). Assisted in preparation of declaration analyzing defendant's collection costs associated with late payment fees for putative class members.
- *Consolidated Container Company LP v. Ecoplast Corporation et al.* (2017). Assisted in rebuttal report analysis related to lost profit damages in sale of company assets in the recycling industry.

PROFESSIONAL MEMBERSHIPS

American Bar Association, Antitrust and Intellectual Property Sections

COMMUNITY ACTIVITIES

Board Member, Tustin Dollars for Scholars