

Exhibit A
to the
Declaration Of Philip Y. Rowley In Support Of
Motion For Class Certification

PHILIP Y. ROWLEY

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EDUCATION

B.A., Public Policy, STANFORD UNIVERSITY

PRESENT POSITION

LECG, LLC, Emeryville, CA
Senior Managing Director, Labor and Forensic Accounting Practice
Member, Executive Management Committee

PROFESSIONAL HISTORY

Peterson Consulting - 1986 to 2002
Managing Director – May 1999 to March 2002
Vice President – June 1994 to April, 1999
Principal – January 1993 to May 1994
Staff to Executive Consultant – September, 1986

PROFESSIONAL EXPERIENCE

Participated in and managed numerous consulting assignments involving breach of contract, licensing, labor and employment, patent, copyright, trademark, trade secret, antitrust, business interruption, securities, valuation matters and professional liability. Consulting assistance has included financial and economic analysis, license negotiations, accounting, computerized information systems and expert witness testimony.

REPRESENTATIVE ENGAGEMENTS

Testified in Federal Court related to antitrust and patent infringement damages involving the aftermarket for replacement of ink cartridges.

Conducted a management and operational audit of a State Employee Pension Fund. Analyses included assessment of management oversight, review of participating institutions' policies and procedures and recommendations for ongoing loan origination and servicing.

Provided strategic consulting addressing class certification and damages issues to a major consumer products entity. Collected, reviewed and analyzed human resources data for all alleged class members and timekeeping records for non-exempt employees. Analyzed potential issues affecting class certification based on analysis of class members. Designed and implemented surveys and interview protocols for exempt versus non-exempt employees. Provided expert reports and testimony related to class certification and damages.

Testified in Federal Court regarding damages in connection with business interference, trade secrets and breach of contract allegations in the advertising promotions industry.

Analyzed and demonstrated the means of value generation in the absence of historical value indicators such as revenue and earnings as well as determining possible economic impact regarding peer-to-peer file sharing services.

Testified in arbitration in a matter involving breach of contract allegations relating to a cancelled sporting event. Efforts included damages calculations for plaintiffs as well as a review of the defendant's damage calculations in a counterclaim.

Analyzed the uses and occurrences of a trademarked name in the public domain as part of a case involving the alleged infringement of a trademark through the use of the name of a major U.S. university. The university filed a complaint against a semiconductor company or allegedly infringing and diluting its trademark by incorporating the trademark into its own company name.

Conducted a royalty audit of a PC manufacturer allegedly underreporting sales of a licensed operating system.

Supervised the conduct of a management audit of Group Credit operations for a major insurance company. The analysis entailed the reconciliation of reporting functions between policyholders (Financial Institutions) and the company. The analysis was conducted across the United States and included approximately one hundred institutions.

Served as the Court Appointed Referee and fact finder in a payment dispute between a national bank and a regional third party administrator.

Obtained payroll and timekeeping data regarding a class action lawsuit by hourly employees for wages against a large charitable hospital. Created complex model to determine potential payment under several scenarios. Provided counsel with damages under various overtime scenarios. Provided counsel with estimated amounts for both missed meal break and missed rest break penalties.

Developed domestic and international licensing plan for automatic coffee maker technology.

PROFESSIONAL ACTIVITIES

Former President, Fidelity and Surety Claims Association of Northern California
Associate Member, Society of Financial Examiners
Diplomat, The American College of Forensic Examiners
Sustaining Member, Insurance Regulatory Examiners Society
Member, American Management Association

PRESENTATIONS

"IP Valuation; a Critical Component in Transactional and Litigation Strategy," Silicon Valley Intellectual Property Law Association.

"Intellectual Property: Valuation and Antitrust Issues," California CPA Education Foundation, 1999 High Tech Industries Conference.

"Issues in Patent Damages," Los Angeles Intellectual Property Law Association.