

**DAVID STRAHLBERG**

**MARCH 2020**

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**FIELDS OF SPECIALIZATION**

Accounting Litigation

Bankruptcy & Financial Distress Litigation

Class Certification

Corporate Governance

Damages

Mergers & Acquisition Litigation

Securities & Financial Markets

Valuation & Financial Analysis

**EDUCATION**

M.B.A., UNIVERSITY OF CHICAGO, Chicago, Illinois: Graduate School of Business, June 2002.

Concentrations in Finance, Accounting and Economics.

B.A., YESHIVA UNIVERSITY, New York, New York: Economics, *Cum Laude*, May 1994.

**AFFILIATIONS**

American Finance Association

American Economic Association

American Mensa

**PROFESSIONAL EXPERIENCE**

**Compass Lexecon** (formerly Lexecon), Chicago, Illinois, 2005-Present

Current Position: Vice President

**Lazard Capital Markets** (formerly Lazard Freres & Co.), New York, New York (2003-2005):

Associate, Equity Research

**Oppenheimer & Co.**, New York, New York (2003): Associate, Equity Research

**Deutsche Banc Alex Brown Inc.**, New York, New York (2001): Summer Associate, Equity Research

**Shoreline Utility Advisors**, New York, New York (1997-2000): Associate

**Jerusalem Global Ltd.**, Jerusalem, Israel (1996-1997): Analyst, Investment Banking Department

**Ehrenreich & Company Securities**, New York, New York (1994-1995): Associate, Equity Research

## SELECT CASE EXPERIENCE

### Valuation and Financial Statement Analysis

*Adrian Dieckman v. Regency GP LP, Regency GP LLC. C.A. No. 11130-CB. The Court of Chancery of the State of Delaware.* Provided expert support services to Kevin F. Dages in preparing his Expert Rebuttal Report (May 2019), deposition testimony (October 2019) and trial testimony (December 2019) on behalf of defendants (with Jennifer C. Milliron).

*FrontFour Capital Group v. Taube, C.A. No. 2019-0100-KSJM, In the Court of Chancery of the State of Delaware.* Provided expert support services to Marc Zenner in preparing his Expert Report (February 2019) and deposition and trial testimony (March 2019) on behalf of defendants (with Rahul Sekhar).

*In Re: Physiotherapy Holdings, Inc., et al., Debtors; PAH Litigation Trust v. Water Street Healthcare Partners, L.P., et al., In the United States Bankruptcy Court for the District of Delaware, Case No. 13-12965 (KG).* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (March 2018), Rebuttal Report (May 2018), Reply Report (August 2018) and deposition testimony (June 2018) on behalf of defendants (with Rahul Sekhar).

*In Re: Starz Stockholder Litigation, In the Court of Chancery of the State of Delaware, Consolidated C.A. No. 12584-VCG (July 12, 2018).* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (May 2018), Rebuttal Report (June 2018), and deposition testimony (July 2018) on behalf of defendants (with David R. Ross and Rahul Sekhar).

*Merion Capital LP and Merion Capital II, LP vs. Lender Processing Services, Inc., In the Court of Chancery of the State of Delaware, C.A. No. 9320-VCL.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (January 2016).

*Brookfield Asset Management, Inc. and Brysons International, Ltd. V. American International Group, Inc. in the United States District Court for the Southern District of New York, Case: 09-Civ-8285(PGG).* Provided consulting services on valuation issues to defendant (July 2011 - April 2013).

Provided consulting services on valuation issue to BP Exploration & Production for its appeal before the Gulf Coast Claims Facility Appeals Tribunal regarding the Offer of Payment to Turquoise Place and its Affiliates, Claims Nos. 3354375, 1139930, 1077643, 1149254, 1077695, 1149313, 1077785 (August 2011 – August 2012).

*Kraft Foods Global, Inc. v. Starbucks Corporation, JAMS Arbitration No. 1340008345.* Provided expert support services to Kevin F. Dages in preparing his Expert Report (April 2012) on behalf of Respondent Starbucks (with George Hickey).

*In Re: Moneygram International Inc. Shareholder Litigation, In the Court of Chancery of the State of Delaware, C.A. No. 6387-VCL.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (March 2012) on behalf of Defendants (with David R. Ross).

*Marina Del Rey Country Club, et al v. Archstone and Archstone Multifamily Series I Trust, Ruby/Archstone Arbitration.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (March 2011) and Rebuttal Report (April 2011) on behalf of Respondants (with Gerald Lumer).

*Gray & Associates, LLC v. McDermott Will & Emery LLP*, Index No. 601108/08 in the Supreme Court of the State of New York. Created presentation for client for use in mediation. (March 2009).

*In Re: Hexion Specialty Chemicals, Inc., et al v. Huntsman Corp., in the Court of Chancery of the State of Delaware*, Civil Action No. 3841-VCL. Provided expert support services to Daniel R. Fischel in preparing his expert report (August 2008) and deposition testimony on behalf of the plaintiff (with David B. Gross).

*Mobil Corporation Venezuela Holdings, B.V. et al. v The Bolivian Republic of Venezuela before the International Centre for Settlement of Investment Disputes*. Provided consulting services on valuation issues to Plaintiff (June 2008 - August 2008).

*In Re: Carpenters Health & Welfare Fund, et al. vs. The Coca-Cola Company, in the United States District Court, Northern District of Georgia, Atlanta Division*, File No. 1:00-CV-2838-WBH (Consolidated). Provided expert support services to Kevin F. Dages in preparing expert report (May 2007) on behalf of defendant (with Jennifer C. Milliron).

*In Re: Hideji Jumbo Tanaka v. Cerberus Far East Management, L.L.C., et al.*, American Arbitration Association Case No. 50 T 116 00284 03 before Arbitrator Stewart F. Hancock Jr., Provided expert support services to Daniel R. Fischel and Rajiv B. Gokhale in preparing Expert Report (October 2005) and testimony on behalf of defendant.

### **Securities Class Action and Derivative Litigation**

*Shah et al v. Zimmer Biomet Holdings, Inc. et al, No. 3:2016cv00815 - Document 183 (N.D. Ind. 2019)*, United States District Court, Northern District of Indiana, South Bend Division. Provided expert support services to Daniel R. Fischel in preparing his Declaration (April 2019), Rebuttal Report (August 2019), and deposition testimony (May 2019) on behalf of Plaintiff (with Michael A. Keable).

*In re Newport Corporation Shareholder Litigation*, Lead Case No. A-16-733154-B (Consolidated with Case No. A-16-734039-B), In the Eighth Judicial District Court for the State of Nevada in and for the County of Clark, Provided expert support services to Robert M. Daines in preparing his Expert Report (June 2019) and deposition testimony (July 2019) on behalf of Defendants (with Michael A. Keable).

*Lawrence E. Jaffe Pension Plan, On Behalf of Itself and All Others Similarly Situated v. Household International, Inc., et al.*, In the United States District Court, Northern District of Illinois Eastern Division, Lead Case No. 02-C-5893. Provided expert support services to Daniel R. Fischel in preparing his Second Supplemental Report (September 2015), Second Rebuttal Report (November 2015), Rebuttal Report (August 2019), Sur-rebuttal Report (February 2016) and deposition testimony (February 2016) on behalf of Plaintiff (with Michael A. Keable).

*In re: Bank of New York Mellon Corp. Forex Transactions Litigation, In the United States District Court, Southern District of New York*, Case 11-CV -0917 5-LAK. Provided economic consulting services and analysis of securities litigation issues (January 2014 – May 2015) (with Michael A. Keable).

*IBEW Local 98 Pension Fund, et al., v. Best Buy Co., et al.*, In the United States District Court for the District of Minnesota, Civ. No. 0:11-cv-00429-DWF-FLN. Provided expert support services to Kenneth M. Lehn in preparing Declaration on behalf of Defendant (February 2014) (with Michael A. Keable).

*In Re: Pfizer Inc. Securities Litigation, In the United States District Court, Southern District of New York, Case 1:04-cv-09866-LTS-HBP.* Provided expert support services to Daniel R. Fischel in preparing his Declaration (March 2011), Expert Report (May 2012), Supplemental Report (May 2013), Reply Report (July 2013) and Amended Supplemental Report (June 2014) on behalf of Plaintiff (with Michael A. Keable).

*Glenhill Capital LP, et al v. Porsche Automobil Holding, SE, f/k/a Dr. Ing. h.c. F. Porsche AG, Supreme Court of the State of New York, County of New York, Index Number 650678/2011.* Provided expert support services to Daniel R. Fischel in preparing his Affidavit (August 2011) on behalf of Plaintiffs (with David J. Ross).

*In Re Massey Energy Co. Derivative and Class Action Litigation, In The Court of Chancery of the State of Delaware, C.A. No. 5430-VCS.* Provided expert support services to Daniel R. Fischel in preparing his Affidavit (May 2011) on behalf of Defendant (with David J. Ross).

*In Re: TyCom Ltd. Securities Litigation, in the United States District Court, District of New Hampshire, Docket No. 03-CV-1352.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (February 2008) on behalf of defendant (with Michael A. Keable).

*State of New Jersey Department of Treasury, Division of Investments, Division of Investments, et al., v. Tyco International Ltd., et al., in the United States District Court for the District of New Hampshire, Civil No. 03-1337-B.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (March 2008) (with Michael A. Keable).

### **Contested Mergers and Acquisitions**

*In Re: Alere-Abbott Merger Litigation, In the Court of Chancery of the State of Delaware, Consolidated C.A. No. 12963-VCG deposition.* Provided expert support services to Roman L. Weil in preparing his Expert Report (January 2017) and deposition testimony (April 2017) (with Jennifer C. Milliron).

*Allergan, Inc. et al., v. Valeant Pharmaceuticals International, Inc. et al. In the United States District Court Central District of California Southern Division-Santa Ana, Case No: 8:14-cv-01214-DOC-(ANx).* Provided expert support services to Robert M. Daines in preparing his Expert Declaration (October 2014) on behalf of Defendants (with David B. Gross).

*In re Jefferies Group, Inc. Shareholders Litigation, In the Court of Chancery of the State of Delaware, Consolidated C.A. No. 8059-CS.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (August 2014) on behalf of Defendant (with David J. Ross).

*The Men's Wearhouse, Inc. v. Robert N. Wildrick et al. and Jos. A Bank Clothiers, Inc. et al., In the Court of Chancery of State of Delaware, C.A. No. 9383.* Provided expert support and consulting services (March 2014) (with Kevin F. Dages and Jennifer C. Milliron).

*In re: Sprint Nextel Corporation Shareholder Litigation, In the District Court of Johnson County, Kansas, Consolidated Case No. 12CV08366.* Provided expert support services to Bradford Cornell in preparing his Declaration (May 2013) on behalf of Sprint (with Kevin F. Dages and Jennifer C. Milliron).

*Paul Gerbino, et al., v. Sprint Nextel Corporation, et al., In the United States district Court for the district of Kansas, Case No. 12-cv-2722 CM/JPO.* Provided expert support services to Bradford Cornell in preparing his Declaration (May 2013) on behalf of Sprint (with Kevin F. Dages and Jennifer C. Milliron).

*In re: H.J. Heinz Company Derivative and Class Action Litigation, In the Court of Common Pleas of Allegheny County, Pennsylvania*, Consolidated Case No. GD 13-003108. Provided expert support services to Kenneth M. Lehn in preparing his Affidavit (April 2013) on behalf of Defendant (with David B. Gross).

*In Re Medco/Express Scripts Merger Litigation*, Civil Action No. 11-4211(DMC)(MF). United States District Court, District of New Jersey. Provided expert support services to Kevin F. Dages in preparing his Declaration (March 2012) on behalf of defendant (with Jennifer C. Milliron).

*In Re: Dollar Thrifty Shareholder Litigation, in the Court of Chancery of the State of Delaware*, Cons. C.A. No. 54458-VCS. Provided expert support services to Allen Ferrell in preparing his Expert Report (July 2010) on behalf of Plaintiffs (with Jonathan S. Polonsky).

*In Re: City of St. Claire Police and Fire Retirement System, et al., v Affiliated Computer Services, Inc., et al., in the County Court at Law No. 3, Dallas County, Texas*, No. CC-09-07377-C. Provided expert support services to Jonathan R. Macey in preparing his Rebuttal Report (November 2009) on behalf of ACS (with Jonathan S. Polonsky).

*In Re: Lear Corporation Shareholders Litigation, In the Court of Chancery of the State of Delaware*, Consolidated C.A. No. 2728-VCS. Provided expert support services to Daniel R. Fischel in preparing Affidavit (May 2007) on behalf of defendant (with David B. Gross).

*In Re: Aeroflex, Inc. Shareholder Litigation, in the Supreme Court of the State of New York, County of Nassau: Commercial Division*, Index No. 07-003943 (May 2007). Provided expert support services to Daniel R. Fischel in preparing Affidavit of behalf of defendant (with David B. Gross).

### **Corporate Governance Disputes**

*In re Ebix, Inc. Stockholder Litigation., Consol. C.A. No. 8526-VCN (Del. Ch. Jan. 15, 2016), the Court of Chancery of the State of Delaware*. Provided expert support services to Kevin F. Dages in preparing his Expert Report (July 2018), Rebuttal Report (August 2018), deposition testimony (July 2018), and trial testimony (August 2018) on behalf of Defendant (with Jennifer C. Milliron).

*In re Musashi, LLC, et al., v. Virgin Media Inc., Superior Court of the State of New Jersey, County of Morris, Civil Action No. MRS-L-734-13*. Provided expert support services to Robert M. Daines in preparing his Rebuttal Report (April 2016) and deposition (May 2016) on behalf of defendant (with Peter Clayburgh).

*St. Denis J. Villere & Company, et al. v. Epiq Systems International, et al., Case No. 1516-CV26509, Circuit Court of Jackson County, Missouri at Kansas City*. Provided expert support services to Kenneth Lehn in preparing his deposition testimony (March 2016) (with Jessica Mandel).

*Third Point LLC v. William F. Ruprecht et al., and Sothebys. In the Court of Chancery of the State of Delaware*, C.A. No. 9469-VCP. Provided expert support services to Daniel R. Fischel in preparing his Expert Report (April 2014) on behalf of Third Point (with David J. Ross and Todd D. Kendall).

*In the Matter of an Arbitration between Commonwealth REIT, et. al., v. Corvex Management LP, and Related Fund Management, LLC.*, AAA No. 11-512-Y-276-13. Provided expert support services to Kevin F. Dages in preparing his Expert Report (September 2013) on behalf of the Board of Trustees (with Jennifer C. Milliron).

### **Litigation Related to Dual-Class Companies with Differential Voting Rights**

*In re Google, Inc. Class C Shareholder Litigation, In the Court of Chancery of the State of Delaware*, Case No. 7469CS. Provided expert support services to Daniel R. Fischel in preparing Expert Report (April 2013) on behalf of Defendants (with David J. Ross).

*In Re: ACS Shareholders Litigation, in The Court of Chancery of the State of Delaware*, Consolidated Case No. 4940-VCP. Provided expert support services to Daniel R. Fischel in preparing his Expert Report (December 2009) Rebuttal Report (April 2010) and deposition testimony (with David J. Ross).

*In Re: IAC/InteractiveCorp and Barry Diller v. Liberty Media Corporation, in the Court of Chancery of the State of Delaware in and for New Castle County*, Consolidated Case Number 3486-VCL. Provided expert support services to Daniel R. Fischel in preparing Expert Report (February 2008) and deposition testimony on behalf of defendant (with David J. Ross).

*In Re: Tele-Communications, Inc. Shareholders Litigation, in the Court of Chancery of the State of Delaware in and for New Castle County*, Consolidated C.A. No. 16470. Provided expert support services to Daniel R. Fischel in preparing Expert Report (July 2006), rebuttal report (August 2006) and deposition testimony on behalf of defendants (with David J. Ross).

### **Anti-Trust, Regulatory and Intellectual Property Litigation**

*Cryolife, Inc. v. C.R. Bard, Inc., Davol, and Medafor. In the United States District court for the District of Delaware*, Civil Action No. 14-00599-SLR. Provided expert support services to Jonathan I. Arnold in preparing his Declaration (September 2014).

*In Re: Israel Antitrust Authority v. Bank Hapoalim, Bank Leumi, Israel Discount Bank, et al.*, Provided expert support services to Dennis W. Carlton in preparing his Expert Report. (May 2011) (with Bradley N. Reiff).

*In Re: Ricoh Company, Ltd. v. Quanta Computer Inc., Quanta Storage Inc., Quanta Computer USA, Inc. and NU Technology, Inc., U.S. District Court for the Western District of Wisconsin*, Case No. 06-C-0462. Provided expert support services to David B. Gross in preparing his Supplemental Expert Report (September 2009) and deposition and trial Testimony.

*In the Matter of Mechanical and Digital Phonorecord Delivery Rate Adjustment Proceeding before the Copyright Royalty Judges, Library of Congress*. Provided expert support services to William Landes in preparing his Expert Report (February 2009) and Rebuttal Report (April 2009) on behalf of the National Music Publishers' Association, the Songwriters Guild of America, and the Nashville Songwriters Association International (jointly, "Copyright Owners") before the Copyright Royalty Board (CRB).

*In The Matter Of: Franklin D. Raines, J. Timothy Howard and Leanne G. Spencer, in the United States of America Office of Federal Housing Enterprise Oversight*, Notice Number 2006-1. Provided expert support services to Daniel R. Fischel in preparing expert report on behalf of defendants (February 2008).

*In Re: Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets, In the United States International Trade Commission.* Provided expert support services to Dennis W. Carlton in preparing declaration (May 2006), deposition and testimony (with Hal S. Sider).

### **Other Corporate Litigation**

*In re: Aeropostale, Inc., et. Al., Case No. 16-11275 (SHL), United States Bankruptcy Court, Southern District of New York,* Provided expert support services to Allen Ferrell in preparing his Expert Report, deposition testimony and trial testimony (August 2016) (with Gerald Lumer).

*Island Partners, et al. v. Deloitte & Touche LLP, Case No: 1:05-CV-2770.* United States District Court Southern District of New York. Provided expert support services to Kenneth M. Lehn in preparing his Expert Report (July 2014) on behalf of Defendant (with Ralph Scholten).

*Louis Pagnotti, Inc. et al v. Deloitte & Touche LLP, Case No. 557C of 2003.* In the Court of Common Pleas of Luzerne County. Provided expert support services to Kenneth M. Lehn in preparing his Expert Report (August 2013) on behalf of Defendant (with Ralph Scholten).

*Air Products and Chemicals, Inc. v. Airgas, Inc., Peter McCausland, et al, In the Court of Chancery of the State of Delaware, C.A. No. 5249-CC.* Provided expert support services to Daniel R. Fischel in preparation of his Expert Report (August 2010) and deposition and trial testimony (with David B. Gross).

*Terra Firma Investments (GP) 2 Limited and Terra Firma Investments (GP) 3 Limited v. Citigroup Inc., et al., The Supreme Court of the State of New York, County of New York, Case No. 603737/2009.* Provided expert support services to Daniel R. Fischel in preparing his Expert report (July 2010) and deposition and trial testimony on behalf of Defendant (with David B. Gross).

*Ventas, Inc. v. HCP, Inc., In the United States District Court of the Western District of Kentucky at Louisville, Civil Action No. 3:07-cv-00238-JGH.* Provided expert support services to Daniel R. Fischel in preparing his Declaration (June 2009), Expert Surrebuttal Report (August 2009) and deposition and trial testimony (with David B. Gross).

*In Re: Cendant Corporation Litigation, in the United States District Court for the District of New Jersey, Master File No. 98-1664 (WHW).* Provided expert support services to Daniel R. Fischel in preparing rebuttal report (October 2007) and deposition testimony on behalf of Cendant Corporation.

*In Re: Adelphia Communications Corp. v. Deloitte & Touche LLP, et al, in the Court of Common Pleas, Philadelphia County, Pennsylvania, Case No. 000598.* Provided expert support services to Daniel R. Fischel in preparing his Expert Report (December 2006) on behalf of Defendant (with David J. Ross).