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CHARLES R. MAHLA has been engaged in economic analysis and consulting for more than 24 years. He has consulted with companies in the chemical, biotechnology, medical equipment, defense, aerospace, computer, plastics, telecommunications, insurance, sporting goods, corrugated container and food distribution industries. He has extensive experience with the calculation of damages in antitrust, contract dispute and intellectual property matters. In addition, he has spent significant time on employment matters dealing with wrongful termination and employment discrimination. Over the last ten years, Dr. Mahla has performed dozens of analyses of economic loss stemming from personal injury, wrongful death, and medical malpractice.

Dr. Mahla has extensive experience in the calculation of damages arising from patent infringement and the misappropriation of trade secrets and trade dress. Dr. Mahla has been engaged to calculate damages (both lost profits and reasonable royalties) by both plaintiffs and defendants across a wide array of industries and products, including percutaneous transluminal coronary angioplasty (“PTCA”) catheters and stents, hemodialysis needle guards, agricultural GPS navigation equipment, COX-2 inhibitors, digital jukeboxes, motorized scooters, and online, automated automobile credit aggregation systems.

Dr. Mahla also has extensive experience with issues relating to the provision of cellular telephone service. Prior efforts include in-depth research regarding industry structure, conduct and performance. Among other things, Dr. Mahla has studied the regulatory history of cellular service, the nature and extent of industry competition and a number of related conduct issues. He also has examined the current regulatory environment, particularly in California, written about cellular issues, and participated in a round-table discussion panel conducted on behalf of the Office of Planning and Research for Governor Wilson. Dr. Mahla has testified in Superior Court of

California on matters relating to conduct in the Los Angeles cellular market. He also has testified in U.S. Bankruptcy Court on the impact of changes in California's regulatory oversight on the provision of cellular equipment.

In addition to Dr. Mahla's wireless telecom experience, he has analyzed the market structure and firm conduct in both the landline telco and cable industries. This work includes an analysis of competitive issues surrounding the access to data transmission services for the provision of broadband Internet services.

Dr. Mahla is a member of the American Economic Association and is an Associate Member of the American Bar Association.

EDUCATION

Ph.D.—Economics, *University of North Carolina - Chapel Hill*, Chapel Hill, North Carolina, December 1991 (Dissertation Title: "State Takeover Statutes and Shareholder Wealth")

B.A.—Economics, *Lafayette College*, Easton, Pennsylvania—*cum laude*, May 1982

PROFESSIONAL EXPERIENCE

Econ One Research, Inc., Sacramento, CA
Managing Director,
Sacramento Office Head, August 2009—Present

Econ One Research, Inc., Sacramento, CA
Senior Economist July 1997—July 2009

Micronomics, Inc., Sacramento, CA
Senior Economist April 1994—July 1997

Micronomics, Inc., Los Angeles, CA
Economist June 1992—March 1994

University of North Carolina, Greensboro, NC
Lecturer September 1989—May 1992

Arthur Andersen & Co., New York, NY
Staff Consultant June 1982—December 1984
Senior Consultant January 1985—June 1985

PROFESSIONAL AFFILIATIONS

American Economic Association
Associate Member, American Bar Association

HONORS AND AWARDS

Omicron Delta Epsilon, Economics Honor Society, 1981
Phi Beta Kappa, Lafayette College, 1982
Economics & Business Award, Lafayette College, 1982
University Teaching Fellow, UNC-Chapel Hill, 1987
Lurcy Fellowship, UNC-Chapel Hill, 1988

BOOKS/MANUSCRIPTS

"Economic Damages—Primer for Attorneys; The Building Blocks for Valuing Economic Damages in Personal Injury, Wrongful Death, Medical Malpractice, and Products Liability Cases," edited with Dwight Steward, Ph.D., Econ One Research, Inc., 2007.

PAPERS/PRESENTATIONS

"Prejudgment Interest, Taxation and Patent Damages: How Courts Can Reduce the Bias," unpublished manuscript, August 1993.

"Personal Communications Services: A Golden Opportunity for California," for the Roundtable on Cellular Regulatory Policy, Governor's Office of Planning and Research, July 1994.

"Big Deals: The Capital Region Turned A Lot of Heads in 1998," Comstock's Magazine, March 1999.

"Can You Protect Yourself from Y2K Killer Bees?," Comstock's Magazine, May 1999.

"Dissecting the Millennium Bug?," Comstock's Magazine, May 1999.

"e-Taxes: The Growth of E-Commerce -- Is it a Taxing Dilemma?," Comstock's Business, October 1999.

"Digital Convergence: Surfing the Net on The Wireless Wave", Comstock's Business, Forthcoming, January 2000.

"Lost Profits and Royalties in Intellectual Property Disputes: The Need to Avoid Double Dipping", The Metropolitan Corporate Counsel, with Lynette Hilton, February 2000.

"Wireless Performance/Pricing Trends 2000," Panelist: Emerging Wireless and Satellite Broadband Technologies, Telecon 2000 Conference, Anaheim, CA, December 7, 2000.

"Public Forum For the 7th Annual CMRS Competition Report," Panelist, Federal Communications Commission, Washington, D.C., February 28, 2002.

"Patent Disputes: Bridging the Gap Between In-House Counsel and Law Firms," Panelist, West LegalEdcenter Conference, San Jose, CA, March 15, 2010.

"Negotiating the Royalty Damages Minefield--From Patent Reform to Recent Case Law Precedent," Presenter, Law.com Webinar with Phillip Johnson, Ph.D., September 15, 2010.

"Expert Witness Cross-Exam Workshop: Plaintiff's and Defendant's Expert," Co-lecturer with Michael Schwartz, The State Bar of California 2012 Annual Meeting, Monterey, CA, October 11-14, 2012.

"Patent Disputes 2012: Uncover the Changing Patent Landscape From Patent Portfolio to Litigation-Transitioning in a Post AIA World," Damages Section Panelist, West LegalEdcenter Conference, Santa Clara, CA, November 14, 2012.

"Patent Disputes 2013: How the AIA, USPTO and Patent Aggregation Have Changed the Landscape," Damages Section Panelist, West LegalEdcenter Conference, Santa Clara, CA, November 5, 2013.

"Patent Disputes Forum 2014," Damages Section Panelist, West LegalEdcenter Conference, Santa Clara, CA, November 4, 2014.

"Damage Issues in Employment Discrimination Litigation," Seminar provided to the Employment Group, Gordon & Rees, San Francisco, CA, May 3, 2016.

SUMMARY OF REPRESENTATIVE PRIOR ENGAGEMENTS

- Estimated damages to a professional fundraiser resulting from an alleged legal malpractice and breach of contract.
- Estimated damages arising from the misappropriation of trade secrets relating to the method of producing zero-fold PTCA balloons.
- Estimated lost earnings to an NFL assistant coach resulting from a breach of contract.
- Estimated losses to the estate of a commercial fisherman resulting from his death on the high seas.
- Reviewed and assessed the appropriateness of royalty claims made by a patent holder against a large software company. Claims involved methods of authentication for communication between computers in a virtual private network (“VPN”).
- Estimated the economic impact resulting from an inability to work due to injuries sustained in a motor vehicle accident.
- Analyzed the economic harm arising from disability discrimination on the part of an assisted living facility.
- Analyzed alleged underperformance on the part of a County Authority with respect to booking entertainment events at a Northern California arena.
- Analyzed royalty damages suffered from patent infringement in the market for scrolling-wheel computer mice.
- Analyzed economic losses to a family resulting from the mis-diagnosis of cancer.
- Analyzed lost share value to a telecom executive resulting from a breach of an employment contract.
- Assessed the appropriateness of royalty claims made by a patent holder against a large, international software company. Claims involved methods of use of a compression algorithm by end users in both the U.S. and abroad.

- Analyzed lost profits of a winery resulting from a breach of a requirements contract by a large, national importer.
- Analyzed lost sponsorship earnings to a professional fisherman resulting from an alleged contract interference.
- Performed a liquidation value analysis of a law firm partnership.
- Analyzed claims of lost profits and royalty damages allegedly suffered from patent infringement in the market for digital jukeboxes.
- Analyzed claims of lost profits and royalty damages allegedly suffered from patent infringement in the market for GPS-based guidance systems used in precision farming applications.
- Analyzed damages resulting from the alleged misappropriation of trade secrets relating to proprietary customer, price, and margin data of a large waterworks supplier.
- Analyzed employment discrimination claims relating to hiring practices in a Northern California school district. Determined degree to which plaintiff suffered economic losses resulting from the alleged discrimination.
- Reviewed and analyzed claims of damages allegedly suffered from wrongful termination of an electrical parts distribution contract.
- Reviewed and analyzed claims of damages allegedly suffered from fraud and wrongful termination by an insurance carrier.
- Conducted market-wide study of firm conduct in the corrugated cardboard industry. Study analyzed the conduct of integrated firm behavior with respect to pricing of inputs to downstream competitors.
- Analyzed claims of lost profits and royalty damages allegedly suffered from patent infringement in the market for hemodialysis needle guards.
- Conducted analysis of commercial success of an animal pharmaceutical in support of a patent application. Also analyzed appropriate reasonable royalty should patent be granted.

- Analyzed claims of damages allegedly suffered from trade dress infringement in the market for continuing medical education. Conducted statistical analysis of likely effects.
- Conducted market valuation of an Internet retail firm; analyzed claims of price discrimination and breach of contract.
- Analyzed effects of the refusal to grant interconnection to a prepaid service reseller by a large wireless carrier in connection with an alleged breach of contract. Quantified financial impact of alleged breach.
- Conducted market study of the Home Uterine Activity Monitor (“HUAM”) market, including complete review of FDA regulatory oversight of Level II and Level III medical devices. Analysis aided in the estimation of damages from an alleged breach of contract between a developer and manufacturer of HUAM devices.
- Analyzed the effects of wireless subscriber churn in connection with the estimation of damages suffered by a large wireless carrier from fraudulent agent churn.
- Conducted valuation of a potential royalty due to a large research university arising from the issuance of a patent on a new form of Non-Steroidal Anti-inflammatory Drug (“NSAID”).
- Conducted analysis of the development and maturation of the digital imaging industry as it related to potential damages arising from a breach of contract between a manufacturer and a distributor.
- Conducted a study on the effects of changes in California’s regulatory oversight on the provision of cellular equipment.
- Analyzed sales and pricing practices of a major soy polymer manufacturer in connection with charges of patent infringement and misappropriation of trade secrets.
- Analyzed economic aspects of a PBX switch termination agreement in connection with charges of breach of contract.
- Conducted market analysis of the cellular equipment market with a particular focus on the Los Angeles market. Study led to the estimation of financial damages resulting from below-cost pricing of such equipment.

- Lead firm's participation in *Roundtable on Cellular Regulatory Policy*, Governor's Office of Planning and Research.
- Conducted analysis of cellular service pricing behavior in Los Angeles, San Diego, and San Francisco relating to allegations of price fixing by service providers.
- Analyzed pricing practices of major pharmaceutical companies in connection with charges of discriminatory pricing and price fixing brought by numerous retail customers.