

Christopher C. Pflaum, Ph.D.
President
Spectrum Economics, Inc.

General

Dr. Pflaum is the President of Spectrum Economics, Inc. He specializes regulatory policy analysis and also consults and testifies in civil litigation in the areas of antitrust, fraud, breach of contract, trade secrets disputes, business interference, business valuation, and lost earnings and profits.

Experience

Prior to entering consulting, Dr. Pflaum was Senior Financial Economist and Acting Director of Revenue Requirements in the Policy Analysis and Research Division of the Illinois Commerce Commission. He is a nationally recognized expert on utility finance and property valuation and has presented papers and speeches in this area before numerous regulatory and financial groups.

Dr. Pflaum developed computer and financial models to analyze damages in numerous business litigation assignments such as contract damages, tortious interference, intellectual property valuation and simple torts. He has developed surveys and statistical and data models that Spectrum has used to analyze claims as varied as FLSA and value of a trademark.

Work History

Principal, Spectrum Economics, Inc.

Director of Financial Research, Lubow McKay Stevens & Lewis

Acting Director and Senior Financial Economist, Illinois Commerce Commission

Faculty, Finance Department, Southern Illinois University - Carbondale

Faculty, Finance Department, East Tennessee State University

Education

Ph.D. in Finance and Operations Management, University of South Carolina

MBA with concentration in Finance, University of Miami

BA in English, St. John's University

Associations and Memberships

Kansas City Council on Business Economics, President - 1991-1993

Chairman, NARUC Subcommittee on Finance, 1983-1984

Faculty, NARUC Advanced and Regulatory Studies Programs, 1983-1984

American Economic Association

American Finance Association

American Law and Economics Association

Financial Management Association

Articles and Papers

“Standards for Lost Profit Damages in Business Torts Actions”, Section 10, Part B, Business Tort Handbook, Kansas City Metropolitan Bar Association, Business Litigation Committee. April 2010.

“A Note on the Steady State Assumption and Expectancy Bias” with George M. McCollister, Journal of Legal Economics, 2007; Volume 14, Number 2.

“A Model to Predict the Probability of Highway Rail Crossing Accidents.” with George M. McCollister. Proc. IMechE, Part F: Journal of Rail and Rapid Transit, **221**(F3), 321–330. This paper was awarded the IMechE Safety Award in Mechanical Engineering for the best paper published in 2007 for research on eliminating danger to health in mechanical engineering.

“Worklife Following Traumatic Spinal Cord Injury.” with McCollister G, Strauss DJ, Shavelle RM, DeVivo MJ. Journal of Spinal Cord Medicine, 2006;29:377-386.

“The Value of a GED, New Evidence From The CPS” with George M. McCollister, presented at the Allied Social Science Associations Meeting, Boston, MA, January, 2006.

“Worklife Following Traumatic Spinal Cord Injury” with McCollister G, Strauss DJ, Shavelle RM and DeVivo MJ. 31st Annual Meeting of the American Spinal Injury Association, Dallas, TX, May, 2005/

“Measuring the Effects of Disability on Employment and Earnings” with George M. McCollister. Presented to the National Association of Forensic Economics Annual Meeting at the Session “The Use and Misuse of Worklife Expectancy Tables: Theoretical and Measurement Issues,” San Diego, CA, January 3, 2004. Updated version presented at the NAFE 2005 Winter Meeting, Aruba, N.A.

"Discounting the Cost of Future Care for Persons With Disabilities," with David J. Strauss, Robert M. Shavelle and Christopher Bruce. Journal of Forensic Economics. Winter 2001. Volume XIV, Number 1.

"Fog and Folly: The Net Discount Rate "Controversy", Chapter with Steve Duncan. Gerald D. Martin editor. Determining Economic Damages. 2000.

"Applying Daubert in Antitrust Litigation," with Ed Mansfield. Trade Regulation Section Newsletter, published by the Trade Regulation Section of The Iowa State Bar Association. Winter, 1998.

"Historical Averages and The "Real Rate" of Interest," with Eric C. Frye and Steven S. Duncan. Litigation Economics Digest. Summer 1997. Volume II, Number 2. Reprinted in Roger T. Kaufman, et al, editors, Economic Foundations of Injury and Death Damages.

Local Gas Distribution Companies and Pipeline Market Power: Workable Competition or Unregulated Monopolization, with R. Lemon. American Public Gas Association, 1991.

"The Effects of the Tax Reform Act of 1986 On Energy Investment," Chapter in 1988 Energy Development Report, for the California Energy Commission.

"Regulatory Implications For Asset Valuation in Leveraged Buy Outs and Spin-Offs," with R. Trout and K. Zumwalt Proceedings: Biannual Regulatory Information Conference, National Regulatory Research Institute, Columbus, Ohio, 1986.

Electric Rate Shock: Origins, Prospects and Remedies, with Charles River Associates, for the U.S. Department of Energy, June, 1986.

"Depreciation Policy, Competitive Forces and The Cost of Capital," Proceedings: Iowa State Regulatory Conference, Ames, Iowa, 1986.

"Risk of Large Loss and Utility Capital Budgeting," with K. Zumwalt, Proceedings: Biannual Regulatory Information Conference, National Regulatory Research Institute, Columbus, Ohio, 1984.

"Restructuring the Troubled Electric Utility Industry: A Discussion of Three Approaches," with M. Collins, J. Gilan, et al., Illinois Commerce Commission Monograph, September, 1984.

"The Louisa Phase-In", with M. Collins, Illinois Commerce Commission Monograph, June, 1984.

"Regulatory Aspects of Bond Refunding," with M. Gombola, Eastern Finance Association, 1982.

"The Cost of Capital to a Public Utility," Illinois Commerce Commission, 1981 (contract research, also title of Ph.D. thesis partially supported by this grant)

"Leverage, Taxes and the Cost of Capital to a Public Utility," with L. Brooks, Financial Management Association, 1981.

"A Capital Asset Pricing Theoretic Model of Alternative Views of Regulation," Eastern Finance Association, 1979.

"Further Evidence on the Stationarity of Beta Coefficients," with R. Roenfeldt and G. Griepentrog, Journal of Financial and Quantitative Analysis, March, 1978.

"An Examination of the Effects of the Rambouillet Accord on Exchange Rate Stability," Southern Finance Association, 1977.

Seminars and Speeches

"Worklife Expectancy," Annual Meeting of Nebraska Chapter of the International Association of Rehabilitation Professionals. Omaha, NE, May 2010.

"Fundamental Model of Damages," Business Litigation Seminar. Kansas City Metropolitan Bar Association, April 2010.

"Working With Economists," American Association of Railroads, Midwest Claims Conference, Minneapolis, MN. September 2006.

Trademark Damages: A Story of Adventures in Economics, CLE presentation, Stinson Morrison Hecker, LLP. April 2006 (and elsewhere).

"Evaluating Grade Crossing Safety" presented at Union Pacific Crossing Conference, Omaha, Nebraska, October 2005.

"A FELA Primer", American Rehabilitation Economics Association, Reno, NV, May 2005.

"Making the Damages Case." Johnson County Bar Association, November 2003.

"How the New Railroad Retirement Board Regulations Impact Takeout Cases" presented to the Texas Association of Railroad Trial Counsel 23rd Annual Meeting, San Antonio, TX, April 19, 2002.

"High Gas Prices: Do They Matter to Midwest Electric Consumers? Will They Last?" presented at the Fourth Annual Midwest Energy Conference sponsored by the Energy Bar Association, Kansas City, MO, February 8, 2001.

“Using a Defense Damages Expert” presented at the National Association of Railroad Trial Counsel Meeting, Park City, UT, February 1, 2001.

“Using a Defense Damages Expert” International Association of Defense Counsel Trial College, Boulder, CO, July 25, 2000.

“Using Inflation Indexed Securities to Cool Damages,” presented at the National Association of Railroad Counsel Meeting, Breckenridge, CO, February 2000.

“Evaluating Economic Damages in Personal Injury” for the Nebraska Association of Defense Counsel, Omaha, NE, May 7, 1998.

"The Role of the Economist in Litigation" and "Business Damages an Analytical Framework" CLE for The Williams Companies, Inc., Tulsa, Oklahoma, October, 1997.

"Primer on Statistics for Attorneys" CLE for Sonnenschein, Nath & Rosenthal, Kansas City, Missouri, March, 1997.

"Economics: Just Because It's Dismal Doesn't Mean it has to be Junk" presented at the National Association of Railroad Trial Counsel Meeting, Park City, Utah, February, 1997.

"Evaluating Economic Damages in Personal Injury" Continuing Legal Education Seminar, Chicago, Illinois, September, 1996.

"Applying the Daubert Standard to Economic Testimony" presented at the National Association Railroad Trial Counsel Meeting, Chicago, Illinois, September, 1996.

"But is It Economics?: Handling Economic "Junk" Science" presented at the National Association of Railroad Trial Counsel, Counsel Winter Meeting, Phoenix, Arizona, February, 1996.

"The Role of the Economist in Litigation" presentation sponsored by Lorman Education Services, Continuing Legal Education Seminar, Kansas City, Missouri, February, 1996.

"What's Wrong With This Report?: Handling Economic "Junk" Science" presentation to Missouri Organization of Defense Lawyers (MODL), Tenth Annual Meeting, St Louis, Missouri. May, 1995.

"Damages in FELA Litigation," Continuing Legal Education Seminar, Kansas City, Missouri, November, 1994.

"Damages For Loss of Benefits in Railroad FELA Cases," National Association of Railroad Trial Counsel Winter Meeting, Palm Beach Florida, February, 1994.

"Business Damages, an Analytical Framework," Continuing Legal Education Seminar, Kansas City, Missouri, December, 1993.

"Evaluating Economic Damages in Personal Injury," presentation to the Annual Meeting of the American Board of Vocational Experts, Cancun, Mexico, March, 1993.

"Damages Estimates in Railroad FELA Cases," Continuing Legal Education Seminar Sponsored by Shook, Hardy & Bacon and Morrison & Hecker, Kansas City, Missouri, October, 1992.

"Economic Proof of Liability and Damage in Business Tort Cases," with J. Ward and F. Finch, Continuing Legal Education Seminar sponsored by the University of Missouri-Kansas City Law School and Kansas City Metropolitan Bar, Kansas City, Missouri, 1989.

"Financing Cogeneration," seminar for the Mid America Chapter of the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE), Overland Park, Kansas, 1986.

"FASB As Phlogiston: An Economists Reflections on SFAS 71," Iowa State Regulatory Conference, Ames Iowa, 1985.

"Choosing Consultants for Prudence Audits," Subcommittees on Finance and Economics of the National Association of Regulatory Commissioners (NARUC), Clearwater, Florida, 1985.

"Measuring Utility Investment Risk Using Option Pricing and Time State Preference Models," NARUC Subcommittee on Finance, Clearwater, Florida, 1984.

"Developing a Comparable Sample for Cost of Capital Using Cluster Analysis," NARUC Subcommittee on Finance, San Diego, California, 1984.

"Regulation and Disinflation," NARUC Subcommittee on Finance, San Diego, California, 1984.

"The Search for Optimal Capital Structure," National Society of Rate of Return Analysts, Washington, D.C., 1984.

"Phase-ins: The Neglected Dimension," Mid America Regulatory Conference, Chicago, IL, 1984.

"Reconciling Value Estimates of Public Utility Property," Midwest Association of Utility Property Appraisers, Springfield, Illinois, 1983.

Selected Public Utility and Energy Economics Projects

On behalf of Illinois Power Company, d/b/a/ AmerenIP and Ameren Illinois Transmission Company, before the Illinois Commerce Commission, Docket No. 08-0291, May 2008. Testified on the process used by IP to acquire right-of-way for transmission lines and the reasonableness of the compensation offered. Albert D. Sturdevant, Jones Day (Chicago, IL)

On behalf of Marathon Oil Company, before the Regulatory Commission of Alaska. Application of Kenai-Nikiski Pipeline to operate as a common carrier, Docket No. P-04-12, November 2004. Pipeline had been in private use for forty years and was to be converted to regulated common carriage. Testimony regarded the proper initial rate base value from regulatory and economic viewpoints. David B. Robinson, Patton Boggs (Washington, D.C.)

On behalf of the Department of Revenue of the State of Kansas, before the Kansas Corporation Commission, In the Matter of the Complaint of Lee Banks, d/b/a Banks Oil Company, Against ONEOK Midstream Gas Supply, LLC, Docket No. 03-CONS-112-CINV, June 2004. Testimony regarding revenue requirements and whether the system operator had engaged in predatory conduct when regulated with a “light hand.” John C. Frieden, Frieden, Haynes, & Forbes (Topeka, KS).

On behalf of the City of Topeka, Kansas, before the Kansas Corporation Commission, Western Resources, Inc. vs. Kansas Gas and Electric Company, Inc. No. 01-WRSE-436-RTS, June 2001. Testimony regarding the rate treatment of new generating plants and revenues from power trading activities. John C. Frieden, Frieden, Haynes, & Forbes (Topeka, KS).

On behalf of the City of Topeka, Kansas, before the Federal Energy Regulatory Commission, City of Wichita, KS v. Western Resources, Inc., Docket # EL 99-90-000, October 2000. Presented testimony regarding system cost and rate parity. John C. Frieden, Frieden, Haynes, & Forbes (Topeka, KS).

Memphis Light Gas & Water Division - Supply Options 2000. Because the transition to competition in the electric industry presented new challenges and opportunities, MLGW commissioned Spectrum Economics to forecast the structure of the industry in the future and formulate strategies for MLGW to economically provide power. As part of our efforts we used financial, production costing and market clearing price models to forecast the future rates of TVA, the market clearing price of power in the area around Memphis and the relative economics of various construction and market purchasing strategies for meeting the demand for electricity. We also evaluated the technological, fuel supply and regulatory considerations influencing MLGW’s decision. Client contact: Dana Jeanes.

Townsend Capital Summit Technology Center – The Summit Technology Center is a one million square foot industrial complex situated on 300 acres in Lee’s Summit, Missouri. Dr. Pflaum served as the project coordinator for a team that solicited bids for energy supply including cogeneration and trigeneration. His team evaluated those bids and assisted the client in negotiating a more favorable rate from the electric utility on the

basis of the avoided cost of self-generation. Dr. Pflaum also solicited bids for gas supply to the plant and assisted the owners in selecting a new gas supplier and in negotiating with the local gas utility for carriage from the city gate. Client contact: George Loelkes.

On behalf of the City of Topeka, Kansas, before the Kansas Corporation Commission Docket # 97-WSRE-676-MER, March, 1999. Presented testimony regarding why the proposed merger between KCP&L and WRI was in the public interest and why the requested acquisition adjustment should not be permitted. John C. Frieden, Frieden, Haynes, & Forbes (Topeka, KS).

On behalf of the Association of Directory Publishers before the Public Utilities Commission of the State of California, San Francisco, CA, RE: The Matter of the Joint Application of Pacific Telesis Group ("Telesis") and SBC Communications, Inc. ("SBC") for SBC to Control Pacific Bell. Application No. 96-04-038, November, 1996. Presented testimony on how the SWB/Pactel merger would impact Yellow Pages. Peter Casciato, Law Offices of Peter Casciato (San Francisco, CA).

On behalf of the Association of Directory Publishers before the Federal Communications Commission, Washington, DC, RE: Application for Consent to the Transfer of Control of Licenses and Pending Authorizations from Pacific Telesis Group to SBC Communications, Inc., Report No. LB-96-32, October, 1996. Presented testimony on how the SWB/Pactel merger would impact Yellow Pages. Theodore Whitehouse, Wilke Farr & Gallagher (Washington, DC).

On behalf of the Association of Directory Publishers before the Federal Communications Commission, Washington, DC Re: Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information, CC Docket No. 96-115, June, 1996. Competitive issues relating to subscriber listing information. Theodore Whitehouse, Wilke Farr & Gallagher (Washington, DC).

On behalf of Williams Natural Gas Company before the Missouri Public Service Commission, GR-94-101 and GR94-228. January, 1996. Testimony on competitiveness of commodity and transportation markets. Gary Boyle, Williams Companies Legal Department.

On behalf of Williams Natural Gas Company Re: Kansas Pipeline Partnership before the Kansas Corporation Commission for Approval and to Make Effective Certain Gas Purchase Contracts between Kansas Pipeline Partnership and Western Resources, Inc. et al, Dockets No. 192,506-U, 192,391-U, and 192,507-U - October, 1995. Reasonableness of prices and terms of a proposed pipeline. John Frieden; Frieden, Haynes, Forbes, (Topeka, Kansas) and Gary Boyle; Williams Natural Gas Company, (Tulsa, Oklahoma).

Re: Application of Kansas Pipeline Partnership et al., Docket No. 190,362-U, October, 1994. Presented testimony regarding the regulatory and business climate of the natural gas industry from 1970 through 1994 and how changes in the industry affected the

competitive environment faced by the joint applicants. John Frieden; Frieden, Haynes, Forbes, (Topeka, Kansas) and William J. Sears; Williams Natural Gas Company, (Tulsa, Oklahoma).

Agricultural Energy Consumers Association. Presented testimony in Pacific Gas and Electric 1991 ECAC proceeding and 1992 General Rate Case regarding marginal cost, value of service and revenue allocation to the agricultural class.

American Public Gas Association. With J. Rodney Lemon, prepared white paper entitled Local Gas Distribution Companies and Pipeline Market Power: Workable Competition or Unregulated Monopolization for presentation by the APGA to Congress, the FERC and other interested parties. Included in study are survey of municipal LDCs, quantifying the extent of cost shifting and development of alternative regulatory policies. May - September 1991.

Memphis Light Gas & Water Division. Gas Supply Options Study. Evaluated options for gas supply through 2000. Projected future gas costs, pipeline rates and demand by customer segment. Built an optimization model to estimate the optimal level of firm demand for future years given historical weather patterns. Evaluated economics of expanding LNG facility. Performed a strategic analysis of various gas supply and transport portfolios. February 1991 - July 1991.

Memphis Light Gas & Water Division. Electric Supply Options Study. Evaluated alternatives for securing electric supply through 2010. Included projecting future TVA rates by building a large-scale integrated financial and production cost model of the TVA, forecasting demand for TVA power and forecasting future capacity needs of Memphis. November 1989 - February 1990.

City of Long Beach. Evaluated four possible gas supply strategies including pipeline purchase and operation. January 1990 - April 1990.

South Coast Air Quality Management District. Assessed the need for and costs and benefits of additional pipeline capacity into Southern California. November 1988 - July 1989.

Metropolitan Water District of Southern California. Determined the financial consequences of conservation programs on water utilities and developed rate offsets to make up revenue shortfalls resulting from conservation. June, 1989.

U.S. Department of Energy. Participated in a regulatory options study for the Office of Policy and Planning, 1989.

Meade County v. Panhandle Eastern Pipeline Company. Testified before the Tax Review Board of the Kansas Department of Revenue on the valuation of gas storage facilities, Summer 1989.

Commonwealth Edison Company, Docket 90-0169, Illinois Commerce Commission, Topics: Deferred plant accounting, cost of coal, and off-systems sales.

Commonwealth Edison Company, Docket 87-0427, Illinois Commerce Commission, Jan. 1988. Topics: Price competitiveness; relative cost of coal, and suggestions for changes in system operations.

Board of Public Utilities, Kansas City, Kansas. Developed a structural framework for analyzing the benefits of selling this municipal utility to private investors.

Gulf States Utilities, Docket 6755, Public Utility Commission of Texas, August 1987. Topic: The prudence of the corporate planning process of Gulf States Utilities. Retained by the Commission to evaluate the testimonies of the various parties to this case.

Quapaw Water Company, Public Service Commission of Arkansas, March 1987. Topic: General Waterworks acquired Quapaw at a price below book value. Commission staff and interveners sought to have rate base adjusted to reflect an acquisition adjustment. Presented testimony on behalf of the Company rebutting staff and intervener positions.

U.S. Department of Energy, as a subcontractor to Charles River Associates. Topic: Study of Rate Shock. Developed a revenue requirement and pricing model to evaluate the impacts of relative project size, cost per kilowatt of capacity, demand growth and rate moderation strategies on rate shock.

United Telephone Company of Missouri, Public Service Commission of the State of Missouri, December 1985, Topic: cost of equity capital (included preparation in anticipation of cost on issue of the impact of different regulatory treatments of working capital and impact of cost of capital calculation).

Public Service of Indiana, Public Service Commission of Indiana, August, 1985. Topics: financial condition of PSI, financial forecasts, financial and regulatory policies to restore financial health.

Utility Diversification in the State of Wisconsin, Public Service Commission of the State of Wisconsin, July 1985. Topics: cost of capital, pricing of transactions and asset transfers between affiliated interests, capital structure, regulatory policy.

Kansas City Power and Light Company, Kansas Corporation Commission, June, 1985. Topics: phase-in of Wolf Creek revenue requirement, regulatory policy, pricing in competitive markets.

Arizona Public Service Company, Arizona Corporation Commission, October, 1984. Topics: phase-in of Palo Verde revenue requirement, cost/benefit of CWIP in rate base, cost of capital affects of incentive plans, financial condition of APS and likely bond ratings, financial forecast.

Central Illinois Public Service Company, Illinois Commerce Commission, April, 1984. Topics: optimal capital structure, preferred stock defeasance.

Illinois Power Company, Illinois Commerce Commission, June, 1983. Topics: CWIP/AFUDC cost/benefit analysis.

Iowa-Illinois Gas and Electric Company, Illinois Commerce Commission, May, 1983. Topics: phase-in of Louisa Generating Station including tax and accounting implications, financial condition of IIG&E.

American Bell, Inc., Illinois Commerce Commission, January, 1983. Topics: valuation of detariffed assets, compensation for investment in employee training.

Antitrust and Business Litigation

In the Matter of the Mary Frances Smith Bright Testamentary Trusts, Probate Court Number 1, Dallas County, TX, Case No. 07-2099-P. Business valuation. Attorney – Parker D. Young, Figari & Davenport, LLP (Dallas, TX)

IVESCO Holdings, LLC v Professional Veterinary Products, Ltd. et al., United States District Court for the District of Nebraska, Omaha, Case No; 1:09CV52. Business interference damages. Attorney – Steven Davidson, Baird, Holm (Omaha, NE)

Renaissance Learning, Inc. v Metiri Group, LLC, United States District Court for the Western District of Missouri, Case No.: 07-0413-CV-W-SWH. Business interference damages. Attorney – Lee M. Baty, Baty, Holm & Numrich (Kansas City, MO).

Rolls-Royce Corporation v. HEROS, Inc. and Hye-Tech Manufacturing, LLC. United States District Court for the Northern District of Texas (Dallas), Case No.: 3-07CV0739-R. Antitrust analysis. Attorney – Ed McConwell, McConwell Law Offices (Merriam, Kansas).

AvidAir Helicopter Supply, Inc., v. Rolls-Royce Corporation, United States District Court for the Western Division, Case No.: 4:06-CV-00816-ODS. Analyze market share conduct and lost profits in an antitrust matter. Attorney – Ed McConwell, McConwell Law Offices (Merriam, Kansas)

Nodaway Valley Bank, et. al. v. City of Gallatin, Missouri, et. al., Circuit Court of Daviess County, Missouri. Case No. CV305-79CC Division II. Feasibility of municipal gas system. Fact witness.

Insituform Technologies, Inc., INA Acquisition Corp. v Per Aarsleff, A/S et. al., United States District Court for the Western District of Tennessee Western Division at Memphis. Cause No. 05-2414 JPM. Compute lost profits in a patent infringement case. Attorney – Gary Mayes, Thompson Coburn PC (St. Louis, MO)

Kenneth Kautsch et. al. v Premier Communications et. al., United States District Court Western District of Missouri. Case No. 06-0435. Analyze loss of overtime pay in a matter brought under the Fair Labor Standards Act. Attorney – Eric Packel, Polsinelli Shalton Flanigan Suelthaus PC (Kansas City, MO)

Heartland Surgical Specialty v Midwest Division, Inc., et al, United States District Court for the District of Kansas. Case No. 05-cv-2164. Calculation of antitrust damages due to inability of a hospital to expand. Attorney – Patrick Stueve, Stueve Siegel, et al (Kansas City, MO)

Frank W. Berlin and Associates, L.L.C. et al. v Wellmark, Inc. d/b/a Wellmark Blue Cross and Blue Shield of Iowa, et anon., Iowa District Court for Polk County, Case No. CL105354. Antitrust analysis of market structure and defendant conduct in the market for health insurance. Attorney – Edward Mansfield – Belin Harris Lamson McCormick, (Des Moines, IA).

Fisherman Surgical Instruments, LLC v Tri-anim Health Services, Inc., United States District Court for the District of Kansas. Case No. 06-2082-KHV. Evaluated feasibility of business plan and critiqued estimated damages in breach of contract case. Attorney James S. Kreamer – Baker, Sterchi, et al (Kansas City, MO)

G.G. Marck & Associates v. James Peng, et al., United States District Court, Northern District of Ohio, Western Division, Case No. 3:05CV7391. Estimate damages in Lanham Act matter involving violation of Tariff Act of 1930. Attorney – Daniel T. Ellis, Lydy & Moan, Ltd. (Toledo, Ohio).

Insituform Technologies, Inc. v. Robert Vance, et al. United States District Court, Eastern District of Missouri, Cause No. 05-CV-1116 CDP. Estimate gain to new employer due to breach of non-competition agreement and use of trade secrets by a former employee. Attorney – Rodney Harrison, Thompson Coburn, LLP (St.Louis, MO).

American Interbanc Mortgage, LLC v. Novastar Home Mortgage, Inc., Superior Court of the State of California, Orange County. Case No. 02 CC 04857. Provide statistical and financial analysis regarding claim of lost profits due to interference with advertising. Attorney – John K. Power, Husch & Eppenberger (Kansas City, MO).

A/R Roofing, L.L.C., et al v.Certainteed Corp. et al. United States District Court, District of Kansas, Wichita, Case No. 05-1158-WEB. Estimate lost profits due to interference. Attorney – Jeffrey Carmichael, Morris Laing, et al. (Wichita, KS)

Renaissance Leasing LLC, et al v. Vermeer Manufacturing Company, et anon. United States District Court, WD MO, Case No. 05-445. Estimate lost profits due to malfunctioning equipment. Attorney – Jerome Wolf, Sonnenschein, Nath & Rosenthal. (Kansas City, MO).

The Commerce Trust Company and Alvin T. Levitt as Coclaimants, and the Seven Springs Ranch, LLC Dorothy S. Lyddon Trust, Claimants v. Martha D. Lyddon and Grant S. Lyddon and John K. Lyddon, Respondents. American Arbitration Association, No. 74-199-00117-03, San Francisco, CA. Evaluation of a business plan proposal. Attorney – John K. Power, Husch & Eppenberger. (Kansas City, MO)

The Official Plan Committee of Omniplex Communications Group, LLC v. Lucent Technologies, Inc., Circuit Court of St. Charles County, Missouri, Case No. 04-CV125442. Statistical estimate of probability of bankruptcy and valuation of a telecommunications firm. Attorney – John Sandberg, Sandberg, Phoenix and von Gontard (St. Louis, MO).

Associated Wholesale Grocers, Inc., et. al. v Americold Corporation, et. al., District Court of Wyandotte County, Kansas, Case no. 92-C-4015. Business disruption damages resulting from fire. Attorney – John M. Duggan, Duggan, Shadwick, et al (Overland Park, KS).

Lennoth Greenwood and Harriett Greenwood v Rural Community Insurance Services, et. al., United States District Court for the Eastern District of Missouri, Northern Division, Case No. 2:02CV00047 ERW. Analysis of damages claimed to have resulted from actions of crop insurance agents and carriers. Attorney – Mathew Culp, Shugart, Thompson & Kilroy (Kansas City, MO).

Lindsay Hall v. Leegin Creative Products, Inc., Case No. 04 CV 1668, District Court of Sedgwick County Kansas. Class certification. Attorney – Robert Coykendall, Morris, Laing, et al (Wichita, KS).

Fleetwood Enterprises, Inc. and Fleetwood Folding Trailers, Inc. v. The Coleman Company, Inc., Case No. 03 CV 2029, District Court of Sedgwick County Kansas. Estimate lost profits resulting from breach of trademark license agreement and breach of a negative covenant. Attorney – Eldon L. Boisseau, Klenda, Mitchell, et al (Wichita, KS).

Hussman Corporation v. The Fagan Company, Case No. 02-1201-CV-DW, United States Bankruptcy Court, Western District of Missouri at Kansas City. Critique of estimate of “lost value” theory of damages in a case involving employees moving to a competitor. Attorney – Gerald Hartman, Drinker, Biddle, et al (Washington, D.C.)

CP Holdings, Inc., I.D. No. 39-1614233, Debtor, Case No. 03-43750-11, United States Bankruptcy Court, Western District of Missouri at Kansas City. Estimation of the prepayment penalty on a mortgage loan. Attorney – David Ferguson, Polsinelli, Shalton & Welte (Kansas City, MO).

Bucon, Inc. v. Kuricky Construction Corporation, et al., Case No. 99CV206777, Circuit Court of Jackson County, MO. Construction Litigation. Attorney – J. Nick Badgerow, Spencer, Fane, Britt and Browne (Overland Park, KS)

Professional Radiology of St. Joseph, P.C. v. Edward M. Stevens, M.D. Case No. 03-CV-72358. Circuit Court of Buchanan County, Missouri, Division No. 1. Analyze the value of a radiology practice and an exclusive services contract in a breach of fiduciary duty claim brought against a company director and other employees. Attorney – Douglas Weems, Spencer, Fane et al. (Overland Park, KS)

Jack B. Blake and Cleveland Company, Inc. v. Transcommunications Incorporated. Case No. 30-160-00323-2. Before the American Arbitration Association, Chattanooga, TN. Analyze damages including the value of stock options in a breach of contract claim involving a marketer of rechargeable and enhanced long distance calling cards. Attorney - J. Nick Badgerow, Spencer, Fane et al (Overland Park, KS)

Walnut Hall Ltd. v. The United States Trotting Association. Case No. 03-CVH-04-4477. Court of Common Pleas for Franklin County Ohio. Antitrust analysis of the effect of Rule 26 of the United States Trotting Association (USTA) on the market for premier, high-quality standardbred horses. Attorney - James A. Wilson, Vorys, Sater, Seymour and Pease LLP (Columbus, OH)

Utilicorp United, Inc. v. General Electric Company. Cause No. 01 CV 203082. Circuit Court of Jackson County, Missouri at Independence. Evaluated the adequacy of utility's supply portfolio and calculated the cost of replacing the output of a unit damaged by an explosion. Attorney – W. Russell Welsh, Polsinelli Shalton & Welte (Kansas City, MO)

Wire Rope Corporation of America, Inc., Bankruptcy Hearing on Union Contract for St. Joseph Missouri Manufacturing Facility. Analyze wages of union employees in St. Joseph plant relative to wages of comparable positions in the area, other similarly-sized communities and competitor's facilities.

Phillip L. Rosemann v. Roto-Die, Inc., Case No. 4199CV00973ERW, United States District Court, Eastern District of Missouri, Eastern Division. Valuation of rotary die and tool manufacturer in a breach of contract case. Attorney – John S. Sandberg, Sandberg, Phoenix & von Gontard (St. Louis, MO)

Old West Enterprises, Inc. v. Cragin & Pike, Inc., Case No. A395876, Dept No. X, Docket K, District Court of Clark County, Nevada. Analysis of damages to a restaurateur resulting from a denial of insurance coverage following a fire. Attorney – Kevin Diamond, Thorndal, Armstrong, Delk, Balkenbush & Eisinger (Las Vegas, NV)

Starmed Health Personnel, Inc. and Healthcare Staffing Solutions, Inc. v. Professional Healthcare Solutions, LLC and Kevin M. Thieneman and Rachelle D. Elam. Case No. 2000-CI-00CI06436. Commonwealth of Kentucky Jefferson Circuit Court. Analysis of damages resulting from violation of non-compete. Attorney - Robert Craig, Taft, Stettinius & Hollister (Covington, KY)

Novus International, Inc. v. Union Pacific Railroad Company, Case No. 5510*JG98. District Court of Brazoria County, Texas, 239th Judicial District. Analysis of damages claim by a chemical manufacturer that disruptions in rail service caused increased costs. Analysis included review of inventory and logistics. Attorney – Taylor Hicks, Hicks, Thomas & Lilienstern (Houston, TX)

Nicholas Smith and Amy and Bryce Johnson et al. v. American Family Mutual Insurance Company. Case No. 00CV211554. Circuit Court of Jackson County, Missouri at Kansas City. Testified regarding class homogeneity, economic merits of theory of damages and public policy implications of class certification. Attorney – Nicholas Divita, Berkowitz, Feldmiller, Stanton et al (Kansas City, MO)

Personal Injury, Wrongful Death and Discrimination Testimonies

Christina McCray v Anderson Hospital, Gregory Collins, M.D., Timothy Kurt, M.D., et. al., Case No. 01-L-1846, Circuit Court Third Judicial District Madison County, Illinois. Personal Injury. Attorney- Jeffrey R. Glass, Hinshaw & Culbertson LLP (Edwardsville, IL).

Gary Null v BNSF Railway Company et. al., Case No. CI 06-678, District Court of Scottsbluff County Nebraska. FELA. Attorney – Walter J. Downing, Hall & Evans, LLC (Denver, CO).

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