

## Exhibit 9

To Defendants' Memorandum in Support of Motion for  
Summary Judgment

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)

STEPHEN V. KOLBE, <i>et al.</i> ;	)	
	)	
	)	
<i>Plaintiffs,</i>	)	Case No.: 1:13-cv-02841-CCB
	)	
v.	)	
	)	
MARTIN O’MALLEY, <i>et al.</i> ;	)	
	)	
	)	
<i>Defendants.</i>	)	

**DECLARATION OF LUCY P. ALLEN**

I, Lucy P. Allen, under penalty of perjury, declare and state:

1. I am over the age of 21, and I am competent to make this declaration and to swear to the matters contained herein.

2. I am a Senior Vice President of NERA Economic Consulting (“NERA”), a member of NERA’s Securities and Finance Practice and Chair of NERA’s Mass Torts and Product Liability Practice.

**QUALIFICATIONS**

3. I am a Senior Vice President of NERA Economic Consulting (“NERA”), a member of NERA’s Securities and Finance Practice and Chair of NERA’s Mass Torts and Product Liability Practice. NERA provides practical economic advice related to highly complex business and legal issues arising from competition, regulation, public policy, strategy, finance, and litigation. NERA was established in 1961 and now employs approximately 500 people in more than 20 offices worldwide.

4. In my 19 years at NERA, I have been engaged as an economic consultant or expert witness in numerous projects involving economic and statistical analysis. I have been qualified as an expert and testified in court on various economic and statistical issues relating to the flow of guns into the criminal market. I have testified at trials in Federal District Court, before the New York City Council Public Safety Committee, the American Arbitration Association and the Judicial Arbitration Mediation Service, as well as in depositions.

5. I have a B.A. from Stanford University, an M.B.A. from Yale University, and M.A. and M. Phil. degrees in Economics, also from Yale University. Prior to joining NERA, I was an Economist for both President George H. W. Bush's and President Bill Clinton's Council of Economic Advisers. Included as Attachment A is my resume, which includes my publications over the last ten years and my testifying experience over the last four years.

6. This declaration addresses the results of analyses that I and others under my direction at NERA conducted with respect to the number of rounds of ammunition fired by individuals using a gun in self-defense and the use of large capacity magazines in self-defense.

## **FINDINGS**

### ***A. Number of rounds fired by individuals in self-defense***

7. Plaintiffs claim the banned large capacity magazines (magazines with capacity of more than 10 rounds) and assault weapons are commonly used in Maryland in the home for self-defense.<sup>1</sup>

8. Data from the NRA Institute for Legislative Action ("NRA-ILA") indicates that it is rare for a person, when using a firearm in self-defense, to fire more than ten rounds.

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<sup>1</sup> See, for example, Complaint, dated, September 26, 2013, ¶¶33-35.

9. The NRA-ILA maintains a database of “armed citizen” stories describing private citizens who have successfully defended themselves, or others, using a firearm. Although it is not compiled scientifically, this is the largest collection of accounts of citizen self-defense of which I am aware. Moreover, in light of the positions taken by the entity compiling the data, I would expect that any selection bias would be in favor of stories that put use of guns in self-defense in the best possible light.

10. According to a study of all incidents in this database over a 5-year period from 1997 through 2001, it is rare for individuals to defend themselves using more than ten rounds. Specifically, this study found that, on average, 2.2 shots were fired by defenders and that in 28% of incidents of armed citizens defending themselves the individuals fired no shots at all.<sup>2</sup>

11. We performed a similar analysis of NRA-ILA stories for the 3-year period January 2011 through December 2013. For each incident, the number of offenders, defenders, and shots fired were tabulated, along with the location, nature and outcome of the crime. The information was gathered for each incident from both the NRA-ILA synopsis and, where available, one additional news story.<sup>3</sup>

12. According to our analysis, defenders fired on average 2.1 bullets in the 279 incidents that were covered. In 16% of incidents, the defender did not fire any shots, and simply threatened the offender with a gun. For incidents occurring in the home (53% of total), defenders

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<sup>2</sup> Claude Werner, “The Armed Citizen – A Five Year Analysis.”

<sup>3</sup> The following incidents were excluded from the analysis: (1) repeat stories (one incident listed multiple times on NRA website), (2) wild animal attacks, and (3) one incident where the supposed victim later pleaded guilty to covering up a murder. When the exact number of shots fired was not specified, we used the average for the most relevant incidents with known number of shots. For example, if the stories indicated that “shots were fired” this would indicate that at least two shots were fired and thus we used the average number of shots fired in all incidents in which two or more shots were fired and the number of shots was specified.

fired an average of 2.1 bullets, and fired no bullets in 12% of incidents in the home. There were no incidents in which the defender was reported to have fired more than 10 rounds. The table below summarizes some of these findings.

<b>Rounds Fired in Self-Defense Based on NRA-ILA Armed Citizen Stories January 2011 - December 2013</b>		
	<u><b>Rounds Fired by Individual in Self-Defense</b></u>	
	<u><b>Overall</b></u>	<u><b>Incidents In Home</b></u>
Average Shots Fired	2.1	2.1
Number of Incidents with No Shots Fired	44	17
Percent of Incidents with No Shots Fired	15.8%	11.5%
Number of Incidents with >10 Shots Fired	0	0
Percent of Incidents with >10 Shots Fired	0.0%	0.0%
<b>Notes and Sources:</b>		
Events from NRA-ILA Armed Citizen database covering 279 incidents from January 1, 2011 through December 31, 2013. Excludes repeat stories, wild animal attacks, and one incident where the supposed victim later pleaded guilty to covering up a murder.		

**B. Mass shootings**

**1. Use of large-capacity magazines in mass shootings**

13. We found two comprehensive sources detailing historical mass shootings: (1) “US Mass Shootings, 1982-2012: Data From Mother Jones’ Investigation” published by Mother Jones and (2) “Mass Shooting Incidents in America (1984-2012)” published by the Citizens Crime Commission of New York City. See attached Table 1 for a summary of the combined data.

14. The definition of mass shooting and the period covered differed somewhat for each of the sources. Mother Jones covers 67 mass shootings from 1982 to 2013. Mother Jones includes mass shootings in which a shooter killed four or more people in one incident in a public place and excludes crimes involving armed robbery or gang violence.<sup>4</sup> Citizens Crime Commission covers 30 mass shootings from 1984 to 2012. Citizens Crime Commission includes mass shootings in which a shooter killed four or more people and the gun used by the shooter had a magazine with capacity greater than ten.<sup>5</sup> We updated the data on shots fired for mass shootings in 2013 where available.

15. Based on the combined data we found that large-capacity magazines (those with a capacity to hold more than 10 rounds of ammunition) are often used in mass shootings. Such large-capacity magazines were used in the majority of the mass shootings with known magazine capacity since 1982 (34 out of 40 mass shootings).<sup>6</sup> In the past two years, guns with large-capacity magazines were used in five of the seven mass shootings with known magazine capacity.<sup>7</sup>

16. The data indicate that it is common for offenders to fire more than ten rounds when using a gun with a large-capacity magazine in mass shootings. In particular, in mass

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<sup>4</sup> “What Exactly is a Mass Shooting,” Mother Jones, August 24, 2012. <http://www.motherjones.com/mojo/2012/08/what-is-a-mass-shooting>. Two incidents included in the Mother Jones data (Columbine High School and Westside Middle School) involved two shooters. “A Guide to Mass Shootings in America,” Mother Jones, February 27, 2013.

<sup>5</sup> “Mass Shooting Incidents in America (1984-2012),” Citizens Crime Commission of New York City. <http://www.nycrimecommission.org/mass-shooting-incidents-america.php>.

<sup>6</sup> For many of the mass shootings, the data do not indicate whether a large-capacity magazine was used.

<sup>7</sup> There were five additional mass shootings in which the magazine capacity was unknown.

shootings that involved use of large-capacity magazine guns, the average number of shots fired was 75.<sup>8</sup>

**2. Casualties in mass shootings with large-capacity magazine guns compared with other mass shootings**

17. Based on our analysis of the combined mass shootings data in the past 30 years, casualties were higher in the mass shootings that involved large-capacity magazines than in other mass shootings. In particular, we found an average number of fatalities or injuries of 22 per mass shooting with a large-capacity magazine versus 9 for those without.<sup>9</sup>

**3. Percent of mass shooters' guns legally obtained**

18. The combined data on mass shootings indicates that the majority of mass shooters obtained their guns legally.<sup>10</sup> Shooters in almost 78% of mass shootings in the past 30 years obtained their guns legally (at least 54 of the 69 mass shootings) and 75% of the guns used in these 69 mass shootings were obtained legally (at least 115 of the 153 guns).

***C. Rate in Maryland that victims use a firearm in self-defense in the home***

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<sup>8</sup> There were 27 mass shootings, in which the magazine capacity and the number of shots fired were known.

<sup>9</sup> A 2013 study by Mayors Against Illegal Guns similarly found that when mass shootings involved assault weapons or high capacity magazine, the number of deaths was higher. The study was based on data from the FBI and media reports covering the period January 2009 through January 2013. The study found that mass shootings where assault weapons or high-capacity magazines were used resulted in an average of 14.4 people shot and 7.8 deaths versus other mass shootings that resulted in 5.7 people shot and 4.8 deaths. *Analysis of Recent Mass Shootings*, Mayors Against Illegal Guns, September, 2013.

<sup>10</sup> Based on data from "US Mass Shootings, 1982-2012: Data from Mother Jones' Investigation" published by Mother Jones. <http://www.motherjones.com/politics/2012/12/mass-shootings-mother-jones-full-data>. Where available, we used news stories to verify Mother Jones' data on how mass shooters obtained their guns. We found such detail for 62 of the 67 Mother Jones mass shootings. In all of these cases, the news stories were consistent with Mother Jones' coding of gun acquisition.

19. The Complaint alleges that the “common uses of the banned firearms include defense of the self in the home, hunting and sport.”<sup>11</sup> We estimated how common it is in Maryland for a person in their home to defend themselves with a gun against an armed robber. (Data on self-defense specific to assault weapons as opposed to all firearms is not available.)

20. Using Maryland-specific crime data reported to FBI’s Uniform Crime Reporting Program,<sup>12</sup> we estimated the number of residential robberies committed with a firearm. This estimate was based on the average annual rate of the five year period 2008-2012 using Maryland annual data on the number of residential robberies adjusted for the percentage of robberies committed with a firearm.

21. To this Maryland estimate, the national rate at which victims in nonfatal violent crimes used a firearm in self-defense from a 2013 Bureau of Justice Statistics study was applied to determine the number of victims that use a firearm in self-defense in a residential robbery with a firearm.<sup>13</sup> We estimated an annual rate of 0.12 instances per 100,000 persons in Maryland in which a victim used a firearm in self-defense in a residential robbery perpetrated with a firearm, (or 1.2 incidents per million people).

22. The chart below illustrates how this rate compares with annual rates of other events including car accidents, residential fires and being struck by lightning.

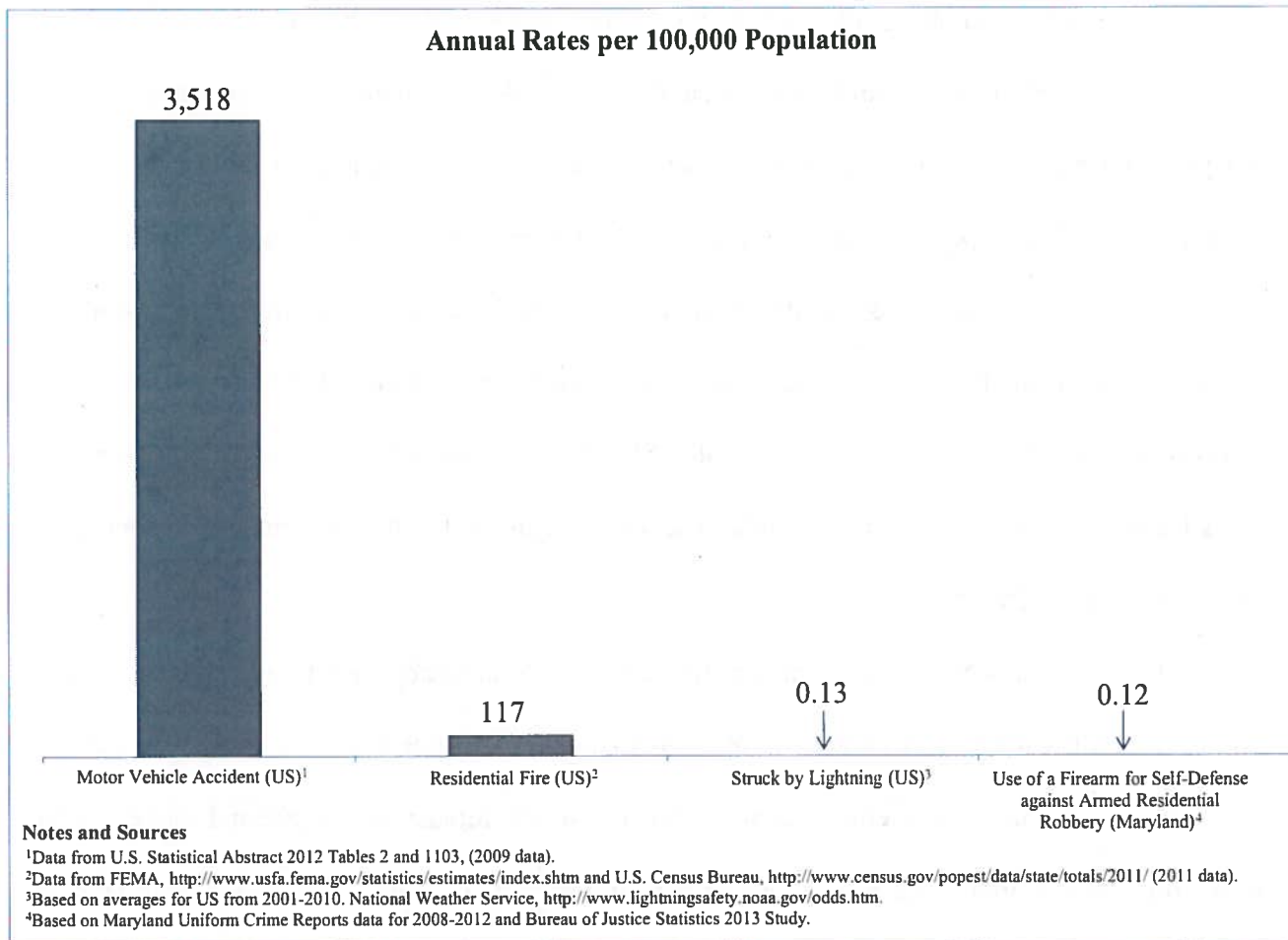
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<sup>11</sup> Complaint, ¶46.

<sup>12</sup> *Crime in Maryland 2012 Uniform Crime Report*, Central Records Division, 2012. Maryland State’s Central Records Division oversees the Uniform Crime Reporting (“UCR”) Program for Maryland and reports crime and arrest data to the FBI. This data is then incorporated into the FBI’s UCR data.

<sup>13</sup> The rate is obtained from the US Department of Justice - Bureau of Justice Statistics, *Firearm Violence, 1993-2011*, May 2013, p. 12, Table 11 - Self-protective behaviors, by type of crime, 2007-2011.





23. The chart indicates that the rate in Maryland in which a victim used a firearm in self-defense in an armed residential robbery is similar to the rate of a person being struck by lightning and 1,000 times less than the rate of a fire in the home and approximately 30,000 times less likely than a motor vehicle accident.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

  
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Lucy P. Allen

**Table 1: Combined Mass Shootings Data  
1982 - 2013**

Case	Location	Date	Source	Large-Capacity Magazine <sup>1</sup>		Fatalities <sup>2</sup>		Injuries <sup>2</sup>		Shots Fired	Obtained Legally?	Offenders' Number of Guns
				MJ/NE	CC	MJ	CC	MJ	CC	CC	MJ	MJ
1 Washington Navy Yard	Washington D.C.	9/16/2013	MJ	-	-	13	-	8	-	-	Yes	2
2 Hialeah	Hialeah, Florida	7/26/2013	MJ	-	-	7	-	0	-	10 <sup>3</sup>	Yes	1
3 Santa Monica	Santa Monica, California	6/7/2013	MJ	Yes	-	6	-	3	-	70 <sup>4</sup>	Yes	2
4 Federal Way	Federal Way, Washington	4/21/2013	MJ	-	-	5	-	0	-	-	Yes	2
5 Upstate New York	Herkimer, New York	3/13/2013	MJ	No	-	5	-	2	-	-	Yes	1
6 Newtown school	Newtown, Connecticut	12/14/2012	MJ/CC	Yes	Yes	28	28	2	-	154	Stolen	4
7 Accent Signage Systems	Minneapolis, Minnesota	9/27/2012	MJ	Yes	-	7	-	1	-	-	Yes	1
8 Sikh temple	Oak Creek, Wisconsin	8/5/2012	MJ/CC	Yes	Yes	7	7	3	3	-	Yes	1
9 Aurora theater	Aurora, Colorado	7/20/2012	MJ/CC	Yes	Yes	12	12	58	58	70	Yes	4
10 Seattle cafe	Seattle, Washington	5/30/2012	MJ	-	-	6	-	1	-	-	Yes	2
11 Oikos University	Oakland, California	4/2/2012	MJ	No	-	7	-	3	-	-	Yes	1
12 Su Jung Health Sauna	Norcross, Georgia	2/22/2012	MJ	-	-	5	-	0	-	-	Yes	1
13 Seal Beach	Seal Beach, California	10/14/2011	MJ	-	-	8	-	1	-	-	Yes	3
14 IHOP	Carson City, Nevada	9/6/2011	MJ/CC	Yes	Yes	5	5	7	7	-	Yes	3
15 Grand Rapids Shooting	Grand Rapids, Michigan	7/7/2011	CC	-	Yes	-	8	-	2	10	No	1
16 Tucson	Tucson, Arizona	1/8/2011	MJ/CC	Yes	Yes	6	6	13	13	33	Yes	1
17 Hartford Beer Distributor	Manchester, Connecticut	8/3/2010	MJ/CC	Yes	Yes	9	9	2	2	11	Yes	2
18 Coffee shop police killings	Parkland, Washington	11/29/2009	MJ	-	-	4	-	1	-	-	Stolen	2
19 Fort Hood	Fort Hood, Texas	11/5/2009	MJ/CC	Yes	Yes	13	13	30	30	214	Yes	1
20 Binghamton	Binghamton, New York	4/3/2009	MJ/CC	Yes	Yes	14	14	4	4	99	Yes	2
21 Carthage nursing home	Carthage, North Carolina	3/29/2009	MJ	No	-	8	-	3	-	-	Yes	2
22 Atlantis Plastics	Henderson, Kentucky	6/25/2008	MJ	-	-	6	-	1	-	-	Yes	1
23 Northern Illinois University	DeKalb, Illinois	2/14/2008	MJ/CC	Yes	Yes	6	6	21	21	54	Yes	4
24 Kirkwood City Council	Kirkwood, Missouri	2/7/2008	MJ	-	-	6	-	2	-	-	Stolen	2
25 Westroads Mall	Omaha, Nebraska	12/5/2007	MJ/CC	Yes	Yes	9	9	4	5	14	Stolen	1
26 Crandon	Crandon, Wisconsin	10/7/2007	MJ	-	-	6	-	1	-	-	Yes	1
27 Virginia Tech	Blacksburg, Virginia	4/16/2007	MJ/CC	Yes	Yes	33	33	23	17	176	Yes	2
28 Trolley Square	Salt Lake City, Utah	2/12/2007	MJ	No	-	6	-	4	-	-	No	2
29 Amish school	Lancaster County, Pennsylvania	10/2/2006	MJ	-	-	6	-	5	-	-	Yes	3
30 Capitol Hill	Seattle, Washington	3/25/2006	MJ	-	-	7	-	2	-	-	Yes	4
31 Goleta postal	Goleta, California	1/30/2006	MJ	Yes	-	8	-	0	-	-	Yes	1
32 Red Lake	Red Lake, Minnesota	3/21/2005	MJ	-	-	10	-	5	-	-	Stolen	3
33 Living Church of God	Brookfield, Wisconsin	3/12/2005	MJ	-	-	7	-	4	-	-	Yes	1
34 Damageplan show	Columbus, Ohio	12/8/2004	MJ	-	-	5	-	7	-	-	Yes	1
35 Hunting Camp	Meteor, Wisconsin	11/21/2004	CC	-	Yes	-	6	-	3	20	-	1
36 Lockheed Martin	Meridian, Mississippi	7/8/2003	MJ	-	-	7	-	8	-	-	Yes	5

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Case	Location	Date	Source	Large-Capacity Magazine <sup>1</sup>		Fatalities <sup>2</sup>		Injuries <sup>2</sup>		Shots Fired	Obtained Legally?	Offenders' Number of Guns
				MJ/NE	CC	MJ	CC	MJ	CC	CC	MJ	MJ
37 Navistar	Melrose Park, Illinois	2/5/2001	MJ	-	-	5	-	4	-	-	Yes	4
38 Wakefield	Wakefield, Massachusetts	12/26/2000	MJ/CC	Yes	Yes	7	7	0	0	37	Yes	3
39 Hotel	Tampa, Florida	12/30/1999	MJ	-	-	5	-	3	-	-	Yes	2
40 Xerox	Honolulu, Hawaii	11/2/1999	MJ/CC	Yes	Yes	7	7	0	0	28	Yes	1
41 Wedgwood Baptist Church	Fort Worth, Texas	9/15/1999	MJ/CC	Yes	Yes	8	8	7	7	30	Yes	2
42 Atlanta day trading spree	Atlanta, Georgia	7/29/1999	MJ	-	-	9	-	13	-	-	Yes	4
43 Columbine High School	Littleton, Colorado	4/20/1999	MJ/CC	Yes	Yes	15	15	24	23	188	No	4
44 Thurston High School	Springfield, Oregon	5/21/1998	MJ/CC	Yes	Yes	4	4	25	25	50	No	3
45 Westside Middle School	Jonesboro, Arkansas	3/24/1998	MJ/CC	Yes	Yes	5	5	10	10	26	Stolen	9
46 Connecticut Lottery	Newington, Connecticut	3/6/1998	MJ/CC	Yes	Yes	5	5	1	0	5	Yes	1
47 Caltrans maintenance yard	Orange, California	12/18/1997	MJ/CC	Yes	Yes	5	5	2	2	144	Yes	1
48 R.E. Phelon Company	Aiken, South Carolina	9/15/1997	MJ	-	-	4	-	3	-	-	No	1
49 Fort Lauderdale revenge	Fort Lauderdale, Florida	2/9/1996	MJ	-	-	6	-	1	-	-	Yes	2
50 Walter Rossler Company	Corpus Christi, Texas	4/3/1995	MJ	-	-	6	-	0	-	-	Yes	2
51 Air Force base	Fairchild Air Force Base, Washington	6/20/1994	MJ/CC	Yes	Yes	5	6	23	23	-	Yes	1
52 Chuck E. Cheese	Aurora, Colorado	12/14/1993	MJ	-	-	4	-	1	-	-	-	1
53 Long Island Rail Road	Garden City, New York	12/7/1993	MJ/CC	Yes	Yes	6	6	19	19	30	Yes	1
54 Luigi's	Fayetteville, North Carolina	8/6/1993	MJ	-	-	4	-	8	-	-	Yes	3
55 101 California Street	San Francisco, California	7/1/1993	MJ/CC	Yes	Yes	9	9	6	6	75	No	3
56 Watkins Glen	Watkins Glen, New York	10/15/1992	MJ	-	-	5	-	0	-	-	Yes	1
57 Lindhurst High School	Olivehurst, California	5/1/1992	MJ	-	-	4	-	10	-	-	Yes	2
58 Royal Oak postal	Royal Oak, Michigan	11/14/1991	MJ	-	-	5	-	5	-	-	Yes	1
59 University of Iowa	Iowa City, Iowa	11/1/1991	MJ	No	-	6	-	1	-	-	Yes	1
60 Luby's	Killeen, Texas	10/16/1991	MJ/CC	Yes	Yes	24	24	20	20	100	Yes	2
61 GMAC	Jacksonville, Florida	6/18/1990	MJ/CC	Yes	Yes	10	10	4	4	14	Yes	2
62 Standard Gravure	Louisville, Kentucky	9/14/1989	MJ/CC	Yes	Yes	9	9	12	12	21	Yes	5
63 Stockton schoolyard	Stockton, California	1/17/1989	MJ/CC	Yes	Yes	6	6	29	30	106	Yes	2
64 ESL	Sunnyvale, California	2/16/1988	MJ	-	-	7	-	4	-	-	Yes	7
65 Shopping centers	Palm Bay, Florida	4/23/1987	MJ	Yes	-	6	-	14	-	-	Yes	3
66 United States Postal Service	Edmond, Oklahoma	8/20/1986	MJ	-	-	15	-	6	-	-	Yes	3
67 San Ysidro McDonald's	San Ysidro, California	7/18/1984	MJ/CC	Yes	Yes	22	22	19	19	257	Yes	3
68 Dallas nightclub	Dallas, Texas	6/29/1984	MJ/CC	Yes	Yes	6	6	1	1	-	No	1
69 Welding shop	Miami, Florida	8/20/1982	MJ	No	-	8	-	3	-	-	Yes	1
						<b>Average:</b>	<b>8.2</b>	<b>10.3</b>	<b>7.6</b>	<b>12.6</b>	<b>73.1</b>	
						<b>Large-Capacity Magazine Average:</b>	<b>10.1</b>	<b>10.3</b>	<b>12.1</b>	<b>12.6</b>	<b>75.4</b>	
						<b>Non Large-Capacity Magazine Average:</b>	<b>6.7</b>	<b>-</b>	<b>2.7</b>	<b>-</b>	<b>-</b>	

**Table 1: Combined Mass Shootings Data  
1982 - 2013**

Case	Location	Date	Source	Large-Capacity Magazine <sup>1</sup>		Fatalities <sup>2</sup>		Injuries <sup>2</sup>		Shots Fired	Obtained Legally?	Offenders' Number of Guns
				MJ/NE	CC	MJ	CC	MJ	CC	CC	MJ	MJ

**Notes and Sources:**

MJ represents Mother Jones data. CC represents Citizens Crime Commission of New York City data. NE represents NERA data. "-" means unspecified.

Mother Jones mass shootings data: "US Mass Shootings, 1982, 2012: Data from Mother Jones' Investigation," Mother Jones, December 28, 2012.

Mother Jones high capacity magazine data: "More Than Half of Mass Shooters Used Assault Weapons and High-Capacity Magazines," Mother Jones, February 27, 2013.

Citizens Crime Commission data from: "Citizens Crime Commission of New York City, Mass Shooting Incidents in America (1984-2012).

<sup>1</sup> Large-capacity magazines are those with a capacity to hold more than 10 rounds of ammunition.

<sup>2</sup> Offender included in counts of fatalities and injuries.

<sup>3</sup> Shots fired: "Shooter Set \$10,000 on Fire in Hialeah Shooting Rampage," NBC News, July 28, 2013.

<sup>4</sup> Shots fired: "Santa Monica shooter was 'ready for battle'; At least 70 rounds fired at students," The Malibu Times, June 8, 2013.



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## Attachment A

# LUCY P. ALLEN

## SENIOR VICE PRESIDENT

### Education

#### YALE UNIVERSITY

M.Phil., Economics, 1990

M.A., Economics, 1989

M.B.A., 1986

#### STANFORD UNIVERSITY

A.B., Human Biology, 1981

### Professional Experience

1994-Present

#### **National Economic Research Associates, Inc.**

Senior Vice President. Responsible for economic analysis in the areas of securities, finance and environmental and tort economics.

Vice President.

Senior Consultant.

1992-1993

#### **Council of Economic Advisers, Executive Office of the President**

Staff Economist. Provided economic analysis on regulatory and health care issues to Council Members and interagency groups. Shared responsibility for regulation and health care chapters of the *Economic Report of the President, 1993*. Working Group member of the President's National Health Care Reform Task Force.

1986-1988

#### **Ayers, Whitmore & Company (General Management Consultants)**

1983-1984

Senior Associate. Formulated marketing, organization, and overall business strategies including:

Plan to improve profitability of chemical process equipment manufacturer.

Merger analysis and integration plan of two equipment manufacturers.

Evaluation of Korean competition to a U.S. manufacturer.

Diagnostic survey for auto parts manufacturer on growth obstacles.

Marketing plan to increase international market share for major accounting firm.

Summer 1985            **WNET/Channel Thirteen, Strategic Planning Department**  
Associate. Assisted in development of company's first long-term strategic plan. Analyzed relationship between programming and viewer support.

1981-1983            **Arthur Andersen & Company**  
Consultant. Designed, programmed and installed management information systems. Participated in redesign/conversion of New York State's accounting system. Developed municipal bond fund management system, successfully marketed to brokers. Participated in President's Private Sector Survey on Cost Control (Grace Commission). Designed customized tracking and accounting system for shipping company.

Teaching  
1989- 1992            **Teaching Fellow, Yale University**  
Honors Econometrics  
Intermediate Microeconomics  
Competitive Strategies  
Probability and Game Theory  
Marketing Strategy  
Economic Analysis

## **Publications, Speeches and Conference Papers**

"Snapshot of Recent Trends in Asbestos Litigation: 2013 Update," (co-author), NERA Report, 2013.

Participant in panel on "Use of Experts" at *PLI Pretrial Practice 2013*, hosted by the Practising Law Institute, New York, New York, 2013.

Participant in panel on "Use of Experts" at *PLI Pretrial Practice 2012*, hosted by the Practising Law Institute, Chicago, Illinois, 2012.

"Asbestos Payments per Resolved Claim Increased 75% in the Past Year – Is This Increase as Dramatic as it Sounds? Snapshot of Recent Trends in Asbestos Litigation: 2012 Update," (co-author), NERA Report, 2012.

"Class Certification Decisions," briefing session at the 14<sup>th</sup> Finance, Law and Economics Securities Litigation Seminar, sponsored by NERA Economic Consulting, Whistler, B.C., Canada, 2012.

Participant in panel on "Use of Experts" at *PLI Pretrial Practice 2012*, hosted by the Practising Law Institute, New York, New York, 2012.

"Snapshot of Recent Trends in Asbestos Litigation: 2011 Update," (co-author), NERA White Paper, 2011.

Participant in panel at *The Implications of Matrixx*, hosted by NERA Economic Consulting, New York, New York, 2011.

“2011 & Beyond–Predicting Mass Tort Litigation: with a Focus on Pharmaceutical Torts” presented at *Emerging Insurance Coverage and Allocation Issues*, hosted by Perrin Conferences, New York, New York, 2011.

“Experts–Do's and Don'ts” presented at PLI Expert Witness 2011, hosted by the Practising Law Institute, New York, New York, 2011.

Presented recent trends in settlements, predicting settlement amounts, and the use of economic analysis at mediation in the “Settlement Trends & Tactics” panel at *Securities Litigation & Enforcement: Current Developments & Strategies*, hosted by the New York City Bar, New York, New York, 2010.

“When Deals Go Bad – Estimating Damages,” presented at the 13<sup>th</sup> Finance, Law and Economics Securities Litigation Seminar, sponsored by National Economic Research Associates, Jackson Hole, Wyoming, 2010.

“Snapshot of Recent Trends in Asbestos Litigation: 2010 Update,” (co-author), NERA White Paper, 2010.

“Settlement Trends and Tactics” presented at *Securities Litigation During the Financial Crisis: Current Development & Strategies*, hosted by the New York City Bar, New York, New York, 2009.

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