

Jonathan Schwartz, CFA

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Professional Summary

Mr. Schwartz is an economist with more than 19 years of litigation consulting experience. His work has covered a broad range of matters including antitrust, finance, intellectual property, international arbitration, and contract disputes. Mr. Schwartz has performed analysis related to antitrust liability, damages, class certification, settlement allocation, overcharge pass through, reasonable royalties, lost profits, business valuation and actuarially fair dividend payments.

Education

- Chartered Financial Analyst (CFA) Charterholder
- M.A., Economics, University of California, Los Angeles, 2003
- B.A., Economics, University of Maryland (with honors), 1999

Testifying Experience

In re Cathode Ray Tube (CRT) Antitrust Litigation Indirect Purchaser Litigation

- United States District Court for the Northern District of California, San Francisco Division
- Case No.: 07-CV-5944-JST, MDL No. 1917
- Submitted Declaration, July 9, 2018
- Retained by Trump, Alioto, Trump, & Prescott LLP

Nuts for Candy v. Visa, Inc., Visa International Service Association, Visa U.S.A., Inc., and DOES 1-50

- Superior Court of California in and for the County of San Mateo

- Case No.: 17-CIV-01482
- Expert Report, May 14, 2018
- Retained by Cotchett, Pitre, & McCarthy LLP.

Jeffrey Plotnick et al. v. Computer Sciences Corporation et al.

- United States District Court for the Eastern District of Virginia
- Case No.: 15-cv-01002-TSE-TCB
- Expert Report, January 22, 2016
- Expert Rebuttal and Supplemental Report, February 16, 2016
- Retained by Cohen Milstein Sellers and Toll PLLC

Mednick et al. v. Precor, Inc.

- United States District Court for the Northern District of Illinois, Eastern Division
- Case No.: 1:14-cv-03624
- Expert Report Regarding Class Certification, October 22, 2015
- Deposition Testimony, December 8, 2015
- Retained by Lite, Depalma Greenberg LLC.

Raymone K. Bain v. Gary, Williams, Parenti, Watson, & Gary, P.L. et al.

- United States District Court for the District of Columbia
- Case No.: 13-848
- Expert Report Regarding Damages, September 25, 2015
- Supplemental Expert Report, April 16, 2021
- Retained by Hausfeld LLP

LaPlant et al. v. The Northwestern Mutual Life Insurance Company

- United States District Court for the Eastern District of Wisconsin
- Case No.: 2:11-CV-00910
- Declaration to Mediator Regarding Damages, November 4, 2014
- Supplemental Declaration Regarding Damages, July 2, 2015
- Retained by Straus & Boies LLP

In re Transpacific Passenger Air Transportation Litigation

- United States District Court for the Northern District of California, San Francisco Division
- Case No.: 3:07-cv-05634-CRB
- Declaration Regarding Summary Judgment, March 10, 2014
- Deposition Testimony, May 13, 2014
- Retained by Cotchett, Pitre, and McCarthy LLP and Hausfeld LLP

In re Dynamic Random Access Memory (DRAM) Antitrust Litigation

- United States District Court for Northern California, Oakland Division
- Case No.: M-02-1486-PJH

- Declaration Regarding Claims Methodology for Indirect Purchasers, May 20, 2013
- Retained by Straus & Boies LLP

Michael Fourte v. Countrywide Home Loans, Inc. Countrywide Financial Corporation, Countrywide Bank

- United States District Court for the District of New Jersey
- Case No.: 07-CV-1363 (PGS)
- Expert Report Regarding Data Sufficiency for Calculation of Damages, October 10, 2010
- Retained by Gainey McKenna & Egleston

Selected Consulting Experience

Antitrust

- Assisted in the preparation of an expert report regarding class certification in a class action involving an alleged anticompetitive agreement in the broiler chicken industry.
- Assisted in the preparation of an expert report regarding class certification in a class action involving alleged delayed generic entry of a pharmaceutical product.
- Assisted in the preparation of expert reports regarding liability in a class action involving an alleged supply restriction conspiracy for domestic air travel.
- Assisted in the preparation of expert reports regarding liability and damages involving alleged violations of the Packers and Stockyards Act in the broiler chicken industry.
- Assisted in the preparation of an expert report regarding liability and damages associated with alleged anticompetitive foreclosure in the market for sleep apnea products.
- Assisted in the preparation of an expert report regarding liability related to alleged anticompetitive actions in the market for footwear insoles and inserts.
- Assisted in the preparation of an expert report regarding class certification in a class action involving alleged price fixing of transpacific air travel.
- Assisted in the preparation of an expert report regarding liability related to alleged anticompetitive conduct of harness horsemen.
- Assisted in the preparation of expert reports regarding summary judgment, class certification, and damages in a class action involving alleged price fixing of drywall.
- Assisted in the preparation of expert reports at the class certification and merits stage of a class action involving alleged price fixing of blood reagents.
- Assisted in the preparation of expert reports at the class certification and merits stage of a class action involving an alleged supply restriction conspiracy for eggs.
- Assisted in the preparation of an expert report at the class certification stage of a class action involving alleged price fixing of optical disk drives.

- Prepared econometric damage estimate as the consulting expert for opt-outs in a price fixing matters involving EPDM (synthetic rubber). Presented damage estimates and rebuttal to defendant damage estimates in a settlement negotiation meeting.
- Critiqued opposing expert and assisted in the preparation of expert reports at the merits stage of a class action involving alleged price fixing of oriented strand board. Assisted in claims administration process by building a database of purchases by claimant from each manufacturer. Submitted affidavit explaining my role in claims administration.
- Prepared econometric damage estimates and assisted in the preparation of expert report at the class certification stage of a class action involving alleged price fixing of plastic additives. Prepared presentation in rebuttal to defendant experts' criticisms of the econometric methodology.
- Assisted in the preparation of a rebuttal report at the class certification stage of a class action involving alleged price fixing of TDI, MDI and polyether polyols.
- Assisted in the preparation of a rebuttal report at the merits stage of a class action involving alleged price fixing of titanium dioxide.
- Assisted expert economist with preparation of report on econometric damage estimates and pass through rates for an indirect purchaser class action in the vitamins industry. Assisted attorneys with claims distribution.
- Assisted expert economist with preparation of report on econometric damage estimates and pass through rates for an indirect purchaser class action in the MSG and nucleotides markets. Assisted attorneys with claims distribution.
- Assisted in preparation of expert reports regarding class-wide damages related to an alleged market allocation agreement in the DVD industry.
- Calculated damages and assisted in the preparation of expert reports for a computer hardware firm allegedly excluded from the mainframe computer market.

International Arbitration

- Assisted expert with report related to alleged unfair competition in the port sector in Peru.

Commercial Damages

- Assisted in preparation of expert reports analyzing the adverse nature of a switch in dividend policy for fixed flexible premium annuities.
- Reviewed the actuarial methodology of assigning ownership in connection with litigation involving the demutualization of a health insurance company. Prepared analysis of alleged underpricing of the insurance company's IPO.
- Assisted in evaluation of damage claims arising from alleged professional malpractice related to commercial development and land use.
- Assisted in damage estimation related to claims of false advertising related to medical data printer systems.

- Estimated damages in an employee breach of contract matter.
- Estimated damages and assisted in preparation of rebuttal report in a product liability matter.

Valuation

- Estimated the present value of customer relationships secured in a merger for purposes of acquirer's financial statements.
- Reviewed the valuation of a multi-billion dollar contract in the health insurance industry for purposes of contract renegotiation.
- Assisted in the expert valuations of businesses owned in marital estates for purposes of divorce proceedings.

Intellectual Property

- Assisted expert with reports related to alleged patent misuse and alleged price erosion related to patent infringement in the computer hardware industry.
- Assisted expert with reasonable royalty and lost profits damage calculations associated with patent infringement in the medical device industry.
- Critiqued opposing expert's damage calculations associated with alleged patent infringement in the computer hardware industry.

Professional Experience

- Nathan Associates Inc., Arlington, VA, Senior Vice President, 2018-2021; Vice President, 2016-2018; Principal Economist, 2012-2016; Managing Economist, 2010-2012; Senior Economist, 2007-2009
- UHY Advisors Inc., Washington, D.C., Manager, 2005-2007; Senior Consultant, 2004-2005
- Glassman-Oliver Economic Consultants, Washington, D.C., Senior Analyst, 2004
- UCLA Department of Economics, Los Angeles, CA, Research Assistant, 2002-2003
- Glassman-Oliver Economic Consultants, Washington, D.C., Research Analyst, 1999-2001

Speaking Engagements

- "The Rule of Reason in O'Bannon v. NCAA" presented at the American Association for Justice Antitrust Law Group, July 26, 2014.
- Expert Witness, Mock Trial, ABA Section of Antitrust Law Spring Meeting March 26, 2019.

- “How to Effectively Use Expert Evidence in Class Action Cases” webinar presentation for The Knowledge Group on June 5, 2019.