



## D. Scott Bosworth, CFA

Vice President, Cirque Analytics

### EDUCATION & CREDENTIALS

CFA Charterholder

M.S., economics, Utah State University

B.S., economics, Utah State University

### SPECIALIZED EXPERIENCE, RESEARCH, OR INTEREST

Antitrust; Commercial Disputes; Intellectual Property; Statistics and Econometrics; Labor; Valuation

#### PAST POSITIONS

2007-2021 Nathan Associates, Inc, Various (most recently Vice President)

2015-2016 Utah State University, Huntsman School of Business, Adjunct Professor of Economics and Finance, Logan, UT

2005-2006 Utah State University, Graduate Research Associate, Logan, UT

2006 Utah State University, Economics Instructor Logan, UT

#### COURSES TAUGHT

Principles of Micro/Macroeconomics, International Economics, Financial Analysis & Ethics

#### EXPERIENCE SUMMARY

For the past 15 years, Mr. Bosworth has served as a testifying expert and consulting expert in a broad range of matters involving intellectual property, antitrust allegations, numerous other forms of commercial disputes, detailed cost and fee analyses, and labor code violations. Mr. Bosworth's work has encompassed the quantification of damages related to misappropriation of intellectual property, the analysis of relevant antitrust markets and assessment of anticompetitive impact, and the quantification of violations and damages stemming from wrongful death/termination and labor code violations. Mr. Bosworth has provided expert opinions and analysis in both individual and class-action matters, and has given trial testimony in both Federal and State courts. Mr. Bosworth has taught courses on several topics in economics and finance, co-authored peer-reviewed articles related to damages quantification in patent and trademark infringement cases, and given talks and presentations on topics such as FRAND royalty rate determination, financial statement analysis, and the use of econometrics in damages quantification. Mr. Bosworth holds undergraduate and graduate degrees from Utah State University, and is a CFA charterholder and a member of the CFA Institute.

## INTELLECTUAL PROPERTY

Mr. Bosworth has extensive experience in the area of intellectual property damages, including claims related to infringement of patents, copyrights, and trademarks, as well as theft of trade secrets, and false advertising. The case contexts in which Mr. Bosworth has performed these analyses include:

- LED lights, packages, and lighting systems
- Electronic exchange systems for trading of commodities futures contracts
- Furniture/Home Appliance products (e.g., ovens, massage chairs, box springs, and blenders)
- Document and print inspection system technologies
- Business software (development simulation, computer tracking, call routing, data extraction)
- Clothing (handwear, padded athletic shirts/pants, headwear)
- Medical devices, medical records, and medicinal products
- Food and agriculture, including beverages and nutritional supplements
- Computer, electronics, and telecommunication industry, including devices, chipsets, networking and security equipment, as well as telecommunication services
- Cosmetics, nutritional supplements, and similar products
- Unauthorized use/misappropriation of published works, including technical manuals, works of fiction, training materials, and other written documentation
- Satellite television and broadband providers
- Tax preparation services
- Advertising and marketing through wireless mobile communications
- Electronic engineering and CAD packages used in US naval craft architecture

## COMPETITION / ANTITRUST

Mr. Bosworth has significant experience in the area of competition and antitrust, including analyses of relevant product and geographic markets, market power, monopolization, and likelihood of monopolization from impending events. Examples of Mr. Bosworth's work include:

- Analysis of horizontal price fixing and supply restraint conspiracies, including common impact, overcharges, and pass-through, in numerous industries, including computer components (SRAM, DRAM), packaged food products (tuna, ramen), home construction materials (interior molded doors), and agricultural products (potatoes, broilers).
- Analysis of impact of an alleged group boycott by providers of residential construction services.
- Evaluation of an affirmative defense of patent misuse from patent license terms for flash memory semiconductors and systems.
- Analyzed the likely competitive effects of proposed and past mergers in the gaming industry

## COMMERCIAL DISPUTES

Mr. Bosworth has provided expert testimony, analysis, and consulting services on matters from a broad range of disputes, including breaches of contract and/or tortious interference.

- Analysis of stock & asset sales following complex mergers
- Sales & distribution of food, beverages, nutritional & wellness supplements, and cosmetics
- Analysis of damages in the context of multi-level marketing or direct sales organizations
- Clothing & fashion articles & accessories, housewares, and other consumer goods
- Real estate developments
- Veterinary services, medical record software, and life & casualty insurance

## LABOR & EMPLOYMENT

Mr. Bosworth has provided analysis and expert opinions related to labor code violations, including wrongful termination, unpaid overtime, missed meal or rest breaks in numerous industries.

Selected engagements from Mr. Bosworth's experience include:

- Lost lifetime earnings due to alleged wrongful termination, wrongful death and/or inability to work
- Expert analysis of unpaid wages, unpaid overtime, missed meal breaks, and other violations in class actions ranging in size from less than 100 to nearly 100,000 members
- Expert analysis of monetary damages, including calculation of lost wages and applicable statutory penalties

## PUBLICATIONS & PRESENTATIONS

French, Schwartz, & Bosworth (2023), Scientific Issues: Introduction to Economic Damagers Analysis, in *Modern Scientific Evidence* (David L. Faigman, et al., eds.).

Bosworth, Mangum & Matolo (2017). FRAND Commitments and Royalties for Standard Essential Patents. In Bharadwaj, Devaiah, & Gupta (Eds.), *Complications and Quandaries in the ICT Sector: Standard Essential Patents and Competition Issues*. Singapore: Springer Singapore.

Bosworth, Mangum & Matolo (2017). Corrective Advertising in Lanham Act Damages: The Use and Misuse of Past Advertising Expenditures. *The Trademark Reporter*, Vol. 107(3), 760-775.

Understanding Company Financial Documents Used In Calculating IP Damages (Presentation at Jones Day), San Diego, CA (2017).

“The Interface of Intellectual Property and Antitrust Law” (Presentation at First Asia-Pacific Workshop on Empirical Methods in Innovation, IP, and Competition, National Law University, Delhi, India (2017).

IP Valuation: Context, Methods, & Resources (Presentation at Knobbe Martens Olson & Bear LLP), Irvine, CA (2016).

Bosworth & Bowles (2009). Online Enrollment and Student Achievement: A Treatment Effects Model. *Perspectives in Economic Education*, Vol. 5(1) Spring.

Bosworth, Davidson, & Fawson (2004). The Impact of Tuition Tax Credits in Utah. Report presented to Utah State Legislature.

## SUMMARY OF TESTIMONY

- Mocha Gunaratna v. Dr. Dennis Gross Skincare – Deposition – 2022
- I.M. Wilson, Inc. v. Grichko – Deposition – 2022
- Drips Holdings v. Teledrip – Deposition - 2022
- Premier Specialty Brands, LLC v. Dansons – Deposition - 2021
- SeneGence International v. Siara Martin, LLC – Deposition - 2021
- Vitality Group Int’l, Inc. v. Vitality Health Plan of California, Inc. – Deposition - 2020
- NextGen Healthcare, Inc. v. LA Laser Center, P.C. – Deposition - 2020
- John A. Lorant, M.D., v. Shriners Hospital For Children – Deposition - 2018
- Witeby v. NFP Property & Casualty Services, Inc. – Deposition – 2018
- Cheridy Roeger v. North Eastern Services, et al. – Deposition – 2017
- Imagenetix, Inc. v. Robinson Pharma, Inc., et al. – Trial – 2017
- Pui Fung Chan v. Robert M. Haroutonian, tagTrends, Inc., et al. – Trial – 2017
- Rachel Ann Nunes v. Tiffanie Rushton – Deposition – 2016
- Pui Fung Chan v. Robert M. Haroutonian, tagTrends, Inc., et al. – Deposition – 2016
- Plover Financial Services, LLC v. ITS Financial, LLC, et al. – Trial – 2015
- Plover Financial Services, LLC v. ITS Financial, LLC, et al. – Deposition – 2013

## LIST OF PAST CASES

Monster Energy Company v. Giant, Inc., and Christopher Ankawi, Central District of California (2022). Expert report regarding damages related to alleged trademark infringement on behalf of Plaintiff in the sports energy drink industry.

Mocha Gunaratna v. Dr. Dennis Gross Skincare LLC, Central District of California (2022). Deposition testimony and expert report and analysis of issues related to common impact, damages, and class certification on behalf of Defendant in the luxury skincare product industry.

Elissa Denker v. Michael Ricchio, Superior Court of California, County of Orange (2022). Expert report and analysis regarding cryptocurrency asset holdings, use, and trading activities on behalf of Defendant.

Progress Residential (2022). Analysis of late fees paid and collection costs on behalf of a residential home management company.

I.M. Wilson, Inc. v. Obshtchestvo S Ogranitchennoy Otvetstvennostyou “Grichko”, Eastern District of Pennsylvania (2022). Deposition testimony on behalf of Defendant regarding corrective advertising damages and reputational harm for alleged trademark infringement and false claims related to ballet shoes and apparel.

Drips Holdings, LLC v. Teledrip LLC and Taylor Murray, Northern District of Ohio (2021). Deposition testimony on behalf of Plaintiff regarding the alleged misappropriation of trademarks, trade dress, and trade secrets related to performance marketing technologies.

Plaintiff Class v. Akash Management LAppC & OC Burger Boys, LLC. Superior Court of the State of California, County of Los Angeles (2021). Declarations regarding wage and hour violations in fast food restaurant stores. Jointly retained by Plaintiff class and Defendants.

Premier Specialty Brands, LLC., d/b/a Kamado Joe, Inc., v. Dansons US LLC and Dansons, Inc., Northern District of Georgia (2021). Deposition testimony on behalf of Defendants regarding the alleged infringement of trademarks related to BBQ grill products.

SGII, Inc., d/b/a SeneGence International v. Siara Martin and Siara Martin, LLC, Central District of California (2021). Deposition testimony on behalf of Plaintiff/Counter-Defendants regarding the alleged infringement of trademarks related to cosmetic products.

Vitality Group International, Inc. v. Vitality Health Plan of California, Inc., Central District of California (2020). Gave deposition testimony regarding unjust enrichment and royalty damages on behalf of Defendant related to alleged trademark infringement in the medical insurance and wellness industries.

Nazanin Tehrani v. Macy's West Stores, Inc. American Arbitration Association (2020). Declaration on behalf of Counsel regarding appropriate costs/attorneys' fees.

NextGen Healthcare, Inc. v. LA Laser Center, P.C., ADR Services Arbitration (2020). Gave deposition testimony regarding revenues, fixed and variable costs, and lost profits damages on behalf of Plaintiff related to alleged breach of contract in the medical billings collections industry.

Pharma v. Noah Jussim, et al., Superior Court of California, County of Los Angeles, Central District (2020). Expert report and analysis of damages on behalf of plaintiff related to alleged legal malpractice.

In Re: Molded Doors Indirect Purchaser Antitrust Litigation, United States District Court, Eastern District of Virginia, Richmond Division (2020). Analysis in an 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.

GSF Family, LLLP v. Galardi Group Franchise & Leasing, Inc., Superior Court of California, County of Orange, Central Justice Center (2019). Expert report and analysis of lost profits due on behalf of Defendants/Counter-Claimants GSF related to alleged breach of contract in the food services industry.

Tina Turrieta v. Lyft Inc., Superior Court of the State of California, County of Los Angeles (2019). Expert analysis of time and compensation details for ridesharing services on behalf of Plaintiff class.

Lyzbeth Astorga v. Options For All, Inc., Superior Court of California, County of San Diego, Central Divison (2019). Expert analysis of time and payment records in class action wage & hour matter on behalf of Defendant.

John A. Lorant, M.D., v. Shriners Hospital For Children, United States District Court, Central District of California (2018). Gave deposition testimony & submitted expert report on behalf of plaintiff regarding damages related to the alleged wrongful termination of a board-certified plastic surgeon.

Bennett F. Witeby Insurance, Inc. & Curtis J. Witeby v. NFP Property & Casualty Services, Inc., American Arbitration Association (2018). Gave deposition testimony regarding revenues, fixed and variable costs, and damages related to wrongful termination, solicited employees, and lost value of an insurance business on behalf of Respondent/Counter-claimants.

Soteria Encryption, LLC v. Apricorn Inc., United States District Court, Central District of California (2018). Analysis of reasonable royalty damages owed for alleged infringement of a patent related to secure data encryption on behalf of defendant.

Tierney Tupac v. ADM Trucking, Inc. & Archer Daniels Midland Company, Superior Court of the State of California (2018). Retained by defendants to analyze of claims of lost future income due to alleged wrongful death.

In Re Packaged Seafood Products Antitrust Litigation, United States District Court, Southern District of California (2018). Analysis of anticompetitive impact of alleged price fixing cartel in the packaged seafood product.

Cheridy Roeger v. North Eastern Services, et al., Fourth District Court of the State of Utah, Utah County, (2017). Gave deposition testimony regarding lost income due to alleged wrongful termination.

Imagenetix, Inc. v. Robinson Pharma, Inc., et al., United States District Court, Southern District of California (2017). Testified in trial on behalf of plaintiff concerning reasonable royalty damages related to alleged patent infringement involving supplements used to treat osteoarthritis.

Genes Industry, Inc. v. Custom Blinds and Components, Inc. United States District Court, Central District of California (2017). Retained by defendant to provide expert consulting at trial regarding reasonable royalty & lost profits damages stemming from alleged patent infringement in the custom home blinds industry.

Elizabeth Duarte v. Carl Archer Enterprises, Inc. and Carl Archer Enterprises LLC, Superior Court of the State of California (2017). Analysis of time & payment records. Declaration regarding data sufficiency.

Northern Bottling Co., Inc., v. Pepsico, Inc. United States District Court, District of North Dakota Northwestern Division (2017). Retained by Defendant to provide analysis of alleged anticompetitive behavior in the soft drink bottling industry.

Schneider et al. v. Chipotle Mexican Grill, Inc., United States District Court, Northern District of California, San Francisco Division (2017). Analysis of price premium damages involving alleged false statements about food product ingredients on behalf of defendant.

Plaintiff Class v. Delicate Cosmetics, Inc., Superior Court of California, (2017). Jointly retained by plaintiff and defendant to provide analysis of time and payment records and to assist in preparation of a common data set for use in determining damages. Expert report submitted on behalf of Plaintiff Class regarding time records.

Microsoft Corporation v. A&S Electronic Inc. United States District Court, Northern District of California (2017). Analysis of damages (including impacted sales, fixed and variable costs) from alleged trademark and copyright infringement involving business productivity software packages on behalf of defendant.

Jenhanco, Inc. v. The Hertz Corporation, Central District of California (2017). Analysis on behalf of defendants regarding airport concession fees and lost profits (including impacted sales, fixed and variable costs) due to a breach of contract in the car rental industry.

Personal Watercraft Product SAS v. Flydive, Inc., et al., United States District Court, Central District of California, Southern Division (2017). Analysis of irreparable harm on behalf of plaintiff related to alleged patent infringement in the personal watercraft industry.

Pui Fung Chan v. Robert M. Haroutonian, tagTrends, Inc., et al., Superior Court of the State of California (2017). Trial and deposition testimony on behalf of counterclaimants regarding damages related to the alleged theft of a business entity in the garment trim industry. Detailed analysis of lost sales and related costs.

Nicole Naghi, et al. v. Oldman, Cooley, Sallus, Gold, Birnberg & Coleman, LLP, Superior Court of California, (2017). Expert report and analysis regarding the valuation and sale of a closed-door pharmacy business following death of owner.

Ingram Micro Inc., et al., v. LG Electronics, Inc., et al., United States District Court for the Northern District of California, (2017). Analysis of alleged anticompetitive pricing in the market for optical disk drives on behalf of plaintiffs.

Rachel Ann Nunes v. Tiffanie Rushton, United States District Court, District of Utah (2016). Expert report and deposition testimony regarding the lost revenues and profits (including analysis of incremental costs) stemming from unauthorized use/copyright infringement of a novel.

Amoore, Helnwein, & Booth v. L'Cheriyve LLC & Yvette Poole, United States District Court, Central District of California (2016). Expert rebuttal report on behalf of defendant concerning damages related to alleged misappropriation of protected photographic images related to women's clothing articles.

Plaintiff Class v. Global Equity Finance, Inc., Superior Court of California, (2016). Jointly retained by plaintiff and defendant to provide analysis of payroll, commission and bonus payment records in the context of a dispute over unpaid compensation.

Homeland Housewares, LLC and Nutribullet, LLC v. SharkNinja Operating LLC, United States District Court, Central District of California (2016). Analysis of false advertising damages on behalf of Defendant related to household blender products.

Reserve Media Inc. v. Efficient Frontiers Inc. et al., United States District Court, Central District of California (2016). Analysis on behalf of counterdefendant concerning damages related to alleged trademark infringement involving restaurant reservation services.

Globeride Inc., v. Pure Fishing, Inc., United States District Court, Central District of California (2016). Analysis on behalf of plaintiff concerning damages related to alleged patent infringement involving fishing reels.

In Re Korean Ramen Antitrust Litigation, United States District Court, Northern District of California San Francisco Division (2016). Analysis of anticompetitive impact of alleged price fixing cartel in the Korean Ramen noodle industry.

Evolv LLC v. Joyetech USA, LLC, Joyetech (Changzhou) Electronics Co., Ltd., and Wismec Industry Co., Ltd., United States District Court, Central District of California, Southern Division (2016). Analysis of irreparable harm on behalf of plaintiff related to a patent involving electronic nicotine delivery system (ENDS) technology and products.

MCBDC, LLC v. Cache Valley Home Builders Association, et al., First District Court of Cache County State of Utah, (2016). Expert report on behalf of defendants regarding the anticompetitive effects of an alleged group boycott in the housing construction industry.

Thompson v. Target Corporation, United States District Court, Central District of California (2016). Performed analysis of employee rights violations in a class-action litigation for employees of a retail sales company. Submitted both affirmative and rebuttal declarations regarding violations on behalf of plaintiff class, and submitted declarations in support of class certification.

Trustees of Boston University v. Epistar Corporation, Lite-On Inc., Everlight Electronics Co. Ltd., and Everlight Americas Inc., United States District Court, District of Massachusetts, (2015). Analysis of patent infringement damages on behalf of defendants related to LED semiconductor chips.

Thomas Lee Phillips v. Cameron Randall Phillips, Superior Court of the State of California (2015). Performed complex financial analysis, including asset valuation and asset tracing, related to marital dissolution.

Razor v. Vizio, United States District Court, Central District of California (2015). Analysis on behalf of plaintiff concerning disgorgement of profits (including detailed analysis of related fixed and variable costs) and lost royalties related to alleged trademark infringement involving LED televisions.

Epicor Software Corporation v. Alternative Technology Solutions et al., United States District Court, Central District of California (2015). Analysis of damages on behalf of plaintiff related to alleged theft of trade secrets, copyright infringement, and breach of contract involving ERP software.

Plaintiff Class v. ARG Resources, (2014). Analysis of employee rights violations in a class-action litigation for employees of a fast food restaurant chain in California.

R.W.L. Enterprises v. Oldcastle Inc. et al., Superior Court for the State of California, County of San Diego, North County Division (2015). Analysis on behalf of plaintiff concerning alleged price discrimination among dealers of hardscape building materials.

Seth Wallack and San Diego Veterinary Imaging Inc. v. Idexx Laboratories Inc., et al., United States District Court, Southern District of California (2015). Analysis of trademark infringement damages on behalf of defendant related to veterinary teleradiology services.

Zenith et al. v. Scepter Inc., United States District Court, Central District of California (2015). Analysis of FRAND royalties and patent infringement damages on behalf of defendant related to television and tuners.

Young Living Essential Oils LC v. doTERRA Inc., Fourth Judicial District Court, State of Utah, Utah County (2015). Analysis of damages on behalf of defendants related to the alleged breach of contract and theft of trade secrets in the MLM health and wellness industry.

Nichia v. Everlight, United States District Court, Eastern District of Texas, Marshall Division (2015). Analysis on behalf of defendant concerning injunctive relief related to alleged patent infringement involving LED chips.

Broadspring Inc. v. Congoo LLC, et al., United States District Court, Southern District of New York (2015). Analysis of false advertising damages on behalf of plaintiff related to the sale and placement of advertorial advertising on the internet.

EPI Solution Technology Co., et al., v. VEECO Instruments Inc., et al., Superior Court for the State of California, County of Los Angeles (2015). Analysis of damages on behalf of defendants due to a breach of contract related to machines used in semiconductor wafer manufacturing.

Imaginal Systematics v. Leggett & Platt, Inc. and Simmons Bedding Company, United States District Court, Central District of California, Western Division (2014). Analysis of patent infringement damages on behalf of defendants related to automated stapling machines used in bed manufacturing.

Digital Satellite Connections, LLC v. DISH Network Corporation, United States District Court, District of Colorado (2014). Analysis of royalty and disgorgement damages related to alleged trademark infringement in providing broadband Internet service on behalf of defendants.

Phaedrus Internet Development, Inc. v. Kaiser Foundation Health Plan, et al., Superior Court of California, County of Alameda, Hayward Division (2014). Analysis of Quantum Meruit damages on behalf of plaintiff related to medical imaging software.

In Re Fresh and Process Potatoes Antitrust Litigation, United States District Court for the District of Idaho, Eastern Division (2014). Analysis of alleged price and output constraints originating from grower cooperatives in the fresh potato industry on behalf of the indirect purchaser class.

Robert McCrary v. The Elations Company, LLC, United States District Court, Central District of California (2014). Analysis of restitution and disgorgement damages related to alleged false advertising involving nutritional supplement beverages.

Julio Franco v. Flight Line Products, Inc., Superior Court of State of California, County of Los Angeles – Central Civil West (2013). Analysis on behalf of defendant concerning allegations of unpaid overtime wages and other employee-rights violations.

Plover Financial Services, LLC v. ITS Financial, LLC, Fez Ogbazion, and Speedy Tax Inc., Superior Court California - County of Los Angeles, South Central District (2013). Trial and deposition testimony on behalf of counterclaimants regarding damages related to misappropriation of business secrets and intellectual property in the tax preparation industry.

Cellebrite v. MicroSystemation, et al, United States District Court, Eastern District of Virginia, Alexandria Division (2013). Analysis of copyright infringement & theft of trade secrets damages on behalf of defendant related to forensic data extraction software and technology.

Crider Inc. v. Eugene Welka and Huntsman Gay Global Capital LLC, Superior Court of Chatham County, State of Georgia (2013). Analysis of breach of contract and fiduciary duty damages on behalf of defendant related to the development of shelf-stable food products.

David Roth v. Hasbro Inc. and Hasbro Int'l., United States District Court, Central District of California (2013). Analysis of damages on behalf of plaintiff related to breach of contract and alleged misappropriation of trade secrets involving toy design and functionality.

Imagenetix, Inc. v. Frutarom USA, Inc., United States District Court, Southern District of California (2013). Analysis on behalf of plaintiff concerning lost profits resulting from alleged breach of supply contract involving government approval of active ingredients in nutraceuticals.

LMG Concerts, LLC v. Salem Communications Corporation, Salem Media of Oregon, Inc., & Caron Broadcasting, Inc., United States District Court for the District of Oregon, Portland Division (2013). Provided analysis on behalf of behalf of defendants related to alleged anticompetitive behavior in the concert promotions industry.

Branovations, Inc. v. Ontel Products Corporation, United States District Court, Middle District of Florida, Fort Meyers Division (2013). Analysis of patent infringement damages on behalf of defendant related to women's clothing accessories.

Biocell Technology, LLC v. Arthro-7, Inc. et al, United States District Court for the Central District of California, Southern Division (2013). Provided analysis on behalf of plaintiff concerning reasonable royalty damages related to alleged patent infringement and false advertising involving nutritional supplements.

Fort McDowell Yavapai Nation v. Steptoe & Johnson, LLP, Superior Court of the State of Arizona for the County of Maricopa (2013). Analysis of damages on behalf of plaintiff related to an uncompleted casino development.

eTAGZ, Inc. v. Quiksilver, Inc., United States District Court for the Central District of California (2012). Analysis of patent infringement damages on behalf of defendant related to electronic marketing methods in the clothing industry.

Landmark Technology Inc. v. A-T Solutions Inc., et al, Circuit Court of Fairfax County, VA (2012). Analysis of damages on behalf of plaintiff related to breach of contract and non-solicitation agreements in government contracting.

Deep9 Corporation v. Barnes & Noble, Inc., and Barnesandnoble.com, LLC, United States District Court for the Western District of Washington at Seattle (2012). Analysis of patent infringement damages on behalf of plaintiff related to data synchronization in electronic eReader devices.

Fujitsu Limited v. Belkin International, et al., United States District Court for the Northern District of California, San Jose Division (2012). Analysis of patent infringement damages on behalf of defendants related to the use of wireless networking cards.

SanDisk Corporation v. Kingston Technology, United States District Court for the Western District of Wisconsin (2011). Analysis of relevant markets, market power, likely anticompetitive effects of plaintiff's licensing program, and damages on behalf of defendant.

William Troy Widgery and Go Fast Sports & Beverage Co. v. Go Fast Holdings, LLC, District Court for Clark County, Nevada (2011). Expert report on behalf of counterclaimant regarding damages stemming from allegations of unfair competition in the sports beverage industry.



William Krueger v. California Institute of Technology, Superior Court of the State of California, Los Angeles County (2011). Expert declaration & analysis of employee rights violations in a class-action litigation for employees of an educational institution and its research facilities.

Pauma Band of Luiseno Mission Indians v. Harrah's Operating Company, Inc. Superior Court of California, County of San Diego (2011). Analysis of the relevant market, market power, impact on competition, and damages related to a failed casino development project.

Bogart, LLC v. Plummers, Inc., Scandinavian Designs, Inc., and Dania, Incorporated, United States District Court, Central District of California, Western Division (2011). Analysis of trademark infringement damages on behalf of defendants related to retail sales of furniture.

In Re Dynamic Random Access Memory (DRAM) Antitrust Litigation, United States District Court, Northern District of California, San Francisco Division (2011). Econometric analysis of DRAM cost pass-through on behalf of Indirect Purchaser Plaintiffs.

In Re Static Random Access Memory (SRAM) Antitrust Litigation, United States District Court, Northern District of California, Oakland Division (2011). Econometric analysis of SRAM cost pass-through on behalf of Indirect Purchaser Plaintiffs.

Chicago Mercantile Exchange and The Board of Trade of the City of Chicago v. Technology Research Group LLC, United States District Court, Northern District of Illinois, Eastern Division (2011). Analysis of patent infringement damages on behalf of counterclaimant related to electronic securities trading.

Grandway Honduras, LLC and Gloveables Inc. v. Two Lumps of Sugar, LTD., United States District Court, Central District of California (2010). Analysis of design patent infringement damages on behalf of plaintiffs related to fashion kitchen and gardening products.

Dowell v. Petco, Superior Court of the State of California, Los Angeles County (2010). Analysis of employee rights violations in a class-action litigation in a retail kitchen supplies company for plaintiff class.

Mills v. Sur la Table, Superior Court of the State of California, Los Angeles County (2010). Analysis of employee rights violations in a class-action litigation in a retail kitchen supplies company for plaintiff class.

Williams v. Sherwin-Williams, Superior Court of the State of California, San Luis Obispo County (2010). Analysis of employee rights violations in a class-action litigation in a retail paint company for plaintiff class.

BestSweet Inc. v. NTI Holdings Corp. and Nutravail LLC, United States District Court, Eastern District of Virginia, Alexandria Division (2010). Analysis of damages for patent infringement and misappropriation of trade secrets in the soft chew confectionary industry.

Accuride International, Inc. v. SSW Holding Company Inc., United States District Court, Central District of California (2010). Evaluated damages associated with claims of patent infringement regarding residential oven mechanism technology.

KBA-Giori v. Muhlbauer, Inc. and TEMA GmbH, United States District Court, Eastern District of Virginia, Norfolk (2010). Analysis and estimation of damages for plaintiffs associated with claims of patent infringement regarding document and print inspection system technologies.

Bryan Callan v. Christian Audigier, Inc., United States District Court, Central District of California, Western Division (2009). Evaluated damages associated with claims of breach of contract, copyright infringement, and unfair competition related to fashion clothing.

Tessera Technologies, Inc. v. Hynix Semiconductor, Inc.; Superior Court of the State of California for the County of Santa Clara (2009). Estimated damages on behalf of plaintiff related to alleged interference and anticompetitive conspiracy regarding technology used in DRAM memory.

Beshem Holdings, LLC v. Schmitz & Associates, Inc., Superior Court of the State of California for the County of Los Angeles (2009). Analysis of damages on behalf of defendant from alleged malpractice related to commercial development and land use.

iRise v. Axure, Inc., United States District Court, Central District of California (2009). Analysis of patent infringement damages on behalf of plaintiff related to software simulation technologies.

Robert L. Goldman and CELS Enterprises, Inc. v. L.C. Licensing, Inc., et al., United States District Court, Central District of California, Western Division (2009). Analysis of damages on behalf of defendants/counterplaintiffs related to alleged trademark infringement involving footwear.

ATSER Research Technologies, Inc. v. Raba-Kistner Infrastructure, Inc., et al., United States District Court, Southern District of Texas, McAllen Division (2009). Analysis of patent infringement damages on behalf of defendant related to management of transportation construction projects.

Spine Solutions Inc. v. Medtronic Sofamor Danek, Inc., United States District Court, Western District of Tennessee (2008, 2009). On behalf of plaintiff, calculated damages from alleged patent infringement involving spinal disk implants.

DDL OMNI Engineering LLC v. Progeny Systems Corp., Circuit Court of Prince William County, Virginia (2008). Analysis of damages on behalf of plaintiff related to alleged theft of trade secrets involving electronic engineering and CAD packages used in US naval craft architecture.

In the Matter of Certain Flash Memory Controllers, Drives, Memory Cards, and Media Players and Products Containing Same, U.S. ITC, Washington DC, (2008). Analysis of relevant markets and market power, and evaluated licensing structure as part of affirmative defenses for patent misuse for tying and double royalties, all related to manufacture of flash memory devices.

Amakua Development LLC v. H. Ty Warner, United States District Court for the Northern District of Illinois, Eastern Division (2006 - 2008). Analysis of damages on behalf of plaintiff damages related to alleged breach of non-circumvention agreement related to the sale and acquisition of luxury vacation and residential resort property.

Gerald A. Kellogg v. Nike, Inc., United States District Court, District of Nebraska (2008). Analysis of damages on behalf of defendant regarding alleged design patent infringement for athletic hats.

Human Touch, LLC (formerly Interactive Health LLC) et al. v. KingKong USA, Inc., et al., United States District Court, Central District of California, Western Division (2008). Analysis of damages related to alleged patent, trademark, and trade dress infringement, as well as false advertising and unfair competition related to massage furniture and products.

Images Everywhere, Inc. v. Six Flags Theme Parks Inc., Superior Court for the State of California, County of Los Angeles – Central District (2008). Analysis of lost profits from breach of contract related to photography concessions at amusement parks.

