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Summary of Experience in Intellectual Property Matters, as of September 2016

Date	Case and Jurisdiction	Work Product	Counsel, Nature of Case and Additional Notes
05/2015-present	<i>Chestnut Hill Sound, Inc. v. Apple Inc.</i> Case No.15-cv-261 (D. Del.) In The United States District Court for the District of Delaware	Declaration in support of Apple’s opposition to preliminary injunction	Retained by Desmarais, LLP (contact: Alan Kellman) representing Apple Inc. This is a patent matter involving control of multimedia streams in home entertainment networks.
04/2015-07/2016	<i>Mobile Telecommunications Technologies, LLC v. BlackBerry Corporation</i> Case No. 3:12-cv-01652-M (N.D. Tex.) In the United States District Court for the Northern District of Texas Dallas Division	Expert report on non-infringement and invalidity; deposition; testimony at trial	Retained by McDermott Will & Emery (contact: Leigh Martinson) representing BlackBerry. I am handling invalidity as well as non-infringement. This is a patent case involving a number of issues related to smartphones and messaging. Testified at trial. We prevailed.
03/2015-present	<i>WAG Acquisition LLC v. Gattyan S.a.r.l. et al</i> Case No. 2:14-cv-2832-ES-JAD (D. N.J.) In the United States District Court District of New Jersey	Declarations in four IPRs; deposition	Retained by Baker & McKenzie LLP (contacts: Kevin O’Brien and Matt Dushek) representing the defendants. This is a patent matter involving streaming media. I submitted declarations in four IPRs in this case.
02/2015-present	<i>Comcast Cable Communications LLC, et al. v. Sprint Communications Company L.P. et al.,</i> Case No. 2:12-cv-0859 (E.D. Pa)	Expert report on invalidity.	Retained by McGuireWoods, LLP (contact: George J. Barry III) representing Sprint Inc. This is a patent matter involving the architecture of messaging servers in a cell phone network.
12/2014-05/2015	<i>Enterprise Systems Technologies S.a.r.l. v. Apple Inc.</i> C.A. No. 1:14-cv-00765-UNA In the United States District Court for the District of Delaware	Declaration submitted for IPR	Retained by Ropes & Gray, LLP (contact: Stefan Geirhofer) representing Apple Inc. This was a patent matter involving a district court case, an ITC case and an IPR. The technology mobile messaging. This case settled.

11/2014-04/2015	<i>Solocron Media, LLC v. Verizon Communications Inc., et al</i> Case No. 2:13-cv-1059 (E.D. Tex.) In the United States District Court Eastern District of Texas Marshall Division	Expert report on invalidity	Retained by Wiley Rein, LLP (contact: Scott Felder) representing Verizon. This was a patent matter. I prepared a report on invalidity and assisted with a report on non-infringement. This case terminated favorably for Verizon before I was deposed.
10/2014-02/2015	<i>RecogniCorp, LLC v. Nintendo Co. Ltd. Et al</i> Case No. 2:12-cv-01873-RAJ In the U.S. District Court Western District of Washington		Retained by Orrick, Herrington & Sutcliffe LLP (Contact: Doc Daybell) representing Nintendo Co. Ltd.
07/2014-01/2016	<i>Aylus Networks, Inc. v. Apple Inc.</i> Case No: 3:13-cv-04700-EMC. In the United States District Court Northern District of California San Francisco Division	Declarations in support of claim construction as well as summary judgment; expert reports on non-infringement and invalidity; deposition	Retained by DLA Piper (contact: Mark Fowler) representing Apple, Inc. I was handling non-infringement as well as invalidity. This was a patent matter involving control of multimedia streams in home entertainment networks. This case was dismissed on summary judgment favorable to Apple.
05/2014-10/2014	<i>Jobdiva, Inc. v. Monster Worldwide, Inc.</i> Case no: 13 Civ. 8229(KBF) In the United States District Court for the Southern District of New York	Declaration on infringement; deposition	Retained by Kirkland and Ellis (contact: James Marina) representing Jobdiva. This was a patent matter involving methods of search and display of resumes. I offered a declaration that was most of an expert report. This case settled.
12/2013-06/2014	<i>Straight Path IP Group, Inc., v. LG Electronics, Inc. et al</i> C.A. No. 1:13-cv-00933 Investigation No. 337-TA-892	Expert report on non-infringement; deposition	Retained by Finnegan (contact: Aidan Skoyles) representing LG Electronics, Inc. This was a patent matter regarding smart televisions. This case has been stayed.
11/2013-12/2013	<i>Glaxosmithkline, LLC. v. Genentech, Inc.</i> Case No: 10-799-GMS. In the United States District Court for the District of Delaware.	Expert report on an evidentiary matter; deposition	Retained by Desmarais (contact: Xiao Li) representing GSK. I offered opinions regarding the quality of certain metadata information associated with several files at issue in the case.
09/2013-09/2014	<i>Profectus Technology LLC, v. Huawei Technologies Co. LTD, et al.</i> Case No. 6:11-cv-00474. In the United States District Court for the Eastern District of Texas Tyler Division	Expert report on non-infringement	Retained by Baker Botts (contact: Tammy Pennington) representing Dell. This patent matter dealt with technologies used in electronic picture frames. This case settled.
09/2013-03/2014	<i>Black Hills Media v. Samsung, LGE et al. Certain Digital Media Devices, including Televisions, Blu-Ray Disc Players, Home Theater Systems, Tablets and Mobile Phones, Components Thereof and Associated Software.</i> United States International Trade Commission Investigation No. 337-TA-882.	Expert report on non-infringement; deposition; testimony at hearing	Retained by Finnegan (contact: Houtan Esfahani) representing LGE. This patent matter dealt with technologies used by one device to direct another device to obtain and render media from a third device. The hearing has concluded.

06/2013-02/2015	OpenText S.A. v. Alfresco Software LTD; Alfresco Software, Inc.; and Carahsoft Technology Corporation. Case No. 2:13CV320AWA/LRL. In the United States District Court for the Eastern District of Virginia.	Expert reports on infringement and validity; depositions; tech tutorial	Retained by Cooley, LLP (contact: Frank Pietrantonio) representing OpenText My patents were dropped from trial.
05/2013-present	Hartford Fire Insurance Company v. Progressive Corporation and Progressive Casualty Insurance Company. Case No. 1:12- cv-02444. In the United States District Court for the Northern District of Ohio Eastern Division.	Expert report on claim construction; deposition	Retained by Baker Botts (contact: Robert Scheinfeld) representing Hartford. I am handling both infringement as well as validity.
10/2012-present	MobileMedia Ideas, LLC. v. HTC Corporation and HTC America, Inc. In the United States District Court for the Eastern District of Texas, Marshall Division.	Expert reports; deposition	Retained by Desmarais, LLC (contact: Alan Kellman) representing MMI. This is a patent dispute involving user interfaces to cell phones. I am handling both infringement and validity.
10/2012-04/2014	Nokia Corporation, Nokia Inc., and Intellisync Corp v. HTC. Certain Electronic Devices, Including Mobile Phones and Tablet Computers, and Components Thereof. United States International Trade Commission Investigation No. 337-TA-847.	Expert reports, depositions; testimony at hearing	Retained by Desmarais, LLC (contact: Alan Kellman) representing Nokia. This was a patent dispute involving user interfaces to cell phones. I handled both infringement and validity. My patent was dropped from the case during the hearing.
09/2012-present	Intellectual Ventures I LLC et al. v. AT&T Mobility LLC et al. Civil Action No. 12-CV-193-LPS (D.Del.)		Retained by Baker Botts (contact: Robert Maier) representing AT&T Mobility LLC.
08/2012-10/2015	Potter Voice Technologies, LLC, v. Apple Inc et al. CV 1:12-cv-01096-REB-CBS In The United States District Court for the District of Colorado.	Declaration in support of summary judgment; expert reports	Retained by Cooley, LLP (contact: Timothy Teter) representing Apple Inc. This was a patent dispute involving Natural Language Processing on smartphones. I handled both infringement and validity. This case was favorably dismissed on summary judgment.
08/2012-10/2014	OpenTV, Inc. v. Netflix Inc. Case No. 3:14-cv-01525 In the United States District Court for the District of Delaware	Declaration regarding a motion for summary judgment	Retained by Kirkland & Ellis, LLP (contact: Matthew Topic) representing OpenTV. I submitted a declaration in opposition to a motion for summary judgment regarding section 101 issues.
08/2012-12/2012	J2 Global Communications, Inc. v. EasyLink Services International Corp. Case No. 09-4189-DDP (AJWx) In The United States District Court Central District of California Western Division.		Retained by Perkins Coie, LLP (contact: Timothy Carroll) representing EasyLink Corp. I handled both infringement and validity. This was a patent dispute regarding enterprise fax and messaging systems.
06/2012-present	EasyWeb Innovations, LLC v. Twitter, Inc. Civil Action No CV 11-4550-JFB-WDW. In The United States District Court for the Eastern District of New York.	Expert reports; deposition	Retained by Desmarais, LLC (contact: Alan Kellman) representing EasyWeb. This is a patent dispute involving messaging technologies. I am handling both infringement and validity.

06/2012	Cisco	Declaration	Retained by Haynes and Boone, LLP (contact: Andrew Ehmke) representing Cisco. This was an IPR case and I submitted a declaration in the matter.
02/2012-06/2014	<i>Emblaze LTD v. Apple Inc.</i> Case No 4:11-CV-01079 SBA. In The United States District Court for the Northern District of California.	Markman tutorial; Expert report on non-infringement; tech tutorial; testimony at trial	Retained by Greenberg Traurig, LLP (contact: James DeCarlo) representing Apple, Inc. The case was ultimately tried by DLA Piper (contact: Mark Fowler). This was a patent dispute. The case involved technology for distribution of multimedia over the Internet. The trial concluded with the jury finding no infringement.
12/2011-present	<i>Apple Inc. v. Samsung Electronics Co, LTD.</i> Case No. CV12-00630 In The United States District Court for the Northern District of California San Jose Division.	Expert declaration; deposition	Retained by Gibson Dunn, LLP (contact: Joshua Furman) representing Apple, Inc. This is a patent dispute involving multi-database search on a mobile device. I am handling both infringement and validity. We received a pre-trial injunction on the products in question.
12/2011-08/2012	<i>NorthMobile Tech, LLC v. Simon Property Group, Inc.</i> Case No. 3:11-cv-287 In The United States District Court Western District of Wisconsin.	Expert report; declarations	Retained by Perkins Coie (contact: Timothy Carroll) representing Simon Property Group. This was a patent dispute involving a location based marketing application on smartphones. I am handling both infringement and validity. We prevailed pre-trial.
11/2011-09/2015	<i>Oasis Research, LLC v. ADrive LLC, Et al.</i> Case No. 4:10-CV-435-MHS-ALM In The United States District Court for the Eastern District of Texas Sherman Division.	Expert reports; deposition	Retained by Desmarais, LLP (contact: Alan Kellman) representing Oasis Research LLC. I am handling both infringement and validity. This is a patent dispute regarding on line backup and storage. This case settled.
08/2011-06/2014	<i>Apple Inc and Next Software, Inc. v. Motorola, Inc. and Motorola Mobility, Inc.</i> Case No. 10-CV-662(BBC) In The United States District Court for The Western District of Wisconsin	Expert reports	Retained by Weil, Gotshal & Manges, LLP (contacts: Kevin Kudlac and Elizabeth Weiswasser) representing Apple, Inc. This was a patent dispute. The case involved technology for the interface of DSPs in cell phones. I handled both infringement as well as validity. This case was dismissed pre-trial by Judge Posner.
06/2011-02/2012	<i>Creative Kingdoms, LLC and Medici Portfolio LLC v. Nintendo Co. Ltd. Certain video game systems and Wireless controllers and Components thereof.</i> In The United States International Trade Commission Investigation No.337-TA-770	Expert report; deposition; testimony at hearing	Retained by Cooley LLP (contacts: Tim Teter and Matthew Brigham) representing Nintendo Co. Ltd. This was a patent dispute. The case involved technology used in wireless and motion sensing controllers. I handled invalidity. We prevailed at the hearing.

02/2011-11/2011	WiAv Solutions LLC v. Motorola Mobility, Inc., Nokia Corp., Nokia, Inc, Sony Ericsson Mobile Civil Action No: 3:09-cv-447-LO. In The United States District Court for The Eastern District of Virginia	Expert report; deposition	Retained by Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (contacts: Kenie Ho and Christopher Schultz) representing WiAv Solutions LLC. This was a patent dispute. The case involved technology for speech codecs used in GSM cell phones. I handled the infringement side of the case. This case settled.
08/2010-04/2011	Apple Inc. v. Nokia Corporation and High Tech Computer Corp. (HTC). Certain Personal Data and Mobile Communications Devices and Related Software. United States International Trade Commission Investigation No. 337-TA-710.	Expert reports; depositions; testimony at hearing	Retained by Kirkland & Ellis LLP (contacts: Marc Sernel and Eric Hayes) representing Apple Inc. This was a patent dispute. The case involved technology for the interface of DSPs in cell phones. I handled both infringement as well as validity.
07/2010-11/2010	ACQIS LLC v. Appro International, Inc., ClearCube Technology, Inc., Dell Inc., Fujitsu Computer Systems Corp., Hitachi America, Ltd., Hewlett-Packard Co., International Business Machines Corp., NEC Corp. of America, NEX Computers, Inc., Sun Microsystems, Inc. and Super Micro Computer, Inc. Case No. 6:06-cv-00148 In the United States District Court for the Eastern District of Texas	Expert report on invalidity and non-infringement	Retained by Covington & Burling LLP (contact: Chris Martiniak) representing Hewlett Packard. This was a patent matter involving computer blade servers. The case settled.
04/2010-06/2010	Illinois Computer Research LLC v. Harpo Productions, Inc. et al Case Number: 1:2008cv07322 In The United States District Court for The Northern District of Illinois Eastern Division	Expert report; deposition	Retained by Jackson Walker L.L.P. (contacts: Michael Locklar and Charles Babcock) representing Harpo Productions, Inc. This was a patent dispute. The case involved technology for display of books on a website. This case settled.
02/2010-06/2010	Motorola Inc. v. Research Motion Limited et al <i>Certain wireless communication server system software, wireless handheld devices and battery packs.</i> United States International Trade Commission Investigation No. 337-TA-706	Expert report	Retained by Ropes & Gray (contacts: Paul M. Schoenhard and Steven Pepe) representing Motorola, Inc. This was a patent dispute. The case involved technology used in pagers and cell phones as well as their servers. This case settled.
08/2009-10/2010	Balthaser Online, Inc. v. Network Solutions, LLC. Civil Action No. 2:08-cv-430 In The United States District Court Eastern District of Texas Marshall Division	Expert report	Retained by Dickstein Shaprio, LLP (contacts: Alfred R. Fabricant and Lawrence C. Drucker) representing Balthaser Online, Inc. This was a patent dispute. The case involved technology for the display of rich media applications on a web site. This case settled.

05/2009-05/2010	<i>Nuance Communications Inc. et al v. Tellme Networks Inc.</i> Case Number: 1:2006cv00105 In The United States District Court for The District of Delaware	Expert report	Retained by McKool Smith (contacts: Luke F. McLeroy) representing Nuance Communications. This was a patent dispute. The technology involved techniques for using speech recognition in telephone information systems. This case ended in summary judgment for the defendant.
12/2008-12/2009	<i>TruePosition Inc. v. Andrew Corp, C.A.</i> Case No. 05-0747-SLR (D. Del) U.S. District Court for the District of Delaware	Declaration; expert report	Retained by Kirkland & Ellis, LLP (contact: Avinash Lele) representing Andrew Corp, C.A. Patent infringement case concerning technology for determining location of a cell phone using information from several cell phone towers. I provided an analysis of a workaround approach.
10/2008-01/2010	<i>RealTime Data LLC. v. Packeteer, Inc.</i> Case No. 6:2008cv00144 U.S. District Court for the Eastern District of Texas	Expert report, depositions, trial prep	Retained by Ropes & Gray, LLP (contact: Anthony Pastor) representing RealTime Data, LLC. Patent infringement case concerning data compression, storage, and transmission. This case settled on first day of trial.
10/2008-09/2009	<i>Thomson Reuters (Scientific) Inc. v. David A. Von Moll, Comptroller of the Commonwealth of Virginia and George Mason University</i> Civil Action No. CL2008-17114 Circuit Court of Fairfax County Virginia	Expert report	Retained by Edwards Angell Palmer & Dodge LLP(contacts: Glenn Pudelka and Barry Kramer) representing Thomas Reuters (Scientific) Inc. Contracts dispute centered around allegations of reverse engineering of software. This case ended in summary judgment.
04/2008-12/2008	<i>International Business Machines Corporation v. Asustek Computer, Inc. Certain Computer Products, Computer Components and Products contain Same.</i> United States International Trade Commission Investigation No. 337-TA-628	Expert reports, declarations, depositions, testimony at hearing	Retained by Cadwalader Wickersham & Taft LLP (contacts: John Moehringer and Christopher Hughes) representing IBM in this matter. This was an US ITC investigation regarding infringement of a number of IBM patents by computers produced and sold by Asustek. The technology involved computer control of cooling systems for computers. I was involved with infringement as well as validity issues.
10/2007-05/2008	<i>Lucent, Alcatel-Lucent, and Multimedia Patent Trust v. Microsoft</i> Case no. 06-CV- 0684-H (LAB) U.S. District Court for the Southern District of California	Expert reports; depositions; testimony at trial	Retained by Kirkland & Ellis LLP (representing Lucent Technologies) (contacts: Robert Appleby and John Desmarais) and Baker Botts, LLP (representing Alcatel-Lucent). I advised on infringement as well as validity of U.S. Patents 5,838,319 and 5,977,971. Gave trial testimony regarding invalidity of the '971 patent: jury found the patent was invalid.
03/2000-01/2009	<i>National Music Publishers' Association et al. v. XM Satellite Radio Inc.</i> Civil Action 06-CV-3733(LAK) In The U.S. District Court for the Southern District of New York		Retained by Gibson Dunn & Crutcher, LLP representing National Music Publishers' Association. Copyright dispute concerning the impact of various XM Satellite Radio products. I provided an analysis of source code and functionality of several XM devices.

06/2006-02/2007	Lucent v. Gateway, Microsoft, Dell Case no. 02-CV-2060-B (LAB) Case no. 03-CV-0699-B (LAB) Case no. 03-CV-1108-B (LAB) U.S. District Court for the Southern District of California	Expert reports; depositions; testimony at trial	Retained by Kirkland & Ellis, LLP representing Lucent Technologies (contacts: Robert Appleby and John Desmarais). I worked on the infringement of Patents 5,341,457 and 5,627,938 as well as validity of these patents. At trial, I testified to regarding infringement of the '457, '938 and '080 patents. This matter concluded with a successful verdict and an award to Lucent of \$1.5 billion.
02/2006	Board of Regents of the University of Texas v. Benq America Corp et al. Civil Action No. A:05CA181 U.S. District Court for the Western District of Texas	Markman Hearing Testimony; Expert reports; deposition; tech tutorial	Retained by Quinn Emanuel Urquhart Oliver & Hedges LLP (contacts: Evette Pennypacker and Kevin Johnson) representing Benq America et al. Patent infringement. For a Markman (claim construction) hearing, prepared and presented a technology tutorial and testified before a special master. Prepared reports and gave deposition regarding invalidity and inoperability technology in the patent at issue. Claim construction hearing led to summary judgment in Benq America's favor.
2006	Telefonaktiebolaget LM Ericsson et al. v. Samsung Electronics Company Ltd. Investigation No. 337-TA-577 U.S. International Trade Commission	Expert reports and depositions	Retained by Kirkland & Ellis LLP (contacts: Bao Nguyen, Adam Gill and Michael Pieja) representing Samsung in several patent infringement claims brought by Ericsson. Claims involved technologies for messaging, speech encoding, and speech recording within various GSM cell phones. This case settled just prior to hearing.
07/2005-02/2006	Encyclopedia Britannica Inc. v. Alpine Electronics of America Inc. et al. Civil Action No. 05-359 U.S. District Court for the Western District of Texas	Expert report; deposition	Retained by Baker Botts LLP (contact: David Wille) representing Encyclopedia Britannica, Inc. Patent infringement. Prepared report on the definiteness of certain claim terms, and was deposed on this matter. This case is ongoing but inactive.
05/2005-present	Advanced Analytics Inc v. Citigroup Global Markets Inc. U.S. District Court for the Southern District of New York Case No. 04 Civil 3531 (LTS)	Declarations and expert reports; deposition	Retained by Cleary Gottlieb Steen & Hamilton LLP (contacts: David Williams and Chris Moore) representing Citigroup Global Markets, Inc. Theft of trade secrets. I have been involved in software analysis in this case. The case involved software used to price complex financial instruments. Refuting the claims required software analysis as well as statistical analysis of certain elements of the systems involved. This case pending.
05/2005-09/2005	Atronic International GMBH v. SAI Semi-specialists of America Inc. Case No. 03-CV-4892 (TCP) (MLO) U.S. District Court for the Eastern District of New York	Expert report; deposition	Retained by Ford Marrin Esposito Witmeyer & Gleser, LLP (contact: Edward M. Pinter) representing Atronic International. Contracts dispute. I have acted primarily to rebut another witness regarding what would have been reasonable behavior for a customer of an electronic parts supplier. This case settled.

02/2005-03/2006	<i>Tivo Inc. v. Echostar Communications Corporation</i> Case No. 2-04cv01 DF U.S. District Court for the Eastern District of Texas	Expert report; deposition; testimony at trial	Retained by Morrison & Foerster (contact: Karl Kramer) representing Echostar. This case involved digital video recorder (DVR) technology. My work focused on the invalidity of the Tivo patent. I found many pieces of prior art including complete systems that were presented at trial. Tivo prevailed at trial. Most of the claims were subsequently found invalid on re-exam. This case has been the subject of many appeals.
12/2004-05/2006	<i>Foundry Networks Inc. v. Lucent Technologies Inc.</i> Case No. 2:04-CV-40 (TJW) (E.D. Tex.) U.S. District Court for the Eastern District of Texas	Expert reports	Retained by Kirkland & Ellis LLP (contacts: Jenny Lee and Jeanne Heffernan) representing Lucent Technologies. I advised on infringement as well as validity of U.S. Patent 5,649,131. In addition to generating several reports, I supported the drafting of motions and declarations. This case settled shortly before trial.
07/2004-01/2005	<i>Voice Capture Inc. v. Intel Corporation, Dialogic Corporation, and Nuance Communications, Inc.</i> No. 4:04-cv-40340 U.S. District Court for the Southern District of Iowa	Expert report	Retained by Gary Cary (contact: Edward Sikorsky) representing Intel Corporation. The case involved Voice Capture's allegation of patent infringement by Intel in the area of interactive voice response systems. In producing an invalidity report on the patent, I analyzed the patent and prior art in great detail. I also provided an expert report on invalidity and an analysis of a rebuttal report. The case settled.
05/2004-03/2005	<i>Dolby Laboratories Inc. v. Lucent Technologies Inc.</i> U.S. District Court for the Northern District of California Case No. C 01-20709 JF (RS)	Expert report	Retained by Kirkland & Ellis, LLP (contact: Alan Kellman) representing Lucent Technologies. This case involved infringement of a number of Lucent's patents by Dolby's AC3 codec. The case settled.
03/2003	<i>Agere Systems Inc. v. Broadcom Corporation</i> Civil Action No. 03-3138 U.S. District Court for the Eastern District of Pennsylvania	Expert reports	Retained by Kirkland & Ellis LLP (contacts: Bryan Hales and Edward Runyan). The case involved Agere's allegation of patent infringement by Broadcom in the area of speech compression used in various Broadcom telephone products. I analyzed the operation of a speech codec used in digital telephones, worked with counsel and other experts to prepare reports. This case settled.

10/2001	<i>AT&T Corp., v. Microsoft Corporation</i> Civil Action No. 01 CV 4872 (WHP) U.S. District Court for the Southern District of New York	Expert reports; deposition; testimony at trial	Retained by Cooley Godward Kronish LLP (contacts: Frank Pietrantonio and Stephen Neal) representing AT&T. The case involved AT&T's allegation of patent infringement by Microsoft in the area of speech compression. I analyzed the operation of three speech codecs and worked with counsel and other experts to prepare reports. I was deposed and gave testimony at trial. After the presentation of our case, the matter settled; details of the settlement are confidential. Elements of this case reached the U.S. Supreme Court.
2000	<i>Data System Analysis Inc. v. The Netplex Group Inc., Technology Development Systems Inc. and Xcellenet Inc.</i> Civil Action No. 97-4652 (JBS-RBK) U.S. District Court for the District of New Jersey	Expert reports; deposition	Retained by Saul Ewing LLP (contact: Michael Lampert) representing Netplex. Data Systems Analysis (DSA) brought suit against Netplex in a contract matter regarding software claimed by both companies. I was retained to analyze the disputed software and determine a method for computing damages. My expert report found that "functionality" and "effort required to create" were both better metrics than "number of lines of software", the measurement proposed by DSA. I was deposed for several days in this case, provided analysis of other expert reports and assisted in preparing counsel for depositions. This case settled.
01/1998-01/2001	<i>System Management Arts Inc. (SMARTS) v. Avesta Technologies Inc. and David Zager</i> 97 Civil 8101 (RWS) U.S. District Court for the Southern District of New York	Expert reports; deposition	Initially retained by Kramer Levin Naftalis & Frankel, LLP (contact: Thomas H. Moreland) representing SMARTS. In early 2000 SMARTS retained Proskauer Rose, LLP (contact: Kenneth Rubenstein). The case involved a SMARTS patent in the area of automatic diagnostics of faults in communications networks. I analyzed an Avesta system with similar claimed capabilities and produced an expert report. I also gave deposition and participated extensively in technological analysis and strategic discussions of all aspects of the case. This case settled.
1997	<i>Knowledge Based Technologies Inc. v. International Business Machines Corp.</i> Case No. 96-9461 (JSR) U.S. District Court for the Southern District of New York	Expert reports; deposition	Retained by Morris, Nichols, Arsht & Tunnell, LLP (contact: Karen Jacobs Loudon) representing Knowledge Based Technologies. Contract dispute regarding the application of fuzzy logic techniques. I generated an expert report that analyzed several forms of fuzzy logic software to determine whether the software was independently developed. I also was deposed in this case. This case settled.