

Curriculum Vitae of Andrew D. Schwarz

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Economic Consulting Experience

2007 – present OSKR Emeryville, CA

President/Managing Partner

- Submitted Expert Reports as Statistical Expert in *Kirola, et al. v. City and County of San Francisco*, 2009- 2010.
- Submitted Expert Report and gave Deposition testimony as Statistical Expert in *CDR v. Caltrans*, 2009.
- Designated as Damages Expert in *Flahavan v. State Fund*, 2008.
- Managed or contributed to cases in professional sports, high technology, payment systems, consumer lending, entertainment, on issues of causation, and damages. Allegations have included antitrust violations, patent infringement, breach of contract, breach of fiduciary duty, and unfair business practices.
- Worked with counsel drafting of complaints to ensure sufficient economic content to survive a *Twombly* challenge in a Motion to Dismiss, as well performing other pre-expert consulting expertise.
- Extensive experience in the creation and analysis of large databases across a variety of industries, as well as managing large complex cases through the entire litigation process, including trial.
- Run the full operations of a small professional services firm, including managing staff hiring/development, cash flow, payroll, facilities, and developing business opportunities.

1997 - 2007 LECG Emeryville, CA

Principal (2007); Senior Managing Economist (2003-2006); Managing Economist (2001-2002); Senior Economist (1998--2000); Economist (1997--1998)

- Managed or contributed to cases in professional and college sports, high technology, communications, payment systems, automotive, petroleum, electricity, entertainment, pharmaceuticals, insurance, and healthcare supporting testimony on liability, causation, and damages. Allegations have included antitrust violations, fraud, patent/copyright/trademark infringement, tortious interference, breach of contract, breach of fiduciary duty, and unfair business practices.
- Submitted Expert Declaration on Class Certification issues in *Flahavan v. State Fund*, 2007.
- Testified at trial regarding economic analysis in *A&J Liquor v. State Fund*, 2003.
- Directly involved as consultant on class certification issues for both plaintiffs and defendants.
- Served as consulting expert to counsel in many matters, including mediation, deposition, arbitration, and trial. Played extensive trial roles as consulting expert in billion-dollar insurance case, major league sports case, Federal merger challenge, and professional sports licensing dispute.
- Experience shepherding mergers through Department of Justice and the European Commission in entertainment, high technology, and commercial printing.
- Emeryville Assistant Office Director, 2005 – 2007. Antitrust Practice Coordinator, 2000-2001.

Publications and Awards

“Illustrations of Price Discrimination in Baseball,” in **Oxford Handbook of Sports Economics** (Vol. II), eds. Leo Kahane and Steve Shmanske, Oxford University Press, forthcoming, with Daniel A. Rascher.

“Motions to Dismiss: Has the Supreme Court Lowered Litigation Costs,” in **Trade Practices Law Journal**, March 2009.

“Dealing in Imaginary Goods: Implications for Antitrust and Intellectual Property Policy,” in **Trade Practices Law Journal**, March 2007, with Christopher J. Pleatsikas.

“Rivalrous Consumption and the Boundaries of Copyright Law: Intellectual Property Lessons from Online Games,” in **Intellectual Property Law Bulletin**, Fall 2005, with Robert Bullis.

“The Oracle/PeopleSoft Merger Case: Market Definition and Unilateral Effects Analysis in the Software Industry” in **Trade Practices Law Journal**, December 2004, with Christopher J. Pleatsikas.

“Neither Reasonable nor Necessary: ‘Amateurism’ in Big-Time College Sports” in **Antitrust**, Spring 2000, with Daniel A. Rascher.

Curriculum Vitae of Andrew D. Schwarz (cont.)

Peer Reviewer for **Journal of Sport Management**.

Carter Award for outstanding academic achievement, UCLA, 1994. Dean's List, 5 quarters, 1992-4.

Phi Beta Kappa, Stanford University, 1987. President's Award for Academic Excellence in the Freshman Year, 1986.

Education

A.B., with Distinction, Honors in History, STANFORD UNIVERSITY, 1989.

M.A., History, THE JOHNS HOPKINS UNIVERSITY, 1990.

M.B.A., Anderson Graduate School of Management, UCLA, 1994.

Ph.D. Coursework, Marketing, Anderson Graduate School of Management, UCLA, 1995-6
Haas School of Business, UNIVERSITY OF CALIFORNIA, BERKELEY, 1996-7.

Other Professional Experience

1994-1997 HEWLETT-PACKARD Palo Alto, CA

Financial Analyst

* Responsible for understanding trends in company-wide and division-specific operating expense categories (R&D, Marketing, Sales, and G&A). Liaison to regional HQs in Geneva, Hong Kong, and Atlanta. Developed process improvements, cutting significant time from the close/forecast process.

Summer 1993 IL FORNAIO (America) San Francisco, CA

Strategic Consultant

* Developed and evaluated blueprint for firm's public offering. Worked with CEO and CFO to present strategy to board of directors, and investment bank community. Built extensive models to analyze company's need for capital and for investors' projected returns. Designed and carried out studies of critical operations, evaluating business activities for profitability and value.

1991-92 COPITHORNE & BELLOWS San Francisco, CA

Account Coordinator

• Work in all elements of public relations/strategy work for Silicon Valley high technology clients. Clients included Hewlett-Packard (components), Xerox (printers), Apple USA (distribution), VESA (graphics), and Syntellect (IVR).