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SUMMARY

Ms. Liska specializes in applied economic and statistical modeling. She has experience with a diversity of cases including: personal injury & wrongful death, labor & employment, class action, statistical sampling, intellectual property, breach of contract, antitrust cases involving price discrimination, monopolization and price fixing, and accounting malpractice and securities cases involving company, asset and security valuation. She has provided economic and financial analyses on these matters by combining sophisticated economic and statistical techniques.   Ms. Liska has provided testimony in Federal Court and in depositions.

EDUCATION

ABD Department of Economics, University of California, San Diego (Coursework and written
    qualifying exams towards Ph.D. candidacy completed.)
M.A. Department of Economics, University of California, San Diego
B.A. Economics, summa cum laude, Hartwick College, Oneonta, New York

EMPLOYMENT

Fulcrum Financial Inquiry, LLP, Principal, December 2010 – present.
Fulcrum Financial Inquiry, LLP, Manager, May 2004 – December 2010.
Econ One Research, Inc., Economist, December 2001 – May 2003.
Analysis Group/Economics Inc., Associate, June 2000 – November 2001.
University of California, San Diego, Teaching Assistant, Economics Department 1996 – 1999.
Hartwick College, Oneonta, New York, Research Assistant, Economics Department 1991-1994.
Fact Finders (Public Policy Research Firm), Data Collector/Analyst, Summers 1988-1993.

CLIENT EXPERIENCE

Representative matters, arranged by legal area, include:

Personal Injury/Wrongful Death

- In a high profile matter, calculated past and future lost earnings associated with a popular rock singer and reality television star's severe injuries allegedly resulting from being hit on the head with stage equipment before performing a concert. Lost earnings calculation involved (i) identifying and determining concerts the rock singer would have performed, (ii) identifying and determining reality television shows the star would have performed,

and (iii) identifying and determining saved costs that were not incurred to appropriately deduct from lost earnings.

- On several occasions, calculated the past and future economic damages suffered allegedly resulting from residual mold.

- Determined lost earnings and benefits the plaintiff suffered (and may suffer in the future) from the alleged medical negligence of an eye surgeon.

- Calculated economic damages on multiple occasions related to claimed injuries from a series of products produced by a pharmaceutical and medical products company.

- On multiple occasions, calculated the present value of life care plans after determining (i) future medical care cost growth rates, (ii) life expectancies and associated probabilities of survival in each year of life expectancy, and (iii) appropriate discount rates.

- In a wrongful death lawsuit, calculated lost earnings and benefits associated with a prisoner that committed suicide while in prison.

- Researched and incorporated employment statistics from sources such as government data, industry organizations, and customized survey research on numerous occasions when past earnings were either (i) unavailable (usually due to youth), or (ii) not representative of the earnings potential.

Labor, Employment and related Class Action

- On many occasions, calculated employment related economic damages. Examples of the underlying allegations include the following causes of action:

    - Wrongful termination

    - Race, gender, and age discrimination

    - Sexual Harassment

- In many alleged wrongful termination matters, calculated

    - lost compensation involving high net worth Plaintiffs that have relatively complex pay structures (including deferred compensation (e.g., stock options, equity, restricted stock))

    - lost retirement/pensions (defined benefit plans and contribution plans)

    - lost benefits (e.g., medical, dental, life insurance)

- In an alleged discrimination case, past and future lost earnings and benefits suffered by plaintiff were calculated. To assist in establishing liability, assessed the likelihood that discrimination occurred using statistics related to the Fisher Exact test and the Chi-square test.

- On numerous occasions, in wage/hour class action lawsuits, calculated economic damages associated with companies' alleged failures to:

    - pay overtime

- pay timely
- pay wages upon ending employment
- provide meal and rest breaks
- maintain accurate payroll records

Calculated appropriate sample size, accumulated data, created comprehensive database, and analyzed computerized payroll and human resource information to calculate damages and penalties associated with alleged labor code violations.

Surveys, Statistical Sampling, and Class Action

- In a false advertising and labelling class action matter in the hard liquor market (distilled spirits), determined if a price premium existed associated with the claim the alleged deceptive labelling had wrongly allowed the product at issue to be sold for a higher retail price than its competitors' products. Calculated a price premium using point-of-sale data (data that is initially collected by scanners at various retailers).

- To determine if a company was overbilling Medicare, designed a random sample of billings. Based on the sample results, estimated the total amount of billing overcharges based on proper statistical sampling methods.

- To determine the effects of one of the world's largest bookseller opening a retail store on nearby condominium residents, designed and implemented a survey instrument. Based on the survey results, assessed the likelihood that the store's presence had influence on the condominium owner's decision to purchase the condominium.

- In an audit of federal wildfire suppression costs, designed and implemented a statistically valid sample of the fire suppression costs. Estimated the total amount of billing overcharges based on proper statistical sampling methods.

- For a project analyzing data of billing overcharges of an insurance company, a random sample was designed and implemented. Estimated the total amount of billing overcharges based on proper statistical sampling methods.

- In a false advertising/labelling class action matter regarding a household name brand juice product, determined whether there was a price premium associated with the alleged false labelling. Calculated the value, if any, of the price premium using point-of-sale data (retail scanned data).

Intellectual Property

- In an alleged trademark and copyright infringement case of one of the nation's top credit bureaus, (i) assessed the relevant market, (ii) quantified the trademark's effect on competitors, and (iii) calculated lost profits and disgorgement.

- On multiple separate alleged trademark infringement matters, assessed the candle and home fragrance market and calculated lost profits and unjust enrichment.

- In an alleged trademark infringement matter, assessed the likeliness of customer confusion by the illegal use of a U.S. based bank's logo by an established Korean bank.

Calculated unjust enrichment and assessed damages associated with corrective advertising.

- In an alleged patent infringement of a uniquely designed clothing hanger, determined that acceptable non-infringing alternatives were available and addressed the commonly-used Georgia Pacific factors to determine a reasonable royalty.

- In an alleged patent infringement of a component in a prenatal vitamin, assessed the commonly-used Panduit factors and determined lost profits was an inappropriate remedy. Calculated a reasonable royalty based on assessment of the Georgia Pacific factors.

- In an alleged theft of trade secrets involving transportation logistics software, examined customer selling patterns to determine what economic quantifiable effect (if any), the secret information had on the sales of both parties.

Contract Dispute and Damage Analysis

- For a breach of contract case, collected and analyzed data to determine urinary catheter demand and estimated appropriate market shares for each type of end user. Created and maintained this database, and performed statistical analyses to calculate but-for past and future sales.

- Estimated the value of a start-up company under the counterfactual assumption that the defendant adequately provided the key input. The value of the company was based on the actual market shares of selected comparable companies as well as market valuations of selected comparables at various points in time.

- For a breach of contract case involving sale of cosmetics in Kuwait, the economic effects of the Gulf War were separated from breaches of contract in determining but-for sales.

- Determined whether plaintiff got the benefit of a most favored nations clause (aka MFN) by econometrically adjusting the price schedule, including volume discounts, given to another customer.

- In a case involving customer tracking software, the effects of alleged misconduct were econometrically separated out from effects caused by general dot-com market problems.

- In a breach of contract case that required the estimation of the incremental costs associated with volume of services in multiple areas of computer support, applied linear and non-linear regression methods to estimate lost profits.

- On many occasions, calculated lost profits and disgorgement associated with misappropriation of companies' confidential information and trade secrets, including misappropriation of customers and medical patients through alleged unlawful solicitation and competition. Industries include logistic services, medical, and dental.

Antitrust and Damage Analysis

- Estimated economic damages under the counterfactual assumption that the defendant had not engaged in the anti-competitive conduct. Used selected comparable companies and

applied the Lerner Index to estimate output and market-price effects of the exclusionary conduct. Identified the relevant product market, calculated market shares, estimated marginal cost, and assessed the likely exercise of market power. The results were subjected to multiple sensitivity analyses with regard to assumed or estimated parameters and found to be robust.

- Performed a market analysis of the paint can market to determine barriers to entry and existence of sub-markets (or significant product differentiation) with respect to plastic paint cans. Analyzed and critiqued marginal cost calculations made by opponents with respect to its breach of contract claim.

- Specified and estimated logistic regression models of consumer choice for cataract eye surgery centers and hospitals.

- Estimated potential exposure to the aggregation and use of market power by sellers of automotive glass.

- Estimated economic damages resulting from alleged price discrimination. Applied an oligopoly model to estimate output and market-price effects of the price discrimination. Identified the relevant product market, calculated market shares, measured marginal cost, and assessed the likely joint exercise of market power. The results were subjected to multiple sensitivity analyses with regard to assumed or estimated parameters and found to be robust.

Securities Analysis and Accounting Malpractice

- Determined economic losses suffered by lenders on security interests in a company whose financial statements had been falsified. Estimated the value of the company, which then determined the implied value of the security interest at issue in the case, under the counterfactual assumption that proper financial disclosures had been made at earlier dates. Company value estimates were determined at different dates based on factors including (but not limited to) actual market transactions, change in financial conditions, and analyses of importance of various financial results to the market place.

- Assessed the economic losses suffered by investors of thinly traded securities (i.e., life insurance policies) in which material misrepresentations regarding the use of investors' funds and diverting funds for improper purposes were alleged. Life insurance policy values and expected rates of return were analyzed and compared with expected rates of return of comparable investments and with actual market transactions.

- Estimated economic losses suffered by a bondholder whose bonds' value fell allegedly as a result of the inadequacies of the bonds' servicer. Estimated the value of the bonds under the counterfactual assumption that the bonds had been serviced properly. Bond-value estimates were based on factors including (but not limited to) actual market transactions, change in market and financial conditions during the relevant time period, comparable bond values, and analyses of the relative importance of various economic and financial results to the market place.