

Deposition and Trial Testimony 2013 – 2018 Stanley P. Stephenson, Ph.D.

Darrick Washington v. Gregory L. Lattimer, Esquire, et al. (Case No. 2016-CA-001941; Circuit Court of the 19th Judicial Circuit, St. Lucie County, Florida) Retained to provide rebuttal to plaintiff damages experts in case alleging legal malpractice. Claim was that if plaintiff's original lawsuit had been filed in a timely manner, and if plaintiff (a minor) had won that lawsuit, then plaintiff would have received damages. However, legal malpractice case only included prospective medical care as damages – not earnings loss claim. Provided deposition testimony October 11, 2018 in Tampa, Florida.

Jesus Arencibia v. Kelly Ann Perrino and Robert W. Thomas, Jr. and The Travelers Indemnity Company of America. (Case No. 2017-CA0000976, Division 3-D; Circuit Court of the Fifth Judicial Circuit, Hernando County, Florida) Provided preliminary assessment of lifetime earnings loss to plaintiff, a male truck driver, age 52, with 9th grade education, who was involved in a vehicle accident in August 2016. Challenges included fact that plaintiff's earnings rose steadily and greatly after the accident but a surgery in April 2018, linked to the accident, led to cutting back on work in 2018. Provided deposition testimony on October 5, 2018. Client was defense counsel.

Josephine A. Vitale v. The Hanover Insurance Company. (Case No. 1585CV01575; Commonwealth of Massachusetts, Worcester Superior Court). Assessed economic damages to plaintiff from personal injuries sustained in vehicle accident. Also assessed cost of life care plan offered by life care planner. Law called for consideration of lost earnings capacity. Special challenges to assessing damages amount were due to age and education of plaintiff and her work status at time of the accident. Provided testimony July 9, 2018 in arbitration hearing in Boston, Massachusetts.

Brian Bishop v. Lipman and Lipman, et al. (Case No. 11-2013-CA-002224-0111-XX; Circuit Court of the 20th Judicial Circuit, Collier County, Florida) Assessed economic damages to plaintiff as a result of alleged wrongful termination connected to defendant's violation of Florida Whistleblower Statute. Plaintiff had been employed 15 years at the firm, the largest tomato grower in North America, and was Chief Information Officer from 2004 to early 2012 when fired. Provided deposition testimony on June 29, 2017, and explained how economic damages were assessed consisting of lost net earnings and fringe benefits. Retained by plaintiff counsel.

Amalia H. Morrissey and George E. Morrissey v. Subaru of America, Inc., and Fuji Heavy Industries, Ltd. (Case No. 8:16-cv-00048-JDW-AAS; United States District Court Middle District of Florida Tampa Division) Assessed economic damages to plaintiff as a result of traumatic injuries due to an alleged performance failure of an auto leading to an accident. Economic damages comprised of lost earnings, lost value of household production services, and value of medical care and related services as part of a life care plan (developed by a life care plan specialist). Provided January 2017 videotaped deposition *duces tecum*. Retained by plaintiff counsel.

Terry Haynie v. United Airlines, Inc. (Case No. 1:15-CV-00625-LMB-IDD; United States District Court for the Eastern District of Virginia, Alexandria Division) Provided deposition testimony in March 2016. Retained by plaintiff's counsel. Complex case involving complaints of harassment, hostile work environment and constructive discharge brought against airline carrier. Duties involved assessment of net present value of past and future earnings with adjustments for mitigation, tax offset, pay growth and fringe benefits. Also provided a 'rebuttal' of defense expert's rebuttal report.

Barn Light Electric Company, LLC v. Barnlight Originals, Inc., Hi-Lite Manufacturing Company, Inc., and Jeffrey L. Ohai. (Case No. 8:14-CV-01955-MSS-EAP; United States District Court for the Middle District of Florida, Tampa, Florida) Provided deposition testimony in October 2015 regarding economic damages, mainly lost profits, arising from infringement of intellectual property. In particular, assessed economic damages due, claims of infringement of copyright, trademark, trade dress, unfair completion and false advertising, claims made by defendant acting as a plaintiff in counterclaim action. Also, provided rebuttal of opposing expert's damages opinion.

Thomas J. McIntosh, v. City of Kissimmee. (Case No. 12-CA-5868 OC; Circuit Court of the Ninth Judicial Circuit in and for Osceola County, Florida) Provided testimony in this wrongful termination case in March 2015. Case involved an older worker

who was terminated after filing a workers' compensation claim. Damages were adjusted for mitigation and taxes. A challenging aspect is the lack of empirical studies showing how long displaced workers need to catch up to pre-layoff wage.

Lin Ouyand v. Achem Industry America. (Case No. BC468795; Superior Court of the State of California, County of Los Angeles) A dispute between an employee and her former employer with multiple causes of action. Provided trial testimony in October 2014 regarding two main issues in the case: how long it would take a typical Asian female to find a job and, once found, how that job would compare with her past job as per pay. These questions were addressed with pooled Displaced Worker Survey data from 2008, 2010, and 2012 and appropriate econometric methods in controls such as economic conditions, age, education, industry and occupation of plaintiff. Also considered extent of wage loss due skill erosion associated with plaintiff voluntarily being out of labor force for 2.3 years; an application of human capital model with CPS data. Because defendant kept open prior position at a wage 25% above that which plaintiff could find after 50 weeks of searching, opinion was no damages.

Estate of Charles Wilks Christian, et al. v. Charles Weiner, M.D., et al. (Case No. 24-C-12-008052; Circuit Court for Baltimore City, Maryland) Provided deposition testimony in this wrongful death case in September 2013, which was continued in February 2014. Also provided jury trial testimony in June 2014. Damages assessed included the present value of lost market and non-market work with adjustments for personal consumption, family income, and work life expected. Analysis followed opinions of medical doctor on plaintiff's ability to do market work and a vocational rehabilitation specialist as to what type of work. Several assessments provided depending on prospective pay level and alternatively the present value of transfer payments if no work in market.

Soluciones Innovadoras de Planeación S.C., v. Column5 Consulting Group, LLC, et al. (Case No. CV-12-01832- PHX-ROS; United States District Court for the District of Arizona) A large and complex case involving two IT companies competing with related products and services in Mexico and the U.S. Services provided included a December 2013 deposition testimony and two primary but related reports: one, a rebuttal report or critique of plaintiff's claim of lost profits and lost business value and second, a separate and independent analysis of possible business damages, including lost profits and lost business value. Assessments included future market developments, risk adjusted cost of capital, comparison of target company operations with others in similar industry.

Angela Smith v. Allstate Insurance Company (Case No. 12-CA-00207; Circuit Court of the Twelfth Judicial Circuit, Manatee County, Florida, Civil Division) Assessed economic damages to plaintiff arising from two vehicle accidents in which she was injured, with career and earnings limits, according to a vocational rehabilitation expert. In November 2013 and December 2016 provided an opinion of economic damages in two deposition testimonies. Loss primarily future earnings loss and past medical costs, measured in present discounted value.

Marlin Gas Transport, Inc. and Neil Enerson v. LNG Energy Solutions, LLC (Civil Action No. 8:12-CV-02421-EAK-TGW; United States District Court Northern District of Florida Gainesville Division) Provided deposition testimony in October 2013 in this patent infringement case. Damages estimated included payment on hypothetical reasonable royalty rate, estimated by Georgia-Pacific factors, plus associated damages associated with interference by defendant with contractual relations between plaintiff and major client. Both parties were participants in delivery of natural gas industry.

Mercedes Walton v. Cyro-Cell International, Inc. (Case No. 33 166 000383-11 Arbitration) Provided deposition testimony January 2013. Provided an opinion of economic loss following separation of plaintiff from Cyro-Cell International, Inc., where she had been CEO. Damages included lost earnings, fringe benefits, stock options, and a decline in external board memberships following separation in late August 2011. Special challenges to measuring damages came from considering plaintiff's age, gender, race, and occupation; challenges addressed by appropriate econometric procedures.

Deposition and Trial Testimony Prior to 2013

B-K Cypress Log Homes, Inc. a Florida Corporation v. Auto-Owners Insurance Company, a foreign corporation (Case No. 1:09-CV-00211-MP-AK; United States District Northern District of Florida Gainesville Division) Provided deposition testimony March 2012. A complex case in which an insured (plaintiff) sued insurance carrier for statutory bad faith and adverse general business practices under Florida Law. Damages were assessed using a business interruption model to capture three components of lost profits; namely, lost profits due sales decrease, lost profits due decline in incremental profit margin and lost profits due increase in extra-legal and travel costs.

Linda Caldwell, et al. v. Oliver Sevilla et al. (Case No. 2008-CA-1457; Fifth Judicial Circuit in and for Citrus County, Florida)

Provided deposition testimony in February 2012. This wrongful death case involved claims of lost business value, lost support, accumulation loss and lost household production value. I provided rebuttal comments to plaintiff's expert's report and developed separate damages assessments. In particular I adjusted loss for income tax and life expectancy due to poor health of decedent, issues overlooked by plaintiff's expert.

Linda Austin v. Michael C. Mangan and John J. Mangan (Case No. 09 L 006523; Circuit Court of Cook County, Illinois, County Department, Law Division) Provided deposition testimony in February 2012. Case involved personal injury to plaintiff as a result of an auto accident. At the time of the accident the plaintiff was working as a direct sales agent with a pre-existing medical condition, sometimes called TMJD or TMD. Damages assessed by comparing actual vs. but-for income. Lack of certainty regarding when pre-accident income would catch up with mitigation income was offset by offering three damages scenarios: 3, 5, and 7 years post-accident to catch up.

Todd Fusia & Mark Swierzewski, M.D.'s, P.A. d/b/a Tampa Bay Urology, et al. v. Bond Development, Inc., Bond Medical Group, Inc., et al. (Case No. 09-09277 Division L; Thirteenth Judicial Circuit of the State of Florida, Hillsborough County) Provided deposition testimony October 2011. This complex case included claims of contract breach, breach of fiduciary duty, conversion, unjust enrichment, and fraudulent inducement. Unjust enrichment damages computed as the difference between actual and hypothetical payments by the physicians to defendants.

F. Alioto Company, Inc. v. City and County of San Francisco, a municipal corporation operating by and through its Port Commission; ExxonMobil Oil Corporation. (Case No. CGC-09-489792; Superior Court of California, County of San Francisco) Provided deposition testimony August 2011. Damages computed included lost past profits, measured as but-for revenue less avoided variable costs, plus the present value of future lost profits in three different scenarios.

Empire State Ethanol and Energy, LLC v. BBI International ("BBI"), Michael Bryan, Individually and as Chief Executive Officer of BBI International. Provided arbitration testimony, American Arbitration Association, New York, NY, June 2010. This was a complex commercial dispute involving an alleged breach of contract. Damages mainly involved an assessment of the business value of a dry-mill ethanol plant that would have been built in Albany, NY if not for the contract breach.

Jose Luis Moreno v. Matt Aanerud; City of Atascadero et al. (Case No. CV 080295; Superior Court of California, County of San Luis Obispo) Suit against police officer who injured plaintiff during wrongful incarceration such that Mr. Moreno suffered permanent and work-limiting disability. Damages assessed as loss of past and future earnings. Provided deposition testimony in April 2010 and jury trial testimony in May 2010.

Nancy Callahan v. Rod Goya, et al. (Case No. M85690; Superior Court of California, County of Monterey) Case involves personal injury arising from history of water intrusion and toxic mold exposure to tenant of office in commercial property. Deposition in May 2009 dealt with my economic analysis of lost earnings, foregone household production value, costs of accommodations to plaintiff's home suggested by MD, and present value of future medical costs. Jury trial testimony in May 2010.

Shellie Hernandez v. Walter S. Marks, et al. (Case No. A554535 Dept. No. XXIV. District Court Clark County, Nevada) Provided deposition testimony January 2010. This was a complex personal injury case in which plaintiff experts opined damages due to loss of earnings capacity, household production value, and loss of value in quality of life. Provided rebuttal testimony to each expert.

Gregg Norton et al. v. Estate of Bertha E. Dunn et al. (Case No. CV 070346; Superior Court of California, County of San Luis Obispo) Provided deposition testimony in October 2009. This was a personal injury case involving the owner operator of a swimming pool contractor business. Damages considered loss of but-for net income adjusted for revenue trend and seasonality and avoided variable expenses. Other damages included loss of household production services.

Marla J. Cramin, as Personal Representative of the Estate of Jeffrey D. Cramin v. Bahama Divers Company Limited, et al. (Case No 0407480; Seventeenth Judicial Circuit in and for Broward County, Florida) Provided trial testimony June 2009 in this wrongful death case. Economic damages included lost earnings and household production value, loss of care and helping to minor children, and associated damages involving earnings loss of surviving spouse. This was a jury trial involving only damages.

I-Flow Corporation v. Apex Medical Technologies, Inc., et al. (Case No. 07-CV-1200 DMS (NLS); United States District Court for the Southern District of California) This is a complex litigation involving intellectual property infringement in medical technology industry. Provided deposition testimony in April 2009 in which I offered opinions based on my analysis of economic damages arising from unfair competition under Lanham Act Section "false advertising" and rebutted claims of

economic damages due patent infringement.

Williams, et al. v. Teris, et al. (Case No. 106CV-072071; Superior Court of California, County of Santa Clara) Provided deposition testimony in June 2008 in which I offered opinions related to the ability of the defendant to pay punitive damages if trial outcome included such damages. Testimony based on my analysis of the equity market value of the defendant.

Responsible Me, Inc., v. Evenflo Company, Inc., et al. (Case No. 06-61736-CIV-Hurley/Hopkins; United States District Court Southern District of Florida) Provided deposition testimony in May 2008. This is a patent infringement case and I assessed reasonable royalties due the plaintiff using quantitative and qualitative methods of analysis. In conducting my analysis I considered factors and evaluation criteria set forth in *Georgia-Pacific v. United States Plywood Corporation* and other case precedents.

Charles Chartier v. Thunderbird, The Garvin School of International Management (Case No. CV2006-010073; Superior Court of Arizona, County of Maricopa) Provided deposition testimony in March 2008. This is an employment dispute which focused on underlying questions regarding length of contract between parties. Damages considered included net loss of earnings and benefits associated with different assumptions about contract length and plaintiff duty to mitigate loss.

Cynthia Diane Smith v. Edward J. Conner, Amore Property Management, et al. (Case No. 411127; Superior Court of California, County of San Francisco) Provided deposition and trial testimony in this personal injury case in February 2008. Plaintiff claimed loss of earnings potential after alleged exposure to carbon monoxide in her apartment. Analysis consisted of computing various net earnings loss scenarios associated with claimed loss to Silicon Valley manager beginning in November 1999.

Margaret Petersen v. Norman P. Moscow, M.D. et al. (Case No. RG05 195249; Superior Court of California, County of Alameda) Provided deposition testimony in March 2007. Case involved a medical malpractice claim after the plaintiff, who was already disabled with quadriplegia, was further disabled by barium extravasations during a barium enema. Damages analysis consisted of projecting future costs of care, including hospitalization, physical and psychological therapy, medicines, physician care, and skilled nursing home care and computing the present value of these future costs as of trial date.

Rosemary Valladares, Ramon Delgadillo, Hugo Perez v. Madera Quality Nut, Inc. et al. (Case No. 024133; Superior Court of California County of Madera Unlimited Jurisdiction) Provided deposition testimony in July and August 2006 and jury trial testimony in September 2006. Three employment dispute cases involved retaliation by employer/defendant, including demotion, wrongful discharge and related claims. When a fire destroyed nut products stored in warehouse, plaintiffs refused to go along with actions by management to inflate fire damage loss claim. Analysis involved assessment of lost past and future earnings and benefits adjusted for varying mitigation assumptions about time to find a job paying at least as much as before fire.

Provence v. City of San Jose (Case No. J04CV.816058; Superior Court of California, Santa Clara County) Case involved a personal injury to plaintiff. Provided deposition testimony in June 2006 regarding loss of earnings and fringe benefits from date of accident to expected retirement, adjusted for mitigation pay.

ICICI InfoTech, Inc., v. Four Seasons Software, LLC (Case No. 12 117 00039 05; American Arbitration Association) Provided testimony at arbitration hearing in Hartford, CT in February 2006. Case involved a dispute between a new business, Four Seasons Software, and ICICI InfoTech, a firm contracted to provide an enterprise software package to be sold to small retailers by Four Seasons. Four Seasons claimed it was forced to cease operations when the software was not delivered. Litigation Economics testimony concerned loss of business value and key issues associated with that assessment, including risk-adjusted cost of capital, projected free cash flow, competitor and industry review, and assessment of financial reports of Four Seasons.

Edward Alvarado, et al. v. FedEx Corporation, a Delaware corporation dba FEDERAL EXPRESS (Civil Action No. C04-0098 SI; United States District Court Division of Northern California) Provided deposition testimony in December 2005 and jury trial testimony in April 2007. This action was the consolidation of 13 individual complaints against the defendant for claimed differences between plaintiffs (minority members) and other employees in rates of promotion, discipline, performance and terminations. Testimony, which dealt with earnings loss analysis for each individual plaintiff, stopped after 7 hours and to date has not been rescheduled.

Michael Nadelman and Aminta Nadelman v. Hi Tech Designs, Inc. a corporation; Quickdraw Permit Consulting, et al. (Unlimited Civil Jurisdiction No. 402263; Superior Court of California, County of San Francisco) Provided deposition testimony in September 2005. This phase of the case involved the ability of defendant to pay damages, especially punitive

damages, after liability had been decided. Testimony dealt primarily with computation of net worth based on financial records of defendant's company; valuations of defendant's cars, boat, house and other assets; and measurement of defendant's discretionary household income.

John Doe and Jane Doe v. Steven Lawrence Katz, M.D.; Imam El Danasouri, Ph.D.; Fertility Medical Associates of Bay Area, A Medical Corp. (Civil Action No. CGC02414145; Superior Court of California, County of San Francisco) Provided deposition testimony in July 2005. This complex case involved mishandling of an embryo belonging to Doe family. Subsequent events, including birth of child in San Jose, required Mr. Doe to relocate commercial fishing operations from Crescent City, CA to San Francisco. Lost profits damages, lost household production, and related expenses comprised opinion rendered.

Debra Duncan v. Sacramento Ear, Nose & Throat, Surgical & Medical Group, Inc. (Civil Action No. 03AS06359; Superior Court of California, County of Sacramento) Provided deposition testimony in June 2005. Case involved damages arising from claimed wrongful dismissal from defendant firm.

Gill v. Burlington Northern Santa Fe, et al. (Civil Action No. C03-01779; Superior Court of California, County of Santa Clara) Provided deposition testimony in March 2005. Case involved damages arising from a 2002 accident in which a train hit a truck at a railroad crossing. The truck driver was killed and two railroad employees injured. Analysis involved assessing loss to Gill family due to death of Mr. Gill and lost wages and future pension benefits of the railroad workers.

Fredrick Benson v. Rhino Industries, et al. (Civil Action No. 26-15425; Superior Court of California, County of Napa) Provided deposition testimony in March 2005 and court testimony in March 2006. Case involved contract dispute between developer/inventor and manufacturer/distributor of aftermarket accessory for pickup trucks. Testimony involved two issues: (1) economic damages measured as the difference in royalty payments between projected vs. actual accessory sales and (2) whether or not the defendant used "best efforts" to market and sell the accessory as stipulated in the royalty agreement.

Hailey Lovejoy v. Fresno Community Hospital and Medical Center, et al. (Civil Action No. 01-CE-C6-02221; Superior Court of California, County of Fresno, Central Division) Provided deposition testimony in March 2005. Case involved economic damages arising from lost earnings capacity and costs of raising minor child in wrongful death of the child's mother.

James Müller, Jr., et al. v. SBC Communications, Inc. (Civil Action No. CGC- 04-428726; Superior Court of California, County of San Francisco) Provided deposition testimony in February 2005. This was a wrongful death case in which lost past and future pay were assessed with adjustments for household production and self-consumption of decedent.

Arthur Vences v. City of Sunnyvale, Larry Iaquinto, Robert Walker, Tony Perez (Civil Action No. 1-03-CV-006295; Superior Court of California, County of San Francisco) Provided deposition testimony in February 2005 and trial testimony in San Jose Superior Court in June 2005. Case involved an employment dispute and lost pay and reduced pension damages due to failure to promote plaintiff and subsequent demotion to lower pay grade.

Kathy Hoskins v. United Parcel Service, Inc. and Ken Jauregui (Civil Action No. CGC-03-421918; Superior Court of California, County of San Francisco) Provided deposition testimony in January 2005 and trial testimony in February 2005. Case involved hostile work environment and associated earnings loss.

Patrick Petit v. Diamond Cab Co. (Civil Action No. 414770; Superior Court of California, County of San Francisco) Provided deposition testimony in January 2005 and arbitration testimony in May 2005. A complex case that involved personal injury and lost earnings by plaintiff as an employee and reduced business value of a corporation owned by plaintiff.

Jose Servin v. United Parcel Service (Civil Action No. 02AS03003; Superior Court of California, County of Sacramento) Provided deposition testimony in December 2004 and trial testimony in February 2005. Case involved economic damages arising from lost earnings capacity due to personal injury.

Denise F. Fitzgerald v. Bill Graham Presents, Inc., et al. (Civil Action No. CV 784560; Superior Court of California, County of Santa Clara) Provided deposition testimony in October 2004. Case involved economic damages arising from lost earnings and medical care due to a personal injury.

Harvey Grodensky, et al. v. Artichoke Joe's Casino, Inc. (Civil Action No. 424170; Superior Court of California, County of San Mateo, Class Action) Provided deposition testimony in September 2004. Case involved economic and business effects of defendant taking tips from card dealers on a daily basis and paying out money to other employees from those tips.

Richard Farias, et al., v. Noble Tractor, Inc. (Civil Action No. FCS 18596; Superior Court of California, County of Solano) Provided deposition and trial testimony in August 2004. Case involved personal injury and assessment of economic damages consisting of past and future earnings and lost profits from self-employed business.

Richard Bresee and Marla Bresee v. Midwestern Pipeline Services (Civil Action No. 26-20698; Superior Court of California, County of Napa) Provided deposition testimony in June 2004. Case involved past and future lost earnings and fringe benefits and present value of costs of medical care in personal injury case.

Beckman v. United Parcel Service, Inc., Shorenstein Realty Services, et al. (Civil Action No. 324017; Superior Court of California, County of San Francisco) Provided deposition testimony and jury trial testimony. Case involved lost lifetime earnings and future costs of medical care. Damages claimed due to injury to plaintiff that took place in an office building lobby.

Giannobile v. MJM Land Development Company (Civil Action No. 1-02-CV809300; Superior Court of California, County of Santa Clara) Provided deposition testimony in a case regarding earnings and unemployment insurance benefits which would have been due plaintiff if he was considered “employed” by defendant, for whom he worked for four years.

Wickstrom v. Best Western Tree House (Civil Action No. 411967; Superior Court of California, County of San Mateo) Provided deposition testimony and jury trial testimony in same matter, Siskiyou County Superior Court, No: SCCVPO 01-1078 in Yreka, CA. Analysis included critique of plaintiff’s expert analysis of lost earnings capacity of man who fell on ice near a hotel.

Milagros Marquez v. Hilton Hotels Corp., et al. (Civil Action No. 401804; Superior Court of California, City and County of San Francisco) Provided deposition and critique of plaintiff expert’s analysis of loss based on past and future medical and personal care of elderly woman who fell in a hotel lobby.

Claudine Woolf v. Mary Kay, Inc., et al. (Civil Action No. 00-05612-J; District Court of Dallas County, Texas 191st Judicial District) Provided deposition testimony and jury trial testimony. Case involved economic damages that arose from constructive discharge based on medical condition of plaintiff.

Joseph R. Segura v. KPMG, LLP, et al. (Civil Action No. 318-181; Superior Court of California, City and County of San Francisco) Provided deposition testimony and trial testimony. Case involved lost earnings arising from wrongful discharge and discrimination due to “whistle blowing.”

Araceli Martinez v. UNIVISION TELEVISION GROUP, et al. (Civil Action No. 314204; Superior Court of California, City and County of San Francisco) Provided deposition testimony in a case involving lost earnings due to claim of employment discrimination and wrongful termination.

F. Alioto Company, Inc., et al. v. City and County of San Francisco, et al. (Civil Action No. 318-360; Superior Court of California, City and County of San Francisco) Provided deposition testimony and jury trial testimony. Case involved lost profits and restoration costs arising from contract dispute and business disruption to a Fisherman’s Wharf wholesale/retail fish market.

Todd Lee and Bessie Lee v. U-Haul International, Inc. et al. (Civil Action No. V017137-7; Superior Court of California, County of Alameda) Provided trial testimony on economic damages. Analysis of lost earnings capacity due products liability involving carbon monoxide poisoning of dentist and his wife while driving a U-Haul truck from San Francisco to Los Angeles.

New Education Development Systems et al. v. Last Resorts, Inc. AKA Aetna Springs Resort, Inc. (JAMS Arbitration #1110005313; State of California) Provided testimony at arbitration hearings. Analysis compared business valuation alternatives to use of a large land parcel: primarily as a vineyard with 9-hole golf course or 18-hole golf course/resort/spa/hotel. Key issue was estimating economic value of each land use alternative and estimating present value of damages via weighted cost of capital for option.

Wireless Access, Inc. v. Research in Motion Limited (Civil Action No. C99-03442; United States District Court, Northern District of California) Provided deposition testimony in a case involving patent infringement involving ‘Blackberry’ pagers. Estimated economic damages as lost royalty revenue using Georgia-Pacific factors to assess reasonable royalty rate.

Daniel Dean v. Oppenheim Davidson Enterprises, Inc. (Civil Action No. 809231-1; Superior Court of California, Judicial District, County of Alameda) Provided deposition and trial testimony in a case involving lost earnings arising from wrongful

death of Oakland physician.

Alfred Burkhardt v. City of Berkeley, et al. (Civil Action, No. 799248-1; Superior Court of California, Judicial District, County of Alameda) Provided deposition testimony and trial testimony. Case involved lost wages arising from lost overtime and being paid out of grade for work performed by Berkeley, CA sanitation worker.

Harry J. Graffam v. Doris Bettencourt (Civil Action No. M 43070; Superior Court of California, Judicial District, County of Monterey) Provided deposition testimony in a case involving earnings loss due to personal injury.

K.L. Paterson & Associates, Inc. v. Cathy Kingery and Kingery Communications, Inc. (Civil Action No. 40839; Superior Court of California, Judicial District, County of San Mateo) Provided deposition testimony in a case involving lost income damages arising from breach of contract between placement firm and marketing firm.

Golden Apple Corporation v. Ultimate Products Corp., et al. (Civil Action No. 407399; Superior Court of California, Judicial District, County of San Mateo) Provided deposition testimony in a case involving damages due to trademark infringement arising from use of lists of customers and suppliers by former employees of mail order auto parts firm.

James Kinnicutt, et al. v. Bikers Dream, Inc. (Civil Action No. 98AS04185; Superior Court of California, Judicial District, County of Sacramento) Provided deposition and trial testimony. Case involved damages arising from franchise and contract dispute involving motorcycle “after-market” retail chain and one store.

Hileman v. Kaiser, et al. (Superior Court of California, County of Santa Clara) Provided deposition testimony in a medical malpractice. Case involved failure to diagnose a patient’s malignant melanoma on timely basis. Damages included lost stock options, future wages, fringe benefits, and medical costs.

John Collins v. Genevieve G. Maksim (Civil Action No. CV-92-0513667 S; Superior Court for Connecticut, Judicial District of Hartford/New Britain at Hartford) Provided deposition testimony. Estimated lost profits due to business disruption following a personal injury.

Joan Hitchcock, et al. v. O & G Industries, Inc. (Civil Action No. CV 93 0114878 S; Superior Court for Connecticut, Judicial District of Waterbury) Provided deposition and trial testimony. Estimated lost lifetime earnings and home production in this wrongful death case involving a construction site accident.

Arnold J. Cogan v. Alex Brown & Sons Incorporated, Richard D. Billera and Robert Oram (N.A.S.D. Arbitration No. 94-00600) Provided testimony before Arbitration Panel in New York. Estimated damages resulting from churning, excess commissions and unsuitable portfolio in this security fraud case.

Craig Winter v. Chrysler Motors Corporation (Civil Action No. 292-CV-000777 (AVC); United States District Court, District of Connecticut) Provided deposition testimony. Estimated lost lifetime income and projected future medical costs for individual in a products liability case involving a severe spinal cord injury.

Donna M. Gregor v. Edward W. King (Civil Action No. 91-03991495; Superior Court for Connecticut, Judicial District of Hartford) Provided deposition testimony. Estimated lost earnings capacity in products liability case involving traumatic brain injury to senior accountant.

Pacheco, Administrator, Estate of Cruz v. City of Hartford, et al. (Civil Action No. CV-89036815 S; Superior Court for Connecticut, Judicial District of Hartford) Provided deposition testimony. Estimated lost lifetime income in this case of wrongful death of a 14-year-old girl.

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