

# Exhibit 1



## CURRICULUM VITAE

### **Larry Gerbrandt**

Los Angeles, CA

Phone: 323-988-0506

Email: [larry@mediavaluation.com](mailto:larry@mediavaluation.com)

**Bio:** More than 25 years of experience as a media & entertainment analyst and as a research and publishing executive. Founder and principal of Media Valuation Partners, which provides valuation, market research, litigation support and advisory services in the television programming, motion picture, cable television and broadband and mobile video sectors. A leading media and entertainment executive, research analyst and consultant for more than 25 years, have focused on the economic and strategic implications of the intersection between traditional media and emerging content delivery technologies. Background includes experience in film and video production, commercial photography, cable TV system operations and magazine publishing. Joined Kagan World Media, a groundbreaking media research organization, in 1984. As senior analyst and senior vice president of Kagan's entertainment division, oversaw more than two dozen of its newsletters and databooks and led its valuation practice. In 2000, after Kagan's sale to Primedia, became COO and led its integration into Primedia's MediaCentral division. Upon Kagan's subsequent sale to MCG Capital joined AlixPartners to lead its entertainment consulting and litigation support practice. In 2005 was recruited by The Nielsen Company to become SVP/general manager of Nielsen Analytics, focusing on emerging media technology economics and conducting primary research on consumer adoption of new media platforms. Widely quoted as an expert on trends and economics in the M&E industries and has served as moderator of more than 200 Kagan and industry panels and conferences. Have served as an expert witness and expert consultant on dozens of major litigations in the media, entertainment and intellectual property arena, including the landmark *Katzenberg v. Disney* case. An award-winning fine art photographer and a graduate of Regis University with a bachelor's degree in business administration.

#### **Media Valuation Partners**, Beverly Hills, CA 2007-Present

##### *Founder and Principal*

MVP provides valuation, appraisal, fair market value, strategic research, market analytics, litigation support, expert witness, strategic consulting and market forecasting services with an emphasis on media, entertainment, cable television, broadcasting, motion picture, home video, television programming and emerging technologies.

#### **Nielsen Analytics**, Hollywood, CA 2005-2007

##### *Senior Vice President/General Manager*

Creating leading edge research, analysis, strategic advisory and valuation services to companies in the media & entertainment space with a particular focus on the convergence of content delivery and consumer media technology—and the underlying economic models in the television, motion picture, cable, satellite, music, home video, video game, mobile entertainment and publishing industries. Author of the *Nielsen Economics of On-Demand Programming*, *The Modern Moviegoing Experience* and *Benchmarking The Digital Household* reports. Also developed the concept of the Über Media Consumer and performed extensive research on this category of heavy media and entertainment user. A member of Nielsen's Primary Research Council, which focused on improving cross-platform and fusion research activities within Nielsen and coordinating the wide range of consumer level research initiatives.

#### **AlixPartners LLC**, Los Angeles, CA 2004-2005

##### *Director*

Joined firm in July 2004 to build AlixPartners' media and entertainment practice, focusing on valuation, consulting and litigation support. Headquartered in Southfield, MI, AlixPartners is a leader in providing financial advisory services, including litigation support, consulting, valuation and

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restructuring to a wide range of industries.

**Kagan World Media**, a Primedia company. Carmel, CA 1984-2004

*Chief Operating Officer/Senior Analyst*

Joined firm in 1984 as associate editor and was promoted to analyst in 1985. Became vice president, with added corporate responsibilities, in 1988. Promoted to senior vice president in 1992 and was responsible for Kagan's entertainment and programming research operations and oversaw a team of analysts covering the cable and broadcast network programming, DBS, TV syndication, home video, motion picture, pay TV and Internet industries in 1992. Named chief operating officer, responsible for all Kagan content, publishing, research, appraisal and consulting operations, in February 2001. Kagan was acquired by Primedia Corp. in October 2000 and then merged into the Media Central LLC joint venture between Primedia and Steven Brill in February 2001. Media Central was dissolved in May 2003 and Kagan was sold to MCG Capital in March 2004. Over a span of two decades, helped build Kagan into one of the leading media and entertainment research firms, with a client base of over 5,000 individuals and firms.

Served as senior analyst and contributor to more than 20 different newsletters, including CONSUMER MEDIA TECHNOLOGY, HOME SHOPPING INVESTOR, INTERNET ADVERTISING, CABLE PROGRAM INVESTOR, STREAMING MEDIA INVESTOR, VOD INVESTOR, THE PAY TV NEWSLETTER, CABLE TV ADVERTISING, MOTION PICTURE INVESTOR, DIGITAL TELEVISION, MARKETING NEW MEDIA, CABLE TV TECHNOLOGY, ELECTRONIC PUBLISHER, THE DBS REPORT, INTERNET MEDIA INVESTOR, TV PROGRAM INVESTOR, TV PROGRAM STATS, MOVIESTATS, CABLE TV INVESTOR and KAGAN MEDIA MONEY.

Also authored or contributed to numerous special reports on entertainment topics, including THE CONNECTED HOUSEHOLD, MEDIACAST 2006/2007/2008, THE PAY-PER-VIEW REPORT, THE CHANNEL CAPACITY REPORT, THE CABLE INTERCONNECT REPORT, THE CABLE ADVERTISING REPORT, KAGAN MEDIA TRENDS, THE STATE OF HOME VIDEO, THE STATE OF DBS, HOME SHOPPING, ECONOMICS OF BASIC CABLE NETWORKS (1995, 1996, 1997, 1998, 2000), CHANNEL COMPRESSION: A STRATEGIC ANALYSIS, CABLE MODEMS: A STRATEGIC ANALYSIS. Had corporate oversight responsibilities for PKA's investment in two leading cable trade publications, Cable World and Cable Avails, which were sold in January 1994 to Cowles Media. As senior analyst, also moderated numerous Kagan Seminars, Inc. conferences, including The Digital Household Summit, The Future of Pay-Per-View, Motion Picture Production & Finance, TV Program Finance, Interactive Multimedia Forum, Video-On-Demand, High Speed Access Summit, as well as conferences dealing with home shopping and streaming media. Wrote a monthly column "Letter From America" for Kagan's *Euromedia* magazine from 1999-2002. Also oversaw company's investment in a TV syndication company run by Drew Levin.

Was also senior consultant to **KAGAN MEDIA APPRAISALS**, which engaged in consulting, expert witness and valuation assignments and has performed appraisals of media assets aggregating to more than \$85 billion. Acted as consultant on many of KMA's entertainment and programming-related assignments and has been responsible for fair market value appraisals of numerous movie libraries, totaling in excess of 4,000 titles, including being designated as Disney's expert witness in the *Katzenberg v. Disney* case. Other valuation assignments included numerous cable networks, movie theater chains and TV libraries. Strategic consulting assignments include assessments of market opportunities in the motion picture, home video, cable programming, PPV/VOD, home shopping and TV syndication sectors, both U.S. and international markets.

**ORION CABLE SYSTEMS, INC.** Denver, CO 1982-1984

*Operations Manager*

Managed 15 private cable/SMATV systems with over 2,000 subscribers operating along the front range of Colorado for this division of Orion Broadcast Group (a startup media company which went public in 1983). Was responsible for all phases of system operations, including franchise negotiations, construction, marketing, programming and billing. Left the company after

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overseeing the successful sale of division operations to another SMATV firm.

### **BRIMSTONE FILMS** Dallas, TX 1978-1982

#### *Producer & Photographer*

As one of the founders of Brim, Stone, Gerbrandt & Guetzlaff, Inc. (dba Brimstone Films) in 1978, acted as line producer on dozens of TV commercials, award-winning industrial films and museum documentaries. Clients included Tandy Corp. (Radio Shack), Dr Pepper, Pizza Hut, Precision Tune, Neiman-Marcus, Texas Sports Hall of Fame and the East Texas Oil Museum. After completing principal photography on a one-hour TV special on the Hemingway family, sold interest in company to an outside investor. Brimstone also formed a joint venture with Chuck Bua to launch a creative boutique advertising agency—Brimstone & Bua.

### **THE NATIONAL COURIER** Plainfield, NJ 1976-1977

#### *Freelance Photojournalist*

A regular contributing photographer and reporter for this national weekly newspaper, launched by Logos Publishing in 1976.

### **CHRIST FOR THE NATIONS, INC.** Dallas, TX 1974-1978

#### *Managing Editor*

Was responsible for all publishing at this non-denominational missionary organization and Bible institute, including a monthly magazine with a circulation of 144,000 and a book catalog of over 200 titles. Also served as photography instructor at the CFN Institute.

### **EDUCATION:**

Alameda Senior High School, Lakewood, CO. Graduated in 1970

Colorado State University, Ft. Collins, CO. Major: Plant Pathology 1970-1972

Metropolitan State College, Denver, CO Major: Journalism 1972-1973

Regis University (formerly Loretto Heights College), Denver, CO 1984-1985

Received Bachelor of Arts degree in Business Administration in 1985.

UCLA Extension Class Winter 2008

### **LITIGATION CONSULTING HISTORY:**

Deposition	Bella Abzug, et al v. Kirk Kerkorian/MGM/UA
Declaration	Bohco v. Fox (Los Angeles)
Deposition	Credit Lyonnais v. Houlihan, Loki, et al
Deposition	Filerman, et al vs. Fox Broadcasting Co.
Declaration	Fox Family Properties, Inc. v. CBS, Inc; Touchstone TV; Jerry Bruckheimer; CAA
Testimony	Internal Revenue Service vs. Marian B. estate (RKO library rights, Tax Court, Washington, DC)
Testimony	Joseph Murana et al vs. Bank of Montreal and Peat Marwick Thorne (Canada)
Testimony	Litchfield Theatres, Ltd. bankruptcy court hearing (Charlotte, NC)
Deposition	Mainline Pictures v. Kim Basinger
Affidavit	MCA v. Viacom New York)
Deposition & Testimony	Michael DeWoody, et al v. Hopkins & Sutter (Ft. Worth, TX)

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Deposition		MTA/Persik v. MGM/UA Pictures, et al
Testimony		New Visions Productions vs. Cineplex Odeon (AAA Arbitration)
Deposition		Persky-Bright v. Columbia Pictures
Deposition		Rafelson, et al. v. Columbia Pictures Industries ( <i>The Monkees</i> )
Deposition & Testimony		Recreation Broadcasting, Inc. and KTV, Inc. vs. United Cable TV of Colo. et al (Denver, CO)
Deposition		SelecTV v. Amway
Deposition		Simon Marketing, Inc. v. Promotional Concept Group
Affidavit		Singer v. Danson (affidavit filed, Los Angeles)
Testimony		Sonic Cable vs. CableAd Image (San Luis Obispo, CA)
Deposition & Testimony		Syufy Enterprises v. State of California
Deposition		T. Rex Productions v. Whoopi Goldberg
Deposition		Vestron v. Security Pacific
Testimony	1994	Copyright Arbitration Royalty Proceedings, Copyright Office, Library of Congress
Testimony	1996	Digital Performance Right In Sound Proceedings, Copyright Office, Library of Congress
Testimony	1997	Satellite Arbitration Royalty Proceedings, Copyright Office, Library of Congress
Deposition	1997	Schonfeld v. Hilliard
Deposition	1997	Wherehouse Video bankruptcy reorganization (Delaware)
Testimony	1998	Sheldon, et al v. Columbia Pictures, Inc. et al (CA Superior Court)
Deposition	1999	County of Alameda v. St. Michael Investments, et.al
Deposition	1999	Katzenberg v. Disney
Deposition	1999	Leonard Ross vs. @Radical, Levi Strauss, Foote, Cone & Belding and David LaChapelle
Deposition	1999	USA v. ASCAP (Civil Action #13095, Southern District Court of New York, rate proceeding)
Deposition	2000	Belo Holdings, Inc. and PJ Health Programming, Inc. v. AHN Holdings, Inc. and Columbia/HCA Healthcare (Dallas, TX)
Deposition	2000	Lipson v. New Frontier Media
Testimony	2000	Ticketmaster vs. N2K (California Superior Court)
Deposition	2000	USA v. ASCAP (rebuttal)

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Deposition	2001	Bochco vs. Fox
Testimony	2001	Click vs. Trimark (AAA proceeding in Los Angeles)
Testimony	2001	PJ Health Programming, Inc. v. AHN Holdings, Inc. and Columbia/HCA Healthcare (Dallas)"
Deposition & Testimony	2001	Wex vs. TVN (Arbitration)
Deposition	2002	Furtherfield Partners, L.P. v. Perelman, et al. (Panavision)
Deposition	2003	Blatty/Friedkin v. Warner Bros ( <i>Exorcist</i> )
Deposition & Testimony	2003	Echostar v. TV Azteca
Deposition & Testimony	2003	Ivy Street Productions v. Sony Pictures, Columbia, et al. ( <i>George</i> )
Deposition & Testimony	2003	Modi v. ESPN
Testimony	2004	Arclight v. Bob Yari International (AAA Arbitration)
Declaration	2004	Attachment to the Supplemental Comments of TV One, Federal Communications Commission, In the Matter of Notice of Inquiry on A La Carte and Themed-Tier Programming and Pricing Options for Programming Distribution on Cable Television and Direct Broadcast Satellite Systems, MB Docket No. 04-207
Deposition	2004	Krikorian v. Westminster
Deposition	2004	Logix v. Emerald Entertainment
Deposition & Testimony	2004	Promark Sports v. Gateway Computers (San Diego, CA)
Deposition	2004	USA v. ASCAP (Local broadcasting rate setting proceeding)
Deposition	2005	Medical Illustrators v. Advanstar
Deposition & Testimony	2005	Wolf v. Walt Disney Enterprises (Los Angeles, CA)
Deposition	2006	Intertainer v. Movielink
Testimony	2006	Krikorian v. Westminster (Riverside County, CA)
Declaration	2008	Film Musician's Secondary Market Fund v. Nu Image, Inc. et al (Damages)
Declaration	2008	In Support of Comments of the National Cable & Telecommunications Association, In the Matter of Leased Commercial Access, Federal Communications Commission, MB Docket No. 07-42
Testimony	2008	Dick Wolf v. NBC Universal (Arbitration)
Deposition	2009	Universal Studios LLLP, et al. v. RealNetworks Inc., et al.
Declaration	2009	Herring Broadcasting, Inc. v. Comcast Corp, Federal Communications Commission, MB Docket No. 08-214, File No. CSR-7907-P

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Declaration	2009	NFL Enterprises LLC v. Comcast Cable Communications, LLC, Federal Communications Commission, MB Docket No. 08-214 File No. CSR-7876-P
Testimony	2009	North American Residential Communities, Inc. v. Woods et al California Superior Court, San Bernardino County

### **INDUSTRY CONFERENCES:**

1996 CTAM PPV Conference, Orlando, FL--Keynote presentation  
1997 CTAM PPV Conference, Atlanta, GA--Keynote presentation  
1997 USC Entertainment Law Institute, Los Angeles, CA--Keynote presentation  
1998 North American Broadcasters Association (NAMBA)--Panel presentation  
1999 NATPE, New Orleans--Panel presentation  
1999 CTAM Digital Conference, New Orleans--Keynote presentation  
1999 Women in Cable National Leadership Conference, San Francisco--"Programming 101" seminar  
1999 Streaming Media West--Roundtable discussion  
2000 CTAM Digital & PPV Conference--Los Angeles--Keynote presentation  
2000 Streaming Media East--Panel presentation  
2000 Yack Program Partners--Moderated panel  
2000 TiVo Advertising Partners--Panelist  
2000 Streaming Media West--Panelist  
2001 Accenture Media & Entertainment Partners Conference--Keynote presentation  
2001 Streaming Media West--Moderator  
2001 NATIONAL ASSOCIATION BROADCASTERS--MODERATED NEW MEDIA TRACK SESSIONS  
2001 CTAM Pre-Western Show Panel--Moderator  
2002 OSTA--Panelist  
2003 Consumer Electronics Show--Panelist  
2003 OSTA--Panelist  
2004 DIGITAL HOLLYWOOD--MODERATOR  
2004 Digital Media--Panelist  
2004 BCFM--Moderator and Panelist  
2004 adTech--Panelist  
2004 Great States/Boxoffice Conference--Moderator  
2005 NATPE--Moderator  
2005 Digital Hollywood--Moderator  
2005 Banff World TV Festival--Moderator/Panelist  
2006 VON Conference--Moderator  
2006 Digital Hollywood--Panelist  
2006 Dow Jones VentureWire Consumer Technology Ventures  
2007 Digital Hollywood--Panelist  
2008 Digital Hollywood Spring--Host/Moderator  
2008 Building Blocks--San Jose--Host/Moderator  
2008 Digital Hollywood Fall--Host/Moderator  
2008 Consumer Electronics Show--Digital Hollywood--Moderator

### **MCLE PRESENTATIONS:**

Oct. 2004--Impact of Emerging Technologies on Entertainment Asset Values--Strook, Strook & Lavan  
Jan. 2005--How To Value a Motion Picture Library--Akin Gump  
Feb 2005--How To Value a Motion Picture & Television Library--Lord Bissell

### **ASSOCIATIONS:**

Interactive Television Alliance, Advisory Board  
National Association of Photoshop Professionals

### **MEDIA:**

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Interviewed on FNN, CNN, *Good Morning, America*  
ABC Evening News, 4/24/97  
ABC Evening News, 5/26/97  
Pundits Panel, The Cable Channel, 1997/1998/1999/2000 Western Show and National Show  
Silicon Spin show on ZDTV cable network, May 1999  
PBS Frontline, 11/22/01  
CNBC Europe, 1/25/05  
National Public Radio, 12/9/08  
Extensively quoted in *Wall Street Journal*, *New York Times*, *The Los Angeles Times*, *The Atlanta Journal-Constitution*, *The Philadelphia Enquirer*, *The Denver Post*, *USA Today*, *Newsweek*, *Business Week*, *Time Magazine*, *The Washington Post*, *Forbes*, *Crain's New York*, *Business Week*, *Daily Variety*, *Hollywood Reporter*, *Cable World*, *Electronic Media*, *Broadcasting & Cable*, *Multichannel News*, *Boxoffice Magazine*, *TV Guide*, *San Francisco Chronicle*, *San Jose Mercury News*, *Fortune Magazine*, *Sports Illustrated*.

### **AWARDS & EXHIBITIONS:**

National Science Foundation Summer Fellowship, Clemson University, 1969  
New York International Film Festival (various in 1979-81)  
Underwater Photo Society (1993 & 1995 California Beach Dive Photo Competition)  
Monterey County Fair 1994, 1995, 1996, 1997, 1998 Photography Exhibition (1996 & 1997 1st place awards, Best of Show in 1998)  
Center For Photographic Art 1997, Center Awards, Exhibiting Artist  
Featured in Polaroid's *Test* magazine in 1998 (developed a new technique for creating Polaroid transfers)  
Center For Photographic Art 1999, Center Awards, Exhibiting Artist  
MRCSD 2000 Division IIB Socko Team Champs (catcher)

**A portfolio of photographic images can be viewed at <http://flickr.com/photos/larrygerbrandt/>**