

Litigation Support: Expert Analysis & Testimony

Representative Engagements

- Retained in securities 10b-5 action to prepare an expert report in support of class certification. Opined on the issue of market efficiency. Analysis cited favorably by the court, resulting in certification of the class action.
- Retained as consulting expert and presented damage analysis at mediation on behalf of investors in recent litigation against major U.S. stock exchange for a botched IPO. Resulted in settlement in favor of shareholders in the amount of \$30 million.
- Provided consulting services and supported expert testimony in shareholder litigation against major mutual fund company pursuant to Federal and California State claims. Prepared forensic analysis of benchmark performance deviation for ultra-short mutual fund and prepared a damage analysis. Analysis was instrumental in obtaining a \$200 million settlement on behalf of fund investors.
- Prepared valuation for a dissenting shareholder of 20 percent interest in a Pennsylvania specialty pharmacy and home infusion pharmacy services company, which was a subsidiary of a publicly traded company. Valuation resulted in additional consideration paid to shareholders.
- Provided consulting services in a consumer fraud action against major food manufacturer for a misleading marketing campaign that highlighted purported digestive health benefits of a particular brand of yogurt. Prepared analysis of consumer sales, price, and volume data and calculated damages based on the price premium paid by consumers for non-proven benefits. The case settled for \$8.5 million.
- Provided consulting services as part of the defense trial team in the criminal trial of the executives of a former publicly traded cable television company. Performed a valuation of the family's private cable subsidiaries to determine whether proceeds from the sale of those subs could have been used to satisfy indebtedness to the public company.
- Provided consulting services and supported testifying expert in one of the few shareholder fraud class actions to reach trial since the mid-1990's. Performed underlying analytics and prepared reports for class certification and damages. Jury returned a Plaintiffs' verdict and awarded damages, relying heavily on our damages methodology.

- Retained by the SEC in an insider trading enforcement action to develop an equitable Plan of Distribution of a \$35.8 million Fair Fund to harmed public investors, including a carve-out group of institutional investors that could trace purchases directly to the Defendant.
- Retained in major securities class action against large telecommunications company to assist in obtaining class certification for class of investors in ten corporate debt securities. Analyses cited as supportive of the court's decision to certify the class of bondholders. Case ultimately settled for \$130 million.
- Current engagements include: FINRA arbitrations; ERISA litigations; 10b-5 and 11 class actions; valuations for dissenting shareholder actions; and forensic valuation for divorce litigation.

About MPI

MPI is a business valuation and advisory firm that was founded in 1939. MPI provides business valuation and advisory services primarily to closely held companies and partnerships for a variety of purposes including estate and gift tax, income tax, charitable contributions, litigation support, buy-sell agreements, ESOPs, and exit planning. MPI provides fairness opinions, sell-side and buy-side advisory services, intangible asset valuation, purchase price allocations, goodwill impairment testing, valuations for equity-based incentive plans, and blockage and restricted stock studies. MPI conducts every project as if it is going to face the highest level of scrutiny, and its senior professionals have extensive experience presenting and defending work product in front of financial statement auditors, management teams, corporate boards and fiduciaries, the IRS, other government agencies, and in various courts.

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