

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARK A. ROLOFF,)	
)	4:09cv3178
Plaintiff,)	
)	
vs.)	ORDER ON FINAL
)	PRETRIAL CONFERENCE
BNSF RAILWAY COMPANY)	
)	
Defendant.)	
)	

A final pretrial conference was held on the 21st day of October, 2010. Appearing for the parties as counsel were: Gene Napier and Corey Stull for plaintiff Mark A. Roloff and Thomas C. Sattler for defendant BNSF Railway Company.

A. EXHIBITS

Please see the attached Exhibit Lists of plaintiff and defendant.

B. UNCONTROVERTED FACTS

The parties have agreed that the following may be accepted as established facts for purposes of this case only:

1. Defendant is a corporation engaged in interstate commerce by railroad, and in the operation of a system of railways as a common public carrier of freight for hire between the various states of the United States.
2. At all relevant times, defendant has conducted business in the State of Nebraska.

C. CONTROVERTED AND UNRESOLVED ISSUES

The issues remaining to be determined and unresolved matters for the court's attention are:

1. This is an action brought pursuant to the Federal Employers' Liability Act (FELA), 45 U.S.C. §51, et seq.
2. This Court has jurisdiction under 45 U.S.C. § 56 and 28 U.S.C. § 1331.

3. Venue is proper in the Court under 28 U.S.C. § 1391(b)(2).
4. On March 7, 2008, and for a long time prior thereto, Plaintiff was employed by the Defendant as a machine operator. Part of Plaintiff's duties were in furtherance of interstate commerce and directly and substantially affected such commerce and on March 7, 2008, and for a long time prior thereto, Plaintiff was employed by and engaged with Defendant in interstate commerce.
5. On March 7, 2008, the Defendant was a corporation registered to do business in Nebraska and was engaged in the operation of a system of railways as a common public carrier of freight for hire between the various states of the United States and engaged in interstate commerce.
6. Defendant operates trains in the transportation of freight in and between various Wyoming and Nebraska counties and in is and was at all times herein mentioned, engaged in business in Weston County, Wyoming.
7. Did the plaintiff suffer injury within the course and scope of his employment with defendant?
8. Was defendant negligent in one or more of the following particulars at the various times and places alleged in his Complaint:
 - a. The defendant negligently failed to provide reasonably safe conditions for work in that when that it was made aware that the ballast and mud and ground were hard and frozen, it failed to modify, delay, or stop the work in progress until the ground conditions were more suitable for efficient and safe removal of the crib material.
 - b. The defendant failed to provide reasonably safe tools and equipment in that the backhoe which was equipped with a cribbing bucket, was not the proper tool to accomplish the removal of frozen material from the track. The defendant should have attached to the backhoe boom an integrated hydraulic impact hammer, also known as a hoe ram or woodpecker or, in the alternative, attach a jackhammer tool to the backhoe boom.
 - c. The defendant failed to provide reasonably adequate help in that co-workers who had access to jack hammers could have used the jack hammers to break up the frozen ground where plaintiff was working.

- d. The defendant failed to provide reasonably safe methods for work in that it required plaintiff to use a backhoe with a cribbing bucket to do a job that the said cribbing bucket was not suited to perform.
- e. The defendant failed to provide plaintiff with safe working conditions, safe work methods, proper training, and adequate supervision to perform the job that plaintiff was directed to do.
- f. The defendant negligently assigned Mr. Roloff to operate a backhoe to remove frozen ballast material when Mr. Roloff was not adequately trained to perform such work.
- g. The defendant failed to follow proper and safe methods in that the BNSF foreman in charge failed in his responsibility to perform the job in a safe manner with proper equipment which was readily available.
- h. The defendant failed to provide safe work methods, proper training, adequate supervision, adequate manpower, appropriate work tools and equipment.
- i. The defendant failed to follow defendant's back safety program in that it failed to apply its back safety principles to the backhoe cribbing assignment on March 7, 2008.
- j. The defendant failed to act as a prudent employer despite its knowledge, standards, research, and experience.

Defendant initially objected to all of the above Controverted and Unresolved Issues proposed by plaintiff except for the following found in Paragraph 13 of plaintiff's Complaint:

- a. requiring the plaintiff to plow through frozen ground on equipment that was either in a state of disrepair or not appropriate for the work task under those conditions;
- b. not allowing the plaintiff to do the work when warmer weather conditions would have made it easier;
- c. assigning multiple employees to the task of breaking up the frozen ground instead of putting one man on a jerking and unstable machine.

At the PTC, Defendant withdrew its objections to a-h. It will further consider its objections to (i) and (j) after reviewing the deposition of

Michael Shinnick, and it will advise the court within five days as to whether the objections to (i) and (j) will be withdrawn.

9. Did such negligence, if any, cause in whole or in part any injury to plaintiff and any consequent damage?

10. Were any work-related injuries or damages sustained by plaintiff caused in whole or in part by his own negligence in one or more of the following particulars:
 - a. failing to exercise reasonable care for his own safety and well-being;
 - b. failing to observe conditions which could lead to injury, or if observed, to heed such conditions;
 - c. failing to adopt and use safe work habits;
 - d. failing to request additional physical or mechanical assistance which was then and there available, if necessary ;
 - e. failing to use the equipment, tools or machines provided in an appropriate and safe manner;
 - f. failing to properly inspect the equipment, tools or machines of which he was in charge and to report any defects of said equipment, tools or machines, and failed to put such in safe condition, if practicable;
 - g. failing to conduct himself in accordance with the established customs and practices;
 - h. failing to take time to work safely;
 - i. failing to institute proper procedures so as not to injure himself in violation of BNSF Safety Rules and common practice, and other rules applicable;
 - j. failing to report that he was experiencing any difficulty or problems with the equipment, tools, machines or work area;
 - k. failing to request different or alternative equipment, tools or machines to perform his job assignment;

- l. failing to act within and in accordance with specific instruction and orders of his superiors;
 - m. failing to act within and in accordance with training received through classroom instruction and on-the-job experience;
 - n. failing to advise his supervisors that he was experiencing pain or discomfort as a result of his normal work activities;
 - o. failing to timely seek appropriate and competent medical advice or treatment for the problems plaintiff was allegedly experiencing as a result of his work activities;
 - p. failing to request reassignment if his work activities were causing any discomfort or problems; and
 - q. such other acts of negligence as may be revealed by subsequent discovery or at trial.
11. If both plaintiff and defendant were negligent, what part or percentage of plaintiff's injury and consequent damage, if any, did each party's negligence cause?
12. Were any injuries or damages allegedly sustained by plaintiff solely and proximately caused or contributed to, in whole or in part, by plaintiff's own acts not associated with his railroad employment or by other illness or injury not associated with his railroad employment?
13. Were plaintiff's injuries and damages, if any, caused, in whole or in part, by pre-existing conditions, or other contributory or concurrent conditions or factors, including events occurring prior or subsequent to the occurrence or course of events made the basis of plaintiff's claim against BNSF?
14. Were any alleged acts or failures of BNSF not a substantial factor or proximate cause of the incident alleged in the Complaint? Did any such acts or failures of BNSF merely create an incidental condition or situation in which the alleged accident, otherwise caused, resulted in injury to plaintiff?

Plaintiff objects to the above Controverted and Unresolved Issue proposed by defendant.

To be resolved at jury instruction conference. The parties intend to address this in their trial briefs.

15. Did the failure of any equipment, tools or machine create a condition in which plaintiff was injured or was such in itself an efficient cause or an instrumentality through which the injury alleged in the Complaint occurred?
16. Are plaintiff's claims for relief barred by the applicable statute of limitations?

Plaintiff objects to the above Controverted and Unresolved Issue proposed by defendant.

This defense/allegation was raised in the answer. Its merits will be resolved at the time of trial.

17. Are plaintiff's claims for relief preempted, superseded or otherwise precluded by federal law?

Plaintiff objects to the above Controverted and Unresolved Issue proposed by defendant.

This defense/allegation was raised in the answer. Its merits will be resolved at the time of trial.

18. What are the nature and extent of plaintiff's injuries, if any, and of plaintiff's consequent damages? Plaintiff specifies the following special damages and claimed permanent injuries claimed in this matter:

Plaintiff claims no right to recover for past or future medical expenses.

Plaintiff claims damages for conscious pain and suffering, and for economic damages as set forth in the report of economist Stan Smith.

19. Did plaintiff fail to mitigate his damages in the following respects and if so, to what extent?
 - a. by failing to make reasonable efforts to recover from his injuries;
 - b. by failing to follow the treatment prescribed by his health care providers;
 - c. by failing to earn wages when he was able to work;

- d. by failing to timely seek and obtain appropriate and competent medical advice or treatment which would resolve or reduce any alleged injury; and
- e. by failing to timely seek other employment or retraining consistent with any physical limitations or problems.

Plaintiff objects to the above subparts a-e proposed by defendant.

This defense/allegation was raised in the answer. Its merits will be resolved at the time of trial.

- 20. Should the jury be allowed to apportion damages among the various causes established by the evidence?

Plaintiff objects to the above Controverted and Unresolved Issue proposed by defendant.

This defense/allegation was raised in the answer. Its merits will be resolved at the time of trial.

- 21. Was a lien filed by the United States Railroad Retirement Board [hereinafter "RRB"] for benefits paid to plaintiff as a result injuries claimed herein, pursuant to § 12(o) of the Railroad Unemployment Insurance Act? Because said benefits could continue since the above lien, the amount of the lien may increase accordingly to the time of any settlement or judgment, or until said benefits have again been exhausted.

Plaintiff objects to the above Controverted and Unresolved Issue proposed by defendant.

This defense/allegation was raised in the answer. Its merits will be resolved at the time of trial.

- 22. Has BNSF paid premiums on behalf of plaintiff to the RRB for disability/annuity benefits that have ultimately been received by plaintiff? Defendant accordingly seeks an offset in the amount of said premiums paid by BNSF against any judgment entered for plaintiff herein.

Plaintiff objects to the above Controverted and Unresolved Issue proposed by defendant.

This defense/allegation was raised in the answer. Its merits will be resolved at the time of trial.

D. WITNESSES

All witnesses, including rebuttal witnesses, expected to be called to testify by **plaintiff** except those who may be called for impeachment purposes as defined by NECivR 16.2(c) only, are:

1. Mark A. Roloff
Lusk, WY
2. William L. Roloff
Lincoln, NE
3. Shirley Roloff
Lincoln, NE
4. Mike W. Roloff
Plattsmouth, NE
5. Denise Harrison
Lincoln, NE
6. Dirk Turner
Rozet, WY
7. Jimmy G. Long
New Castle, WY
8. Bill Narin
Upton, WY
9. Jim McDill
New Castle, WY
10. Ward Bates
c/o BNSF Railway
New Castle, WY
11. Clint Seavers
c/o BNSF Railway
New Castle, WY
- *12. Black Hills Surgery Center
Medical Providers and Dr. Larry L. Teuber

215 Anamria Drive
Rapid City, SD 57701

13. Powder River Orthopedics & Spine, PC
Nathan Simpson, M.D., Medical Providers
508 Stocktrail Avenue, Suite A
Gillette, WY 82716
- *14. Thomas Atwood, DPM
2122 9th Street, Suite 3
Greely, CO 80631
- *15. Gillette Physical Therapy
Medical Providers
201 Lakeway, Suite 700
Gillette, WY 82718
- *16. The Spine Center at Rapid City
Neurological & Spine Surgery Associates, P.C.
Medical Providers
4141 Fifth Street
Rapid City, SD 57701
- *17. Cedar Hills Family Clinic
Lanny Reimer, M.D. and Medical Providers
1121 Washington Boulevard
Newcastle, WY 82701
- *18. East Casper Chiropractic Center
Medical Providers
2121 East 2nd Street
Casper, WY 82601
- *19. Elliott Chiropractic
Travis Elliott, D.C., Medical Providers
1 South Senaca, Suite A
Newcastle, WY 82701
- *20. Broken Bow Chiropractic Center, PC
Douglas J. Bazya, D.C., Medical Providers
312 South 9th Avenue
Broken Bow, NE 68822
- *21. Powder River Surgery Center
Medical Providers

906 West 6th Street, Suite C
Gillette, WY 82716

- *22. Platt County Memorial Hospital
Medical Providers
201 14th Street
Wheatland, WY 82201
- *23. Edward Pelton, M.D.
Mary Moody, P.A.
Legend Buttes Health Services
Box 272
11 Paddock Street
Crawford, NE 69339
- *24. PT & Sports Medicine
Medical Providers
821 Morehead Street
Chadron, NE 69337
- *25. Campbell County Memorial Hospital
Medical Providers
P. O. Box 3011
Gillette, WY 82717
- *26. Chadron Medical Clinic
David Johnson, M.D., Medical Providers
11 Paddock
Crawford, NE 69339
- *27. Timothy Burd, M.D.
James Devney, D.O.
Nebraska Spine Center
13616 California Street, Suite 100
Omaha, NE 68154

Plaintiff will call: witness # 1, & his expert witnesses identified in that section of this PTC memorandum.

Plaintiff may call witnesses 2-11.

All witnesses prefaced with a "*" in plaintiff's witness list are for foundational records custodian purposes only. By agreeing to the listing of these witnesses for that limited purpose, defendant is not waiving any

objections or agreeing to the admissibility of any of the documents for which they may provide foundational testimony.

28. All persons identified in discovery.

Defendant objects. Objection sustained.

29. All persons identified by Defendant.

Defendant initially objected. However, at the PTC, this objection was withdrawn, provided the witnesses listed by the defendant for records custodian purposes only cannot be called for any other purposes by the plaintiff.

30. Impeachment witnesses as necessary.

All witnesses, including rebuttal witnesses, expected to be called to testify by **defendant** except those who may be called for impeachment purposes as defined by NECivR 16.2(c) only, are:

WILL CALL:

Mark A. Roloff, Plaintiff
Crawford, NE

Laurence Michael Fernandes
Claims Representative
BNSF Railway Company
PO Box 597
Alliance, NE 69301

Jimmy G. Long
Foreman/Supervisor
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

Samuel "Casey" Turnbull
Assistant Director Maintenance Production
BNSF Railway Company
106 North Gillette Avenue
Gillette, WY 82716

James "Ward" Bates
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

William Narin
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

James McDill
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

Clint Siever
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

Daniel B. Best
Field Manager
Medical & Environmental Health
BNSF Railway Company
3700 Globeville Road
Denver, CO 80216

Karen L. Stricklett, M.S., C.R.C., C.C.M., A.B.V.E.
Stricklett & Associates, Inc.
14710 West Dodge Road, Suite 201
Omaha, NE

G. Robert Newman, MSME, PE
Robert Newman Engineering, LLC
1836 Delacourt Ave.
Mount Pleasant, SC

MAY CALL:

Niel W. Niemi
Senior Manager of Safety Central Region
BNSF Railway Company
3700 Globeville Road
Denver, CO 80216

Craig Sloggett
Division Engineer
BNSF Railway Company
106 North Gillette Avenue
Gillette, WY 82716

Kathryn G. Straight
Director of Administration
BNSF Railway Company
107 North Gillette Avenue
Gillette, WY 82716

Joseph Anderson
Claims Representative
BNSF Railway Company
2315 East Richards Street
Douglas, WY 82633

Amanda Gambrell
Director Field Clinical Operations
Medical & Environmental Health
BNSF Railway Company
P.O. Box 981033
Fort Worth, TX 76161

David Crinklaw
Excavating Foreman
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

Matt Carr
Surfacing Gang Foreman
BNSF Railway Company
100 South Railway Avenue
Newcastle, WY 82701

Mike Tucker
Division Engineer
BNSF Railway Company
107 North Gillette Avenue
Gillette, WY 82716

James Varner
BNSF Railway Company
100 South Railway Avenue
New Castle, WY 82701

Black Hills Surgery Center
Records Custodian
215 Anamria Drive
Rapid City, SD 57701

Powder River Orthopedics & Spine, PC
Records Custodian
508 Stocktrail Avenue, Suite A
Gillette, WY 82716

Dr. Thomas Atwood, DPM
2122 9th Street, Suite 3
Greely, CO 80631
Gillette Physical Therapy
Records Custodian
201 Lakeway, Suite 700
Gillette, WY 82718

The Spine Center at Rapid City
Neurological & Spine Surgery Associates, P.C.
Records Custodian
Julie Dueis, PA-C
Gloria Shobe
4141 Fifth Street
Rapid City, SD 57701

Cedar Hills Family Clinic
Records Custodian
1121 Washington Blvd.
Newcastle, WY 82701

East Casper Chiropractic Center
Records Custodian
2121 East 2nd Street
Casper, WY 82601

Elliott Chiropractic
Records Custodian
1 South Senaca, Suite A
Newcastle, WY 82701

Broken Bow Chiropractic Center, PC
Records Custodian
312 South 9th Avenue
Broken Bow, NE 68822

Powder River Surgery Center
Records Custodian
906 West 6th Street, Suite C
Gillette, WY 82716

Platte County Memorial Hospital
Records Custodian
201 14th Street
Wheatland, WY 82201

Impeachment witnesses as necessary.

It is understood that, except upon a showing of good cause, no witness whose name and address does not appear herein shall be permitted to testify over objection for any purpose except impeachment. A witness whose only testimony is intended to establish foundation for an exhibit for which foundation has not been waived shall not be permitted to testify for any other purpose, over objection, unless such witness has been disclosed pursuant to Federal Rule of Civil Procedure 26(a)(3). A witness appearing on any party's witness list may be called by any other party.

E. EXPERT WITNESSES' QUALIFICATIONS

Experts to be called by **plaintiff** and their qualifications are:

****Raymond A. Duffany**
6221 Lindsay Court
West Bloomfield, MI 48324
CV attached

Stan V. Smith, Ph.D.
Smith Economics Group, Ltd.
1165 N. Clark Street, Suite 600
Chicago, IL 60610
CV attached

Terry L. Cordray, M.S.,CRC, CCM, ABVE
P. O. Box 14456
Lenexa, KS 66285-4456
CV attached

******Michael D. Shinnick, Ed.D.
Dynamics Research Group, Inc.
Research Park, Suites 201-202
Assessment Center, Suite 203
670 Sunshine Farm Lane
Blacksburg, VA 24060
CV attached

******Nathan Simpson, M.D.
Powder River Orthopedics & Spine, PC
508 Stocktrail Avenue, Suite A
Gillette, WY 82716
CV attached

Experts to be called by **defendant** and their qualifications are:

******Karen L. Stricklett, M.S., C.R.C., C.C.M., A.B.V.E.
Stricklett & Associates, Inc.
14710 West Dodge Road, Suite 201
Omaha, NE
CV attached

******G. Robert Newman, MSME, PE
Robert Newman Engineering, LLC
1836 Delacourt Ave.
Mount Pleasant, SC
CV attached

The parties intend to file motions in limine as to certain portions of the opinions offered by the plaintiff and defense experts prefaced with a “ ** ”. The plaintiff also intends to file a motion as to the testimony of Dan Best.

Given the potential scope of the motions in limine they may raise, the parties were encouraged to file such motions prior to the deadline to permit the court to fully consider

F. VOIR DIRE

The parties will conduct the voir dire, including any preliminary examination. Each side shall have no less than 90 minutes each to conduct voir dire.

G. NUMBER OF JURORS

This matter will be tried to a jury composed of twelve (12) members, plus two alternates due to the projected length of the trial.

H. VERDICT

The Parties will not stipulate to a less than unanimous verdict.

I. TRIAL BRIEFS AND JURY INSTRUCTIONS

Trial briefs shall be filed consistent with the requirements of NECivR 39.2(a). Proposed jury instructions shall be filed and delivered to the judge consistent with the requirements of NECivR 51.1.

J. LENGTH OF TRIAL

Counsel estimate the length of trial will consume not less than five (5) days, not more than seven (7) days.

K. TRIAL DATE

Jury selection and opening statements may begin during the week of November 15, 2010.

MARK A. ROLOFF, Plaintiff

By: s/ Gene Napier
Gene Napier
Charles Gordon
Mike O'Neal
Union Station – Suite 350
30 West Pershing Road
Kansas City, MO 64108
T: (816) 221-5666

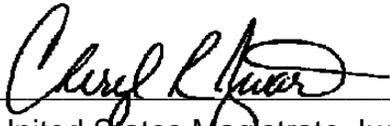
By: s/ Corey L. Stull
Corey L. Stull, #21336
Perry, Guthery, Haase, &
Gessford
233 S. 13th Street, Ste. 1400
Lincoln, NE 68508
T: (402) 476-9200

BNSF RAILWAY COMPANY, Defendant

By: s/ Thomas C. Sattler
Thomas C. Sattler, #16363
WOLFE, SNOWDEN, HURD,
LUERS & AHL, LLP
Wells Fargo Center
1248 "O" Street, Suite 800
Lincoln, NE 68508
T: (402) 474-1507
tsattler@wolfesnowden.com

Dated this 21st Day of October, 2010.

BY THE COURT:


United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA**

MARK A. ROLOFF,)
)
 Plaintiff,)
)
 v.)
)
 BNSF RAILWAY COMPANY,)
)
 Defendant.)

**PLAINTIFF'S
LIST OF EXHIBITS**

**Case Number: 4:09CV3178
Courtroom Deputy:
Court Reporter:**

Trial Date(s): November 15-19, 2010

EXHIBIT NO.			DESCRIPTION	OFF	OBJ	RCVD	NOT RCVD	DATE
PLF	DF	3 PTY						
1			Lanny Reimer, MD Cedar Hills Family Clinic – Medical records [Bates No. ROL00061-ROL00071]		R, H, A, Foundation			
2			Broken Bow Chiropractic – Medical records [Bates No. ROL00072-ROL74]		R, H, A, Foundation			
3			Elliott Chiropractic – Medical records [Bates No. ROL00075-00077]		R, H, A, Foundation			
4			Black Hills Imaging Center – Medical records [Bates No. ROL00088-ROL00089]		R, H, A, Foundation			
5			Larry Teuber, MD Spine Center at Rapid City – Medical records		R, H, A, Foundation			
6			Black Hills Surgery Center – Medical records		R, H, A, Foundation			
7			Nathan Simpson, MD Powder River Orthopedics & Spine – Medical records		R, H, A, Foundation			
8			Gillette Physical Therapy – Medical records		R, H, A, Foundation			
9			Powder River Surgery Center – Medical records		R, H, A, Foundation			

10			Edward Pelton, MD David Johnson, MD Mary Moody, PA Legend Buttes Health Services Chadron Medical Clinic – Medical records		R, H, A, Foundation			
11			PT & Sports Medicine – Medical records		R, H, A, Foundation			
12			Campbell County Memorial Hospital – Medical records		R, H, A, Foundation			
13			Timothy Burd, MD James Devney, DO Nebraska Spine Center – Medical records		R, H, A, Foundation			
14			Medical illustrations of cervical spine anatomy (Simpson deposition exhibit)		R, H, Foundation, Cumulative, Rule 403			
15			Medical illustrations of cervical spine injuries and first surgery (Simpson deposition exhibit)		R, H, Foundation, Cumulative, Rule 403			
16			Medical illustration of second surgery (Simpson deposition exhibit)		R, H, Foundation, Cumulative, Rule 403			
17			BNSF Employee Personal Injury/Occupational Illness Report dated 05.23.08		None			
18			Statement transcript dated 12.11.08 (Plaintiff's deposition exhibit 1)		None			
19			Cribbing bucket photograph (Plaintiff's deposition exhibit 2)		None			
20			Enlarged bucket photograph (Plaintiff's deposition exhibit 3)		None			

21			Cat 950 loader photograph (Plaintiff's deposition exhibit 4)		None			
22			Cat 420E photograph (Plaintiff's deposition exhibit 5)		None			
23			Aerial photograph (Plaintiff's deposition exhibit 6)		R, H, Foundation			
24			Aerial photograph (Plaintiff's deposition exhibit 7)		R, H, Foundation			
25			Map photograph (Plaintiff's deposition exhibit 8)		R, H, Foundation			
26			Map photograph (Plaintiff's deposition exhibit 9)		R, H, Foundation			
27			Complaint (Plaintiff's deposition exhibit 10)		R			
28			Plaintiff's Answers to Interrogatories (Plaintiff's deposition exhibit 12)		R, H, Foundation			
29			Plaintiff's 2002 to 2009 income tax records		None			
30			Plaintiff's school records obtained from Plattsburgh Community School District		None			
31			Raymond Duffany report		R, H, Foundation, Cumulative			
32			Raymond Duffany CV		R, H, Foundation, Cumulative			
33			Raymond Duffany handwritten notes (Duffany deposition 07.15.10 Exhibit 4)		R, H, Foundation, Cumulative			

34			Raymond Duffany typed notes (Duffany deposition 07.15.10 Exhibit 5)		R, H, Foundation, Cumulative			
35			Raymond Duffany billing (Duffany deposition 07.15.10 Exhibit 6)		R, H, Foundation, Cumulative			
36			Enlarged photograph of tractor with backhoe attachment (Duffany deposition 10.14.10 Exhibit 1)		As Stated in Deposition and Motion in Limine			
37			Enlarged photograph of backhoes with impact wrench and digging bucket (Duffany deposition 10.14.10 Exhibit 2)		As Stated in Deposition and Motion in Limine			
38			Enlarged photograph of cribbing buckets(Duffany deposition 10.14.10 Exhibit 3)		As Stated in Deposition and Motion in Limine			
39			Terry L. Cordray 03.04.10 report		R, H, Foundation, Cumulative			
40			Terry L. Cordray 07.14.10 report		R, H, Foundation, Cumulative			
41			Terry L. Cordray's file regarding Mark Roloff (Cordray deposition Exhibit 4)		R, H, Foundation, Cumulative			
41A			Terry L. Cordray CV		R, H, Foundation, Cumulative			
42			Terry L. Cordray fee schedule		R, H, Foundation, Cumulative			
43			Terry L. Cordray depositions and court testimony		R, H, Foundation, Cumulative			

44		Stan V. Smith report and all materials and documents referenced in his report		R, H, Foundation, Cumulative			
45		Stan V. Smith CV		R, H, Foundation, Cumulative			
46		Stan V. Smith fee schedule		R, H, Foundation, Cumulative			
47		Stan V. Smith depositions and court testimony		R, H, Foundation, Cumulative			
48		Michael D. Shinnick report		R, H, Foundation, Cumulative			
49		Michael D. Shinnick CV		R, H, Foundation, Cumulative			
50		Michael D. Shinnick depositions and court testimony		R, H, Foundation, Cumulative			
51		Michael D. Shinnick fee schedule		R, H, Foundation, Cumulative			
52		Plaintiff's BNSF personal file		R, H, Foundation			
53		Correspondence to Plaintiff from Kathryn G. Straight BNSF Director of Administration Re: Correction of date on letter dated 05.28.08		None			
54		Plaintiff's BNSF Employee Transcript file		None			
55		Correspondence to Plaintiff from Mike Tucker dated 05.28.08		None			
56		Correspondence to Plaintiff from Daniel Best dated 06.03.28		None			

57		Correspondence to Plaintiff from Amanda Gambrell dated 12.01.08		None			
58		Correspondence to Plaintiff from Daniel Best dated 03.23.09		None			
59		Correspondence to Plaintiff from Daniel Best dated 07.06.09		None			
60		Correspondence to Plaintiff from Daniel Best dated 08.26.09		None			
61		Plaintiff's BNSF monthly earnings history		None			
62		BNSF Maintenance of Way Operating Rules 10.31.04		None			
63		BNSF Maintenance of Way Safety Rules 10.30.05 (Including revisions up to 08.10.07)		None			
64		Powder River Division Timetable No. 8 11.29.06		R, H, Foundation			
65		BNSF Employee Safety Rules 10.30.05 (Including revisions up to 09.01.07)		None			
66		Anatomical exhibit		R, H, Foundation, Cumulative			
67		Defendant's answers to interrogatories		R, H, Foundation, Cumulative			
68		Defendant's answers to request for production		R, H, Foundation, Cumulative			
69		RRB records		R, H, Foundation			
70		Medical bills		R, H, Foundation			

71			Weather report		None			
72			Medical illustration of surgical procedure		R, H, Foundation, Cumulative			
73			Post-surgical MRI		R, H, Foundation, Cumulative			
74			Plaintiff's deposition transcript 03.25.10		R, H, Foundation, Cumulative			
75			Ward Bates deposition transcript 11.02.10		R, H			
76			Clinton W. Siever deposition transcript 05.26.10		R, H			
77			James E. McDill deposition transcript 05.26.10		R, H			
78			William S. Narin deposition transcript 05.26.10		R, H			
79			Jimmy G. Long deposition transcript 05.26.10		R, H			
80			Raymond Duffany deposition transcript and exhibits 07.15.10		R, H, Foundation, Cumulative			
81			Raymond Duffany deposition, video tape, and exhibits 10.14.10		R, H, Foundation, Cumulative			
82			Terry L. Cordray deposition transcript and exhibits 10.12.10		R, H, Foundation, Cumulative			
83			Michael D. Shinnick deposition transcript and exhibits 07.07.10		R, H, Foundation, Cumulative			
84			Karen L. Stricklett deposition transcript and exhibits 10.13.10		R, H, Foundation, Cumulative			

85		Robert Newman deposition transcript and exhibits 10.29.10		R, H, Foundation, Cumulative			
86		Enlarged photograph of impact hammer		R, H, Objections Stated in Duffany Deposition and Motion in Limine			
87		Daniel Best deposition transcript and exhibits		R, H, Cumulative			
88		Rawhide Drug Co. [Bates No. ROL00271-00272]		R, H, Foundation			
89		Crawford Pharmacy [Bates No. ROL00273]		R, H, Foundation			
90		Campbell County Memorial Hospital CDs of medical images		R, H, Foundation			
91		Black Hills Surgical Hospital CD of medical images		R, H, Foundation			
92		Powder River Orthopedics & Spine CD of medical images		R, H, Foundation			
93		Powder River Orthopedics & Spine radiology films		R, H, Foundation			
94		Plaintiff's 2008 calendar		R, H, Foundation			
95		Any exhibit needed for rebuttal		Reserve All			
96		Any exhibit used or identified in discovery		Reserve All			
97		Any document produced in discovery		Reserve All			
98		All diagrams or charts made or generated during trial		Reserve All			

99			Enlarged photograph of impact hammer		R, H, Objections Stated in Duffany Deposition and Motion in Limine			
100			Dan Best deposition transcript and exhibits		R, H, Cumulative			

OBJECTIONS

R: Relevancy
H: Hearsay
A: Authenticity
O: Other (specify)

MARK A. ROLOFF, Plaintiff

HUBBELL PEAK O'NEAL NAPIER & LEACH
By:

s/Gene C. Napier

Gene C. Napier
G. Michael O'Neal
30 West Pershing Road, Suite 350
Kansas City, MO 64108
Telephone: 816-221-5666
Email: susanpayne@hubbelfirm.com
moneal@hubbelfirm.com

And

Corey L. Stull
PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.
233 South 13th Street, Suite 1400
Lincoln, NE 68508
Telephone: 402-476-9200
Facsimile: 402-476-0094
Email: cstull@perrylawfirm.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARK A. ROLOFF,)
)
 Plaintiff,)
)
 vs.)
)
 BNSF RAILWAY COMPANY)
)
 Defendant.)
)

4:09cv3178

**DEFENDANT'S TRIAL
EXHIBIT LIST**

Trial Date: November 15, 2010

PL	DEF	DESCRIPTION	OFF	OBJ	RCV D	NOT RCVD	DATE
	1	BNSF Employee Personal Injury/Occupational Illness Report dated 05/23/2008 (1 pg.) [Bates No. DEF00170]		None			
	2	BNSF's Employee Transcript (5 pgs.) [DEF00171 – DEF00175]		R H A Foundation Cumulative			
	3	Audio Recording of Statement		R H A Foundation Cumulative			
	4	Plaintiff's Recorded and Transcribed Statement dated 12/11/2008 (83 pgs.) [Bates Nos. DEF00176 – DEF00258]		R H A Foundation			
	5	Correspondence from Kathryn G. Straight, BNSF Railway Company, to Mark A. Roloff, no date (1 pg.) [DEF00259]		R H A Foundation			

6	Correspondence from Mike Tucker, Division Engineer, BNSF Railway Company, to Mark A. Roloff dated 05/28/2008 (1 pg.) [DEF00260]	R H A Foundation			
7	Correspondence from Daniel E. Best, Field Manager, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 06/03/2008 (2 pgs.) [DEF00261 – DEF00262]	R H A Foundation			
8	Correspondence from Amanda Gambrell, Director Field Clinical Operations, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 12/01/2008 (3 pgs.) [DEF00263 – DEF00265]	R H A Foundation			
9	Correspondence from Daniel E. Best, Field Manager, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 02/9/2009	R H A Foundation			
10	Correspondence from Daniel E. Best, Field Manager, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 03/23/2009 (1 pg.) [DEF00266]	R H A Foundation			
11	Correspondence from Daniel E. Best, Field Manager, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 07/06/2009 (3 pgs.) [DEF00267 – DEF00269]	R H A Foundation			
12	Correspondence from Daniel E. Best, Field Manager, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 08/26/2009 (1 pg.) [DEF00270]	R H A Foundation			
13	Correspondence from Daniel E. Best, Field Manager, Medical & Environmental Health, BNSF Railway Company, to Mark A. Roloff dated 6/24/10 (3 pgs.)	R H A Foundation			

14	Employee Monthly Earnings History from January, 1998 – May, 2008 (2 pgs.) [Bates Nos. DEF00271 – DEF00272]		None			
15	BNSF Maintenance of Way Operating Rules (Revised May 3, 2007) (96 pgs.) [DEF00273 – DEF00368]		None			
16	BNSF Maintenance of Way Safety Rules (Revised August 10, 2007) (102 pgs.) [DEF00369 – DEF00470]		None			
17	BNSF Railway Company's Employee Safety Rules (Revised September 1, 2007) (70 pgs.) [DEF00509 – DEF00578]		None			
18	Aerial Photo of Newcastle Main Street Crossing		None			
19	The Spine Center/Neurology Associates Patient Questionnaire 5/21/08 [NSA00015 – NSA00018]		None			
20	The Spine Center/Neurology Associates Phone Message Note 5/22/08 [NSA00008]		None			
21	The Spine Center/Neurology Associates Phone Message Note 5/22/08 [NSA00006]		None			
22	The Spine Center/Neurology Associates Notes of Telephone Call Julie Dueis, PA-C 6/3/08 at 8:30 a.m. with M. Roloff [NSA00005]		None			
23	The Spine Center/Neurology Associates Note of Telephone Call Gloria F. Shobe 5/28/08 at 4:21 p.m. with M. Roloff [NSA00004]		None			
24	Elliott Chiropractic Progress Note M. Roloff 4/4/08 [EChiro00006]		None			
25	Elliott Chiropractic New Patient Form M. Roloff 4/4/08 [EChiro00007 EChiro00008]		None			
26	East Casper Chiro. Center Radiographic/Pathology Report 6/18/02 [ECCC00004]		None			

27	Patient Intake Information Form, Physical Therapy & Sports Medicine [P'sDisc00216; ROL00240]		None			
28	BNSF Engineering Standards Manual Acknowledgement of Receipt 3/22/99		None			
29	BNSF Safety Rules Acknowledgement 1/31/96		None			
30	BNSF Safety Rules Acknowledgement 1/17/96		None			
31	Formal Notice to Recall to Service 3/11/87 R.J. Zimmerman to M. Roloff		R H A Foundation			
32	Formal Notice to Recall to Service 3/26/86 R.J. Zimmerman to M. Roloff		R H A Foundation			
33	Formal Notice to Recall to Service 3/29/85 R.J. Zimmerman to M. Roloff		R H A Foundation			
34	Plattsmouth Community School District Transcripts of M. Roloff		R H A Foundation			
35	M. Roloff DOT Certification Records		None			
36	Personal Information Change (PIC) 1/15/02 M. Roloff		R H A Foundation			
37	M. Roloff Employee Personal Record (Hard Card)		R H A Foundation			
38	M. Roloff Employment Application 12/29/76		None			
39	M. Roloff 2008 Calendar [ROL00300 – ROL00353]		None			

	40	M. Roloff Tax Returns 2009		None			
	41	M. Roloff Tax Returns 2008		None			
	42	M. Roloff Tax Returns 2007		None			
	43	M. Roloff Tax Returns 2006		None			
	44	M. Roloff Tax Returns 2005		None			
	45	M. Roloff Tax Returns 2004		None			
	46	M. Roloff Tax Returns 2003		None			
	47	M. Roloff Tax Returns 2002		None			
	48	BNSF Personnel Activity Tracking System M. Roloff: 1-19-08 – 6-6-08		R H A Foundation			
	49	BNSF Newcastle, Wyo./Line Segment 4 Track Chart		None			
	50	Photograph of Cribbing Bucket (Newman Photo)		R H A Foundation			
	51	Photograph of Cribbing Bucket (Newman Photo)		R H A Foundation			
	52	Photograph of Cribbing Bucket Teeth/Retaining Pin (Newman Photo)		R H A Foundation			
	53	Photograph of Cribbing Bucket Teeth/Retaining Pin (Newman Photo)		R H A Foundation			
	54	Photograph of Cat 420E (Newman Photo)		R H A Foundation			

55	Photograph of Cat 420E (Newman Photo)		R H A Foundation			
56	Photograph of Cat 420E (Newman Photo)		R H A Foundation			
57	Photograph of Cat 420E with Outriggers (Newman Photo)		R H A Foundation			
58	Photograph of Cat 420E with Outriggers (Newman Photo)		R H A Foundation			
59	Photograph of Newcastle, Wyo. Main Street Worksite (Newman Photo)		R H A Foundation			
60	Photograph of Standard Backhoe Bucket (Newman Photo)		R H A Foundation			
61	Photograph of Frost/Ripper Bucket (Newman Photo)		R H A Foundation			
62	Photograph of Frost/Ripper Bucket (Newman Photo)		R H A Foundation			
63	Weather Records for Newcastle, Wyo. for the months of February and March, 2008		R H A Foundation			

	64	Complaint and Request for Jury Trial in re: <u>Mark A. Roloff v. Burlington Northern Railroad Company</u> ; In the U.S. District Court for the District of Colorado, Civil Action No. 92-M-1943.		R H			
--	----	--	--	--------	--	--	--

OBJECTIONS

- R: Relevancy
- H: Hearsay
- A: Authenticity
- O: Other (specify)

CURRICULUM VITAE

RAYMOND A. DUFFANY

Self-employed

Railway Engineering Consultant [1/98 – Present] West Bloomfield, MI

Provide Railway Engineering services and expert witness reports and services to a wide array of clients. Expertise includes, but is not limited to the areas of track structures, signals, highway grade crossings, track appliances, bridge work, FRA regulations, safety training, and derailment investigation

Grand Trunk Western Railroad Company

Chief Engineer, U. S. Properties [2/92 - 03/97] Detroit, Mi.

General responsibilities:

Direct, coordinate, and oversee all aspects of engineering operations on the Grand Trunk Western, the Duluth, Winnipeg and Pacific, and the Central Vermont Railroads, reporting directly to the Vice President U. S. Operations. Position covered 2600 miles of track in ten states.

Specific responsibilities:

Management of the Track, Bridge and Structures, Communications and Signal, and Work Equipment departments for all U. S. properties within the Grand Trunk Western Corp. Responsibilities included the preparation of capital and operating programs, budget requirements and controls, scheduling, and timely execution of programs.

Other responsibilities:

Establish policies and procedures related to the physical plant to insure safe and efficient train operations.
Establish programs to insure and enhance the safety of all employees.
Management and administration of 600-vehicle automotive/truck fleet
Material management, acquisition, and distribution.
Participate in labor negotiations and implement collective bargaining agreements with ten unions.
Personal Injury/train accident investigations.

Budget and personnel responsibilities:

Manage a staff of 55 engineering, technical, and clerical and a total force of 900.
\$50 million operating, \$30 million capital annually.

Achievements:

Integrated and centralized the Engineering Departments of three railroads into one, meeting the needs of each railroad. This resulted in; 20% reduction in staff positions, more effective utilization of equipment, manpower, assets, and reduction of overall operating costs.

Chief Engineer, Communications and Signals [8/91 - 2/92]

General responsibilities:

Responsible for the design, maintenance, and construction of the various train signaling systems, microwave and fiber optic systems, radio and telephone networks, and automatic crossing protection on the GTW system.

Specific responsibilities:

1600 miles of signalized track.
2900 radios and three radio repair facilities.
845 microwave route miles.
800 automatic crossing protection installations.
13 telephone exchange systems supporting 2000 telephones.

Budget and personnel responsibilities:

\$30 million annually.
100 employees and a reporting staff of 15.

Achievements:

Consolidated the Communications and Signals Departments into one achieving a 15% reduction in basic operating costs and a more streamlined and efficient operation. Consolidated three radio repair facilities into one, producing a 30% reduction in radio repair costs. Developed and installed computer aided train dispatching system and eliminated one of four twenty-four hour dispatcher positions.

Assistant Chief Engineer [4/89 - 8/91] Detroit, Mi.

General responsibilities:

Direct and oversee all aspects of the Engineering/Maintenance of Way Department.

Specific responsibilities:

2000 miles of track, 600 bridges, 120 buildings.

Budget and personnel responsibilities:

\$60 million annually.

500 employees and a reporting staff of 40.

Other responsibilities:

Manage and administer the 500 corporate vehicle/truck fleet.

Acquisition, maintenance, and repair of over 1000 pieces of on-track and off-track work equipment and the operation of a 25,000 square foot work equipment facility.

Achievements:

Designed and acquired innovative and modern maintenance of way highway vehicles to replace an aging, outdated fleet over a two-year period.

Restructured the organization of the tie and surfacing units to enhance quality, production, and efficiency.

Self-employed

Engineering Management Consultant [11/86 - 4/89] New Port Richey, Fl.

Services performed:

Provided major railroads with a wide array of management services pertaining to the maintenance and construction of buildings, bridges, track, and communication systems.

General responsibilities:

Preparation and review of maintenance budgets. Planning, organizing, and staffing various maintenance and construction projects for major clients such as Amtrak, Canadian National Railway, Grand Trunk Western, and Central Vermont Railroad.

Consolidated Rail Corp.

Chief Regional Engineer [5/86 - 11/86] Detroit, Mi.

General responsibilities:

Manage all aspects of the Maintenance of Way/Engineering Departments on four divisions covering six states.

Specific responsibilities:

5000 miles of track, 1400 bridges, 150 buildings.

Budget and personnel responsibilities:

\$120 million annually, 2,000 employees and a reporting staff of 30.

Regional Production Engineer [10/84 - 5/86] Indianapolis, In.

General responsibilities:

Responsible for all aspects of track rehabilitation and construction on Conrail's Southern Region.

Other responsibilities:

500 employees, reporting staff of 15, \$40 million operating budget.

Material management, safety training, quality control.

Division Engineer (10/80 -10/84] Buffalo, N. Y.

General responsibilities:

Oversee all activities of the Track, Communication and signals, and Bridge and Building Departments.

Activities:

Engineering management/Production Engineering

\$36 million operating budget.

Reporting staff of 15: Material Engineer/Office Engineer/Production Engineers/Office Manager/Budget Analysts.

Division Engineer [7/79 - 10/80] Jackson, Mi.
Assistant Division Engineer [12/77 - 7/79] Buffalo, N. Y.
Supervisor of Track [5/77 - 12/77] Pittsfield, Ma.
Supervisor of Track [10/76 - 5/77] Boston, Ma.
Assistant Supervisor of Track [2/76 - 10/76] Springfield, Ma.

Penn Central Transportation Co.

Engineering Management Trainee [5/75 - 2/76]

Education: B. S. Degree, Civil Engineering/Syracuse University [1975}

Military: U. S. Marine Corps/Honorable Discharge [1973]

Professional Associations

Association of American Railroads - Engineering Management Committee (1992-1997)
American Railway Engineering Association
Roadmasters, Bridge and Building Association

Personal:

Raymond A. Duffany
6221 Lindsay Court
West Bloomfield, MI 48324

Born:

December 3, 1951
Waterbury, CT.

Smith Economics Group, Ltd.

A Division of Corporate Financial Group

Economics / Finance / Litigation Support

Stan V. Smith, Ph.D.
President

S T A N V. S M I T H, P H. D.

Smith Economics Group, Ltd. -- Consultants and Experts in Economics and Finance. President, 11/85 to present. Assisted in the successful resolution of thousands of lawsuits on behalf of clients that include many dozens of the nation's largest law firms, the U.S. Department of Justice, as well as thousands of other prominent plaintiff and defense law firms in almost every state. Firm provides economic and financial consulting and economic legal analysis in federal and state courts on damages of every sort including: Antitrust damages, patent valuation, business losses, lost wages and other injury losses, business valuation, hedonic damages, product liability, pension fund evaluation and withdrawal liability, security losses, commercial damages, employment discrimination, identity theft and FCRA credit damages.

DePaul University. -- Adjunct Professor, College of Law, 1990 to 1994. Taught a full three-credit course in Advanced Remedies - Analysis of Economic Damages in Litigation, based on my textbook on Forensic Economics; delivered lectures to other courses in subsequent years. This was the first course taught nationwide in the area of Forensic Economics.

Ibbotson Associates, Inc. -- Economic and Financial Consultants. Principal and Managing Director; Originator of SBBI Subscription Services, 11/81 to 11/85. Firm provides consulting to hundreds of the nation's most prominent money managers, law firms, brokerage firms, and pension funds.

Sequest International, Inc. -- Founder and President, 7/77 to 11/81. Developed and financed sophisticated research, search, and recovery technologies for ancient underwater artifacts.

The December Group, Ltd. -- Investment Banking Consultants. Associate Economic Analyst 12/74 to 7/77. Firm specialized in mergers and acquisitions, leveraged buy-outs, divestitures and financing specialized start-ups with venture capital.

JPMorgan Chase Bank - Chicago. -- Staff Economist, 3/74 to 12/74. Analyzed bank credit and service pricing policies.

Federal Reserve System. -- Staff Economist at Board of Governors, Washington, D.C. 9/73 to 2/74.

University of Chicago. -- Lecturer in Public Policy Economics, 3/73 to 6/73. Research Assistant in Economics, 3/70 to 6/73.

Midlothian Manufacturing Co. -- Vice President, 9/68 to 3/73. Responsible for marketing to retail and industrial clients; responsible for production control.

1165 N. Clark Street • Suite 600 • Chicago, IL 60610 • Fax 312-943-1016 • Tel 312-943-1551

www.SmithEconomics.com

SEG

EDUCATIONAL BACKGROUND:

University of Chicago, Chicago IL. Ph.D. in Economics, 1997; Support Areas in Finance and Econometrics. Honors: Allied Chemical Scholar and Federal Reserve Internship.

University of Chicago, Chicago, IL. Master's Degree, 1972, Graduate School of Business; Field of Concentration in Economics.

Cornell University, Ithaca, NY. Bachelor of Science, Operations Research, 1968; Field of Concentration in Statistics, Computer Science and Industrial Engineering, Honors: John McMullen Scholar.

PROFESSIONAL ACTIVITIES:

American Academy of Economic & Financial Experts, Journal of Legal Economics, Manuscript Referee, 199x-2008.

American Arbitration Association, Arbitrator, 1994 to 1996;

American Board of Disability Analysts, Member & Diplomat, 2001 to present;

American Board of Disability Analysts, Professional Advisory Council, 2002 to present;

American College of Forensic Examiners, Fellow and Board Certified Forensic Examiner, 1996 to 2005;

American Economic Association, Member, 1985 to present;

American Finance Association, Member, 1985 to present;

Collegium of Pecuniary Damages Experts, Charter Member, 2008-present;

Journal of the American Rehabilitation Economics Association: The Earnings Analyst, Manuscript Referee, 1998 to 2002;

Journal of Forensic Economics, Board of Editors, 1990 to 2001;

Journal of Forensic Economics, Manuscript Referee, 1990 to 2003;

National Academy of Economic Arbitrators, Founder and Charter Member, 1989 to 2005;

National Association of Forensic Economics, Vice President, 2000 to 2003;

National Association of Forensic Economics, Member, 1988 to present;

National Futures Association's Panel of Arbitrators, Arbitrator, 1994 to present;

PUBLICATIONS:

Author, "Historical Returns on Investment Instruments," Handbook of Modern Finance 1985, with Roger Ibbotson and Larry Siegel; Dennis Logue, ed., Warren, Gorham & Lamont, New York.

Author, 1988 Supp. to Vol 13, Am Jur Proof of Facts 2d on Hedonic Damages.

Author, "Economist Proposes Relief From Present Value Ruling," Chicago Daily Law Bulletin, June 8, 1988.

Author, "Hedonic Damages" Illinois Tort Report, June, 1988.

Author, "Hedonic Damages in Wrongful Death Cases," the ABA Journal, Sept, 1988.

Author, "Hedonic Damages," The Audio Lawyer, Vol. 6 No. 8, ALI-ABA, February, 1989.

Author, "The Hedonic Value of Life: Economic Expert Witness Testimony in Injury and Wrongful Death," Expert Evidence Reporter, Vol. 1, No. 1, September 1989, Shepard's McGraw-Hill. 9A22

SEG

- Co-author: Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, with M. L. Brookshire, Anderson Publishing Co., Cinn., Ohio, 1990.
- Co-author, "Hedonic Damages and Personal Injury: A Conceptual Approach," Journal of Forensic Economics, 3(1), 1990, pp. 1-8.
- Author, "Hedonic Damages in the Courtroom Setting - A Bridge Over Troubled Waters," Journal of Forensic Economics, 3(3), 1990, pp. 41-49.
- Author, "Admissibility of Hedonic Damages Testimony," The Audio Litigator, Vol. 1, No. 1, April, 1990, ALI-ABA.
- Author, "Hedonic Damages," with G. Magnarini, Wisconsin Lawyer, Vol. 64, No. 2, February 1991.
- Author, "Hedonic Damages: Assessing the Loss of Enjoyment of Life," California State Bar Bulletin, Vol. 1, No. 8, June 1991.
- Co-author, "Hedonic Damages and Personal Injury: A Conceptual Approach," Journal of Forensic Economics, 3(1), 1990, pp. 1-8; Reprinted in A Hedonics Primer for Economists and Attorneys, Compiled and Edited by John O. Ward, Lawyers & Judges Publishing Co., Chapter 7, pp. 121-129, 1992.
- Co-author: 1991/1992 Cumulative Supplement to Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, with M. L. Brookshire, Anderson Publishing Co., Cinn., Ohio, 1992.
- Author, "Hedonic Damages in the Courtroom Setting - A Bridge Over Troubled Waters," Journal of Forensic Economics, 3(3), 1990, pp. 41-49; Reprinted in A Hedonics Primer for Economists and Attorneys, Compiled and Edited by John O. Ward, Lawyers & Judges Publishing Co., Chapter 6, pp. 111-120, 1992.
- Author, "Spotting Bias in Plaintiffs' Economic Loss Reports: A Primer for both Sides," Illinois Bar Journal, Vol 80, No. 12, December, 1992, pp. 635-638.
- Author, "Life Values: Measuring the Loss of Enjoyment of Life - Economic Analysis whose time has come," The Brief, Summer 1993, Vol. 22, No. 4 pp. 24-27, 62-63, The American Bar Association.
- Co-author: 1992/1993 Cumulative Supplement to Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, with M. L. Brookshire and Charles W. de Seve, Anderson Publishing Co., Cinn., Ohio, 1993.
- Author, "Evaluating the Loss of Enjoyment of Life - Hedonic Damages," in Charles N. Simkins, ed., Analysis, Understanding and Presentation of Cases Involving Traumatic Brain Injury, National Head Injury Foundation, Wash., DC, 1993.
- Author, "Hedonic Damages in Personal Injury and Wrongful Death Litigation," in Gaughan and Thornton, eds. Litigation Economics, Contemporary Studies in Economic and Financial Analysis, Vol 74, JAI Press, Greenwich, CT, 1993.
- Author, "Economic Evaluation of the Loss of Enjoyment of Life - Hedonic Damages," in Damages in Tort Actions, Ch. 124, Release 29 - February 1994, Pub. 309, Mathew Bender & Co., New York.
- Author, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," Journal of the Massachusetts Academy of Trial Attorneys, Vol 2, No. 1, July, 1994, pp. 65-67.
- Author, 3-Part Series, "Two Plus Two Equals -- What?" October, 1994, p. 21; "Detecting Bias in Economics," November, 1994, pp. 14 & 21; "Striving for Economic Fairness," December, 1994, pp. 24-25, California Bar Journal, The Experts.
- Author, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," MTLA News, Vol. 6, No. 4, December, 1994, pp. 3-5, Maine Trial Lawyers Association.
- Author, "Hedonic Damages: Measuring The Loss of Enjoyment of Life in Personal Injury Cases," The Prairie Barrister, Vol. 1, No. 1, Winter, 1995, pp. 3, 4, & 12, Nebraska Association of Trial Attorneys.

SEG

- Author, "Measuring The Loss of Enjoyment of life in Personal Injury Cases in Ohio - Hedonic Damages," Ohio Trial, Vol. 6, Issue 3, Summer 1995, pp. 13-16, Ohio Academy of Trial Lawyers Education Foundation.
- Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," The Advocate, Vol. 22, No. 5, September/October, 1995, pp. 14-16, 22, The Kentucky Academy of Trial Attorneys.
- Author, "Damages for the Value of Life," North Dakota Trial Lawyers The Pleader, Vol. 18, No. 4, September 1995, pp. 9-11, 24.
- Author, "Hedonic Damages - Measuring The Loss of Enjoyment of Life in Personal Injury Cases," Law Reporter, The Journal of the Hawaii Trial lawyers Association, Vol. 7, No. 9, September 1995, pp. 8-10.
- Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases in Arizona - Hedonic Damages," Advocate, Arizona Trial Lawyers Association, November 1995, pp. 5, 7, 15.
- Co-author, "Hedonic Damages and Personal Injury: A Conceptual Approach," Journal of Forensic Economics, 3(1), 1990, pp. 1-8; Reprinted in A New Hedonics Primer for Economists and Attorneys, Compiled and Edited by Thomas R. Ireland and John O. Ward, Lawyers & Judges Publishing Co., Reading 25, 1996, pp. 325-334.
- Author, "Hedonic Damages - Measuring the Loss of Enjoyment of Life in P.I. Cases," In Brief, Iowa Trial Lawyers Association, Vol. 7/Issue 1, January-February 1996, pp. 13-15.
- Author, "Hedonic Damages in Personal Injury and Wrongful Death Litigation," in Gaughan and Thornton, eds. Litigation Economics, Contemporary Studies in Economic and Financial Analysis, Vol 74, JAI Press, Greenwich, CT, 1993; Reprinted in A New Hedonics Primer for Economists and Attorneys, Compiled and Edited by Thomas R. Ireland and John O. Ward, Lawyers & Judges Publishing Co., Reading 3, 1996, pp. 15-36.
- Author, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases and Wrongful Death Cases in New Mexico - Hedonic Damages," The New Mexico Trial Lawyer, New Mexico Trial Lawyers' Foundation, Vol. XXIV, No. 3, March, 1996, pp. 1, 60-63.
- Author with Introduction by Darrel W. Aherin, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," Idaho Trial Lawyers Association Journal, Volume 25, Number 2, Summer 1996, pp. 32-36.
- Author, "The Value of Life to Close Family Members: Calculating the Loss of Society and Companionship," The New Hedonics Primer for Economists and Attorneys, Second Edition, Edited by Thomas R. Ireland and John O. Ward, Lawyers & Judges Publishing Co., 1996, pp. 377-384.
- Author, "Pseudo-Economists - The New Junk Scientists," Federation of Insurance & Corporate Counsel Quarterly, Vol. 47, No. 1, Fall 1996, pp. 95-105.
- Author with Introduction by Darrel W. Aherin, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases in Idaho - Hedonic Damages," Western Chronicle, N/D 1996, Western Trial Lawyers Association, pp. 32, 35-36.
- Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases in Washington - Hedonic Damages," Trial News, Vol. 32, Number 5, January 1997, Washington State Trial Lawyers Association, pp. 29-30.
- Author, "Jury Verdicts in Drunken Driving Cases," University of Chicago Ph.D. Thesis, UMI Dissertation Services, Ann Arbor, MI, 1997.
- Author, "The Value of Life to Close Family Members: Calculating the Loss of Society and Companionship," American Rehabilitation Economics Association 1997 Monograph, pp. 10-16.
- Author, Abstract: "Jury Verdicts in Drunken Driving Cases," Journal of Forensic Economics, 11(1), 1998, p. 67-68.

SEG

-
- Author, "Why Juries Can Be Trusted," Voir Dire, Vol. 5, Issue 3, Summer 1998, American Board of Trial Advocates, pp. 19-21 & 25.
- Author, "Measuring The Loss of Enjoyment of Life in Personal Injury Cases - Hedonic Damages," The Neurolaw Letter, Vol. 9, No. 8, April 2000, pp. 45, 48-49.
- Author, "Jury Verdicts and the Dollar Value of Human Life," Journal of Forensic Economics, 13(2), 2000, pp. 169-188.
- Author, "Hedonic Damages," Izabela Z. Schultz, Douglas O. Brady, Steven Carella, Eds., Psychological Injuries at Trial, Torts Section, American Bar Association, 2003.
- Contributor, "Economic Foundations of Injury and Death Damages," Roger T. Kaufman, James D. Rodgers, Gerald D. Martin, Edward Elgar Publishing, Inc., 2005.
- Author, "Don't Overlook the Loss of Expanded Family Services," Trial, Vol. 42, No. 3, "Good Counsel" Column, March 2006, pg. 73.
- Co-author, "What is Your Value?" Chapter 2 in Six-Figure Salary Negotiation, Michael Zwell, Platinum Press, 2008.
- Co-Author, "Jury Verdicts in Drunken Driving Cases," Review of Law & Economics, Berkeley Press, 2008.
- Contributor, "Determining Economic Damages," Gerald D. Martin, James Publishing Inc., 2008 & previous years' editions.
- Co-Author, Working Paper, "Estimating the Value of Family Household Management Services: Approaches and Markups," February, 2009;
- Co-Author, Working Paper, "Credit Damage: Causes, Consequences and Valuation," February, 2009;

Originator of Ibbotson Associates' Stocks, Bonds, Bills, and Inflation (SBBI) Yearbook and Companion Services published by Morningstar, Inc. SBBI is the authoritative compendium of U. S. financial and investment performance data from 1926 to the present. SBBI is widely relied upon and regarded as the standard reference in courts of law and by the academic, actuarial and investment community. 2008 and all editions since 1993.

PROFILES:

- The Wall Street Journal, page 1 feature article with photo;
- The Best Lawyer's in America: Directory of Expert Witnesses;
- National Law Journal, page 1 feature article with photo;
- Who's Who in the World;
- Who's Who in America;
- Who's Who in Finance and Industry;
- Who's Who in Science and Engineering;
- Who's Who in the Midwest;
- Who's Who of Emerging Leaders of America;
- Chicago Daily Law Bulletin, page 1 feature article;
- Chicago Reader, Section 1 feature article with photo;
- Like Judgment Day: The Ruin and Redemption of A Town Called Rosewood, D'Orso, Michael, 1996, Pg. 237.

SEG

NATIONAL PRESENTATIONS:

- Arizona: Brain Injury Association 13th Annual Conference for Attorneys, Phoenix, September 16, 1999;
- California: American Bar Assn. Annual Meeting, San Francisco, August 10, 1992;
- California: American Trial Lawyers Association 2005 Winter Convention, "Making Tangible the Intangible: Replacement Household/Family Services", Palm Springs, January 29, 2005;
- Canada: Association of Trial Lawyers of America Annual Meeting, Economic Damages, Toronto, 1991;
- District of Columbia: Larry King Live, Washington, May 22, 1989;
- District of Columbia: National Institute for Trial Advocacy (NITA), Seventh Annual Washington DC Masters Advocacy Program, "Direct and Cross Examination of an Economic Witness," Washington, October 15, 1991;
- District of Columbia: National Assn. of Protection & Advocacy Systems, Inc., 19th Annual Conference, "Assessment and Proof of Damages," Washington, May 30, 1996;
- Florida: Association of Trial Lawyers of America 1992 Winter Convention, Boca Raton, "Cutting Edge Developments in Economic Testimony," January 15, 1992;
- Florida: Brain Injury Association 10th Anniversary Trial Lawyers Conference, Palm Beach, September 19, 1996;
- Florida: National Assn. of Consumer Advocates, 2003 NACA-FCRA Conference, Building on Our Success, Panel of Experts, "What the Experts Have Learned, A View From the Witness Box," Orlando, March 9, 2003;
- Georgia: National Academy of Economic Arbitrators Annual Meeting, Differences in Economic Assumptions in Personal Injury Wage Calculations, Atlanta, December, 1989;
- Georgia: National Assn. of Forensic Economics Annual Meeting, Value of Life, Atlanta, December, 1989;
- Hawaii: American Bar Assn. Annual Meeting in Honolulu, HI, Speaker and Expert Witness at Mock Trial, Honolulu, August, 1989;
- Idaho: Inner Circle of Advocates Annual Meeting, Sun Valley, August, 1989;
- Illinois: University of Chicago 1982 Annual Management Conference on Venture Capital;
- Illinois: National Assn. of Consumer Advocates, 2009 NACA-FCRA Fair Credit Reporting Act Conference, "Credit Damages: How to Estimate Them," Chicago Hyatt Regency, May 9, 2009;
- Illinois: American Rehabilitation Economics Association Annual Conference, "Hedonic Damages: A Basic Approach," Chicago, June 13, 2009;
- Internet: Credit Bureau Strategy Consulting, Webinar Presentation, "The Economics of Credit Damage," September 14, 2009
- Louisiana: American Bar Assn., National Institute Transportation Megaconference, New Orleans, March 5, 1993;
- Louisiana: Defense Research Institute, Medical Malpractice Seminar, New Orleans, May 6, 1994;
- Louisiana: Association of Trial Lawyers of America 2001 Winter Convention, Litigation at Sunrise, "Measuring the Loss of Enjoyment of Life in Personal Injury Cases -- Hedonic Damages Over the Last Ten Years," New Orleans, February 12, 2001;
- Louisiana: National Assn. of Consumer Advocates, 2005 NACA-FCRA Conference, "Litigating Accuracy Issues with Furnishers of Credit Data," Speaker on Economic Damages, New Orleans, June 5, 2005;
- Michigan: Northwest #255 Air Disaster Steering Committee Mtg, Detroit, June, 1989;

SEG

Nevada: American Rehabilitation Economics Association Conference, Mock Trial Presided by Nevada Supreme Court Justice William Maupin, Reno, May 15, 1999;
Nevada: National Assn. of Consumer Advocates, 2006 NACA-FCRA Conference, "Experts on Damages," Washington, May 6, 2006;
Nevada: National Assn. of Consumer Advocates, 2006 NACA-FCRA Conference, "Breakfast with the Stars," Washington, May 7, 2006;
Nevada: Brain Injury Association of America; Mastering the Science and Trial Strategies, "Making Tangible the Intangible: Expanding the Traditional Measures," Las Vegas, April 4, 2008;
New York: Eastern Economic Association Annual Conference, "Estimating the Value of Family Household Management Services: Approaches and Markups," New York City, February 28, 2009;
New York: Eastern Economic Association Annual Conference, "Credit Damage: Causes, Consequences and Valuation," New York City, February 28, 2009;
Pennsylvania: Swiss Re American Annual Claims Conference, "Looking to the Third Millennium," Hershey, June 3, 1996;
Texas: MADD Advanced Victim Assistance Institute Seminar, Dallas, November 12, 1994;
Texas: National Norplant Litigation Conference 1995, Houston, June 22, 1995.

REGIONAL PRESENTATIONS:

Hawaii: Western Trial Lawyers Assn. 1994 Annual Convention, "Making it Work-Trial Practice in the 90's," Maui, June 16, 1994;
Illinois: GSA Seminar "Selling your Business", Chicago, October, 1987;
Illinois: Society of Trial Lawyers, "How to Depose an Economist," Chicago, May 7, 2009;
Louisiana: Southern Trial Lawyers Assn. Annual Meeting, New Orleans, 1988;
Louisiana: Southern Trial Lawyers Assn. 1996 Mardi Gras Conference, ATLA Traumatic Brain Injury Litigation Group, "Economic Implication of a Closed Head Injury," New Orleans, February 18, 1996;
Michigan: Advocacy Institute, Continuing Legal Education, 46th Annual Seminar, "Wrongful Death of an Older Person," Ann Arbor, May 12, 1995;
Michigan: Lorman Education Services, "Direct Examination of Experts in a Traumatic Brain Injury Case," Novi, August 21, 1997;
Michigan: Lorman Education Services, "Direct Examination of Experts in a Traumatic Brain Injury Case," Livonia, August 26, 1998;
New York: Eastern Finance Assn. Special Session on Pension Fund Asset Reversions, 1985;
New York: American Reinsurance Company for Senior Claims Executives Annual Meeting, August, 1989;
Ohio: Anderson Publishing Co., Proof of Economic Damages Seminar, Cincinnati, November 2, 1990.

STATEWIDE PRESENTATIONS:

California: Arizona State Bar Fourth Annual "CLE By The Sea," San Diego, July 22-23, 1994;
Connecticut Trial Lawyer Assn., "All About Experts," Hartford, November 21, 1992;
Florida State Bar Assn., National Institute of Trial Advocacy (NITA), Advanced Trial Advocacy Seminar, Speaker and Expert Witness at Mock trial on Economic Damages, Gainesville, May 14, 1991;

SEG

Georgia Brain Injury Association & Institute of Continuing Legal Education in Georgia, "Hedonic Damages: Proving Loss of Enjoyment of Life in Non-Fatal Injury Cases," Atlanta, March 29, 2002;

Idaho Trial Lawyers Assn. Annual Meeting, Twin Falls, February 23, 1996;

Illinois State Bar Assn. CLE Series, April, 1989;

Illinois: Insurance Group of the Union League Club of Chicago, "Toward A More Rational Approach to Liability Judgments," Chicago, March 19, 1991;

Indiana State Bar Assn. Annual Meeting, October, 1989;

Indiana Trial Lawyers Assn. Annual Meeting, November 30, 1990;

Indiana State Bar Assn. "Masters in Trial" Spring Meeting, South Bend, April 18, 1997;

Iowa Trial Lawyers Assn. Annual Meeting, Des Moines, November 5, 1993;

Kentucky Academy of Trial Attorneys Damages Seminar, Louisville, August 18, 1995;

Louisiana Trial Lawyer Assn., Baton Rouge, "Winning with Experts" Seminar, November 10, 1989;

Louisiana Trial Lawyer Assn., "Winning With the Masters" Seminar, New Orleans, November 21, 1995;

Louisiana Trial Lawyer Assn., "Winning With the Masters" Seminar, New Orleans, December 10, 1997;

Massachusetts Trial Lawyers Assn., "Learn From the Experts," Boston, October 9, 1992;

Massachusetts Trial Lawyers Assn. Annual Mtg, Boston, October 29, 1993;

Michigan Trial Lawyers Assn. Annual Mtg, Wrongful Death Damages, May, 1990;

Michigan Head Injury Alliance Fifth Annual Seminar on Closed Head Injury, Detroit, March 24, 1994;

Michigan Head Injury Alliance Sixth Annual Seminar on Closed Head Injury, Detroit, March 23, 1995;

Michigan Head Injury Alliance Seventh Annual Seminar on Closed Head Injury, Detroit, March 28, 1996;

Michigan Head Injury Alliance Eighth Annual Seminar on Closed Head Injury, Detroit, March 27, 1997;

Michigan, Institute of Continuing Legal Education, "The Name of the Game is Damages--Plaintiff and Defense Strategies in Negligence and Employment Cases," Troy, July 20, 2000;

Michigan Trial Lawyers Assn. Winter Seminar, "Hedonic Damages and Other Special Economic Issues," Gaylord, February 24, 2001;

Michigan Trial Lawyers Assn. 13th Annual Seminar in the Snow, Litigation Strategies and Techniques, "Loss of Society and Household Companionship and Advisory Services," Bellaire, February 22, 2003;

Mississippi Trial Lawyers Assn. Annual Convention, "Shooting Stars Seminar," Biloxi, May 19, 1995;

Mississippi Trial Lawyers Assn. Annual Convention, "Taking Your Recovery to the Next Level: Hedonic Damages," Biloxi, May 10, 2001;

Mississippi: Arkansas Trial Lawyer Assn. "Maximizing Damages in the Personal Injury Case," Tunica, MS, October 24, 2003;

Missouri: Kansas Trial Lawyers Assn. Annual Meeting, Kansas City, December 8, 1990;

Missouri State Bar Annual Meeting, Kansas City, September 19, 1996;

Missouri State Bar CLE Seminar, Proving Damages in Catastrophic Injury Cases, "Hedonic Damages after September 11th and An Economist's View on Proving Economic Damages," Kansas City, April 19, 2002;

Missouri State Bar CLE Seminar, Proving Damages in Catastrophic Injury Cases, "Hedonic Damages after September 11th and An Economist's View on Proving Economic Damages," St. Louis, May 9, 2002;

SEG

Montana Trial Lawyer Association Fourth Annual Convention, "Proving The Intangible (Hedonic) Value of Human Life," Whitefish, July 23, 1993;
Montana Trial Lawyer Association Seventh Annual Convention, Seminar of the Masters, Polson, August 1, 1996;
Montana Trial Lawyer Association Spring Seminar, Scientific Evidence, "Making Tangible the Intangible: Loss of Enjoyment of Life, and Society & Companionship Damages," Billings, April 25, 2003;
Nevada: Required Medical and Legal Education for the Traumatic Brain Injury Case, "9/11 Victim Compensation Fund Hedonic Damages: Implications for the State of Nevada," Las Vegas, October 25, 2002;
New Hampshire Trial Lawyer Association, "Secrets & Strategies of Trial Law," Concord, October 8, 1993;
New Mexico Trial Lawyers Association Annual Meeting, Economic Damages, Santa Fe, June 22, 1991;
New Mexico Trial Lawyers Foundation Damages Seminar, Albuquerque, October 11, 1996;
North Carolina, Brain Injury Assn. of NC, First Annual Trial Lawyers Conference, "The Use of Expert Testimony in Brain Injury Litigation," Charlotte, January 26, 1996;
North Carolina, Brain Injury Assn. of NC, Second Annual Trial Lawyers Conference, "The Loss of Enjoyment of Life in Personal Injury - Hedonic Damages," Charlotte, January 24, 1997;
North Dakota Trial Lawyers Assn, Annual Meeting Trial Practice Seminar, Fargo, May 4, 1995;
Ohio Assn. of Trial Lawyers Annual Meeting, Speaker and Expert Witness at Mock Trial on Wrongful Death Damages, Toledo, April, 1990;
Ohio Head Injury Association, "Representing the Survivor of Mild Head Injury," Annual Seminar, Columbus, June 3, 1994;
Pennsylvania: Philadelphia Trial Lawyers Association CLE Lecture Series, March 17, 1993;
South Dakota Trial Lawyers Assn. Spring Seminar, April, 1989;
Texas Trial Lawyers Assn., Medical Malpractice Seminar, Wrongful Death Damages, Houston, May, 1990;
Washington State Trial Lawyers Annual Meeting & Convention, Stevenson, July 11, 1998;
Wisconsin Assn. of Trial Lawyers Annual Mtg, Wrongful Death Damages, Door County, July, 1990;
Wisconsin Brain Injury 2nd Annual Seminar, "Identifying and Understanding Traumatic Brain Injury," Green Lake, May 31, 1997.

LOCAL PRESENTATIONS:

Alaska: Alaska Trial Lawyers Assn., Anchorage, August, 1989;
California: "Value of Life: Dismal Science From the Courtroom," Economics Department Workshop Colloquium, Pomona College, Claremont, April 17, 2006;
Illinois: Chicago North Suburban Bar Assn. May, 1988;
Illinois: Chicago Advocates Society, June, 1988;
Illinois: Northwest Chicago Suburban Bar Assn., January, 1989;
Illinois: Chicago Public Radio, WBEZ, February, 1989;
Illinois: DuPage County, Bar Assn., Chicago, May, 1989;
Illinois: Sangamon County Trial Lawyers Assn., Springfield, May, 1989;
Illinois: McHenry County Bar Assn., Chicago, May, 1989;
Illinois: Chicago Bar Assn. Wrongful Death Seminar, Wrongful Death Damages, February, 1990;

SEG

Illinois: Chicago Bar Assn. Torts Seminar, Defense Perspectives on Economic Damages, January 21, 1991;
Illinois: Chicago Bar Assn., Wrongful Death Seminar, February 11, 1993;
Illinois: Chicago Bar Assn. Effective Direct and Cross-Examination of Expert Witnesses - A Demonstration, January 9, 1995;
Illinois: Interstate National Corporation, "Cutting Edge Developments on Economic Damages - Defense Perspectives", Chicago, August 2, 1995;
Illinois: Interstate National Corporation, "Cutting Edge Developments on Economic Damages - Defense Perspectives", Chicago, September 2, 1997;
Illinois: Cassidy Schade & Gloor, "Catastrophic Damages...They're Back! - Limiting Damages After the Invalidation of Tort Reform," Chicago, November 18, 1998;
Illinois: Law Bulletin Publishing Company, Legal Career Day, Economic Outlook for Lawyer Employment, Chicago, April 13, 2004;
Illinois: Fox News Contributor WFLD TV, October 10 and October 15, 2008; February 25, March 24, April 10, April 20, June 17, August 3, August 26 and October 19, 2009;
Michigan: American Radio Network, WFOX, Detroit, January, 1989;
Michigan: Oakland County Bar Association Negligence Committee, Bloomfield Hills, November 5, 1996;
Ohio: Hamilton County, Bar Assn. Seminar on Economic Damages, Cincinnati, January 31, 1991.

TELEVISION/VIDEO PRESENTATIONS

American Bar Association Tort and Insurance Practice Section Annual Meeting, "Hedonic Damages," San Francisco, CA, August 10, 1992;
American Law Institute-American Bar Association, ALI-ABA Tape, "Hedonic Damages: Litigating the Loss of Enjoyment of Life," The Lawyers' Video Magazine, Vol. III Issue 20, Philadelphia, PA, December, 1991;
CNN: Larry King Live, May 22, 1989.

PERSONAL BACKGROUND:

Born November 16, 1946, Rhinelander, Wisconsin;
Graduated Nicolet High School 1964, Milwaukee, Wisconsin;
Honorable Discharge U.S. Army, 1975;
Member of Chicago Board Options Exchange, 1975-1978.

TERRY L. CORDRAY, M.S., CRC, CCM, LPC, ABVE

P.O. Box 14456 * Lenexa, KS 66285-4456 * (913) 492-8108 * Cellular (913) 484-8108

EDUCATION

1971	Emporia State University B.A. Psychology	Emporia, KS
1973	Emporia State University M.S. Rehabilitation Counseling	Emporia, KS

CERTIFICATES

Certified Rehabilitation Counselor-Commission on Rehabilitation Counselor Certification

Certified Case Manager-Certified Insurance Rehabilitation Specialists Commission

Licensed Professional Counselor-State of Illinois, 2006

American Board of Vocational Experts-Diplomat

PROFESSIONAL MEMBERSHIPS

National Rehabilitation Association

Rehabilitation Counselors & Educators Association

Case Management Society of America

American Board of Vocational Experts-Diplomat

International Association of Rehabilitation Professionals

PUBLICATIONS

- Cordray, T.L. "The C.A.R.E.E.R. Workbook", copyright 1989
- Cordray, T.L. "Vocational Counseling in Recovery", EAP Digest, Vol. 15, No.1, November/December 1994
- Cordray, T.L. "Working It Out-Recovering an Effective Employment Relationship", Professional Counselor, Vol. 8, No. 1, August 1993

PROFESSIONAL EXPERIENCE

- 1974-1975 **Vocational Rehabilitation Services, State of Kansas**
Rehabilitation Counselor
Specialized caseload of adult felons, primarily chemical
Dependent
- 1976-1977 **St. Joseph's Hospital and Rehabilitation Center**
Rehabilitation Counselor
Vocational and rehabilitation counseling services to patients in
the Rehabilitation Unit, physical disabilities and chemical
dependency
- 1977-1978 **International Rehabilitation Associates**
Rehabilitation Specialist
Private sector insurance rehabilitation services with Worker
Compensation and Long Term Disability claimants
- 1978-1981 **Santa Fe Railway Company**
Employee Assistance Counselor
Designed and implemented company's Employee Assistance
Program
- 1981-1992 **Santa Fe Railway Company**
Manager, Employee Assistance and Rehabilitation
- 1992-1995 **Santa Fe Railway Company**
Director, Disability Management and Employee Assistance
Programs

- 1995-1997 **BNSF Railway Company**
Director, Disability Management Program
- 1997-1999 **BNSF Railway Company**
Director, Medical and Environmental Health, Central Region
- 1983-2003 **Vocational Expert-Social Security Administration**
Kansas City Office of Hearings and Appeals
- Current **Rehabilitation Expertise, LLC**
- Vocational Rehabilitation evaluation and case management
 - Forensic Expert-Vocational Rehabilitation
 - Kansas Qualified Rehabilitation Provider #1618

SANTA FE RAILWAY COMPANY

- 1968-1974 **Brakeman-Switchman, Middle Division**
- 1978-1981 **Employee Assistance Counselor**
- Designed and implemented Santa Fe's Employee Assistance Program
 - Authored Company Policy for EAP
 - Developed with Hospital Association benefits for Mental Health And Chemical Dependency Treatment
 - Produced Educational Programs and trained employees and Supervisors across system
 - Established positive working relationships with all labor Organizations
- 1981-1992 **Manager, Employee Assistance and Rehabilitation Program**
- Hired and trained all regional Employee Assistance Counselors (3)
 - Developed alternative to discipline programs in lieu of dismissal
 - Created all employee and supervisor training and informational material including FRA mandated Signs and Symptoms training
 - Member of the working committee of the FRA for implementation of drug testing programs-Mr. Bill Loftus, Chairman
 - Appointed by rail labor as EAP advisor for implementation of VBH managed behavioral health contract-appointed by Mr. Mac Fleming, BMW International President
 - Developed the Trauma Counseling Program including recruitment and training of 135 peer responders. First such program in railroad industry

- Formalized relocation assistance program for families being transferred with centralization of System Operating Center-Schaumburg
- Designed and implemented Santa Fe Rehabilitation Program for injured workers
- Developed Rehabilitation Program protocols and processes
- Established monthly rehabilitation committee meeting
- Contracted Regional Medical Consultant
- Supervised one professional Vocational Rehabilitation Counselor
- Educated Supervisors and Claims Department on Rehabilitation Program
- Established working rapport with physicians and rehabilitation Facilities throughout Systems

1992-1995

Director, Disability Management and Employee Assistance Program

- Developed program designed and implemented all protocols of disability management throughout the system
- Created network of over 125 physicians and medical clinics for medical management of injuries
- Recruited Regional Medical Consultants (3)
recruited and trained Disability Care Managers (4)
- Established operating Disability Management meeting at each division
- Trained Management and Claims Department in protocols of disability Management
- Produced and implemented computerization of all data to integrate with Safety and Claims Departments
- Integrated EAP with Disability Management to intervene with injured employees exhibiting health issues

BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY

- 1995-1997 **Director, Disability Management Programs, BNSF**
- Merged best practices of former BN and Santa Fe Disability Management into BNSF Disability Management Program
 - Trained contract Medical Care Managers on processes for injury management
 - Contracted for First Response telephone access for 24/7 coverage of injuries
 - Co-facilitated Vocational Rehabilitation process group of representatives of relevant departments to recommend processes for job placement of disabled employees
 - Established working relationships with United Health Care in medical bill processing
- 1997-1999 **Director, Medical and Environmental Health, Central Region, BNSF**
- Responsible for all Medical and Environmental Health programs for Central Region including Texas, Amarillo, Gulf, New Mexico, Colorado Powder River, Kansas, Kansas City Divisions; Topeka G.O.B.; Topeka SMT, and Argentine LMIT. Eight States comprising 20,000 employees.
 - Supervise one full time industrial Hygienist and one Vocational Rehabilitation Counselor

Michael D. Shinnick, Ed.D.

Director, Dynamics Research Group, Inc.
Research Park, Suites 201-203
670 Sunshine Farm Lane
Blacksburg, Virginia 24060
Tel. (540) 951-1950
Fax (540) 951-0519
E-mail: DRG@drshinnick.com
Web: www.Drshinnick.com

Curriculum Vitae, current to October 2009

EDUCATION

- Post Doctoral, Auburn University, 1979-1981. College of Engineering, Department of Industrial Engineering, Human Factors, Work Measurement and Ergonomics.
- Ed.D., Auburn University, 1977. College of Education, Department of Rehabilitation and Special Education Service Systems for Individuals with Severe Handicapping Conditions.
- M.Ed., Auburn University, 1971. Rehabilitation Counseling and Psychology.
- B.S., Florida State University, 1968. College of Business.

PROFESSIONAL CERTIFICATIONS AND AFFILIATIONS

- Human Factors and Ergonomics Society, Member 2002 to 2010.
- Board Certified Industrial Ergonomist, Designated Ergonomic Risk Assessment Specialist, Oxford Research Institute, 2008 to 2010, Certification No. 000-012608.
- Certified Vocational Evaluator, Commission on Certification of Work Adjustment and Vocational Evaluation, 1984 to 2004, Certificate No. 00844.
- Certified Work Adjustment Specialist, Commission Certification of Work Adjustment and Vocational Evaluation, 1984 to 2004, Certificate No. 00324.
- Certified Rehabilitation Provider, Board of Professional Counselors, Department of Health Professionals, Commonwealth of Virginia, 1995-2010, License No. 0715002936.
- Board-Certified Work Measurement and Ergonomics Trainer, International MODAPTS Association, 1990 to 2010, awarded for five-year periods.
- American College of Forensic Examiners Institute Fellow, Board Certified Forensic Examiner, Specialty: Ergonomics and Work Injury Management, Fellow: 1994-2010, I.D. No: 00567.
- Senior Disability Analyst and Diplomat, American Board of Disability Analysts, 1999-2010, Diploma Certificate No: 6319-99.
- The American Railway Engineering and Maintenance-of-Way Association, 2000 to 2009.
- Vocational Evaluation and Career Assessment Professional, through 2010.

PROFESSIONAL ENDORSEMENTS

- Registered Vocational Expert, Social Security Administration, Bureau of Hearings and Appeals, 1980 to present.
- Registered Central Contractor Registry, Defense Logistics Agency, 2003 to present.
- Director Emeritus, International MODAPTS Association, Washington, D.C., 2000 to present.
- Registered Vocational Expert, Railroad Retirement Board, 2004 to present.

PROFESSIONAL WORK EXPERIENCE

- Director, Dynamics Research Group, 1981 to present.

Expert services in applied ergonomics and work injury management through work injury and disability management; ergonomics, both office and production environments; gain sharing; work measurement consultation with business, industry, financial institutions and service agencies; ergotecture/ergonomics software systems development, training and installation; federal contracting; staff development training; employee assistance programming; assessment of residual employability; transferability of skills analysis; employability access; life care planning; vocational functional capacity evaluations; and maritime services.

- Associate Professor of Rehabilitation and Director of the Rehabilitation Continuing Education Program, Dept. of Rehabilitation and Special Education, Auburn University, 1983-1986.

Director of the Rehabilitation Facility Administration Project, the Vocational Evaluation and Work Adjustment Project, and the State Department of Education Special Needs Assessment Project. Graduate faculty member and coordinator of Rehabilitation Extension and Continuing Education activities. Graduate instruction in rehabilitation engineering, and procurement of extramural funds. Manager of budgets (averaging \$500,000 annually), direct staff, administration of grants and contracts, and coordinator of services to vocational rehabilitation agencies in eight southeastern states.

- Assistant Professor and Director of the Rehabilitation Administration Program, Dept. of Rehabilitation, College of Education, Auburn University, 1978-1983.

Directed staff in the teaching, development of, and research in the area of rehabilitation facility administration and rehabilitation engineering. Directed masters and doctoral committees, conducted research, develop course manuals, teach graduate and undergraduate courses and continuing education certificate classes. Example of topics include rehabilitation training, work injury assessment, life care planning, and assessing work related risk factors for cumulative and/or acute injury.

- Director of Independent Living Project, Auburn University, 1979-1981.

Direct staff in the development of an Independent Living Resource Manual for the severely handicapped. Coordinated development of independent living in-service training and a national materials distribution network for the development of programs for the severely handicapped.

- Assistant Professor and Associate Project Director of the Region IV Rehabilitation Facility Training Program, Dept. of Rehabilitation, College of Education, Auburn University, 1977-1978.

Coordinator of Rehabilitation Management Training Programs; training representative for Vocational Rehabilitation Agencies in Georgia, Florida and Mississippi; assisted in the administrative and funding activities of the training programs for facility personnel, i.e., vocational instructors, production supervisors, vocational adjustment specialists, vocational evaluators, administrators; instructor of graduate and undergraduate students in vocational rehabilitation.

- Extension Associate, Rehabilitation and Special Education Department, Auburn University, 1973-1977.

Instructed professional rehabilitation facility personnel in techniques of vocational evaluation, work adjustment, and management. Coordinated administration workshops. Assistant project director of the Region IV Rehabilitation Facility Training Program.

- Graduate Research Assistant, Rehabilitation and Special Education Dept., Auburn University, 1973-1975.

Instructor in vocational evaluation, work adjustment, work injury management, and vocational placement techniques.

- Vocational Evaluator and Work Adjustment Services Coordinator, State of Alabama Dept. of Education, Division of Vocational Rehabilitation at the Achievement Center, Opelika, Alabama, 1971-1973.

Responsible for providing individual and group counseling to rehabilitation clients and developing, organizing, and directing the program and staff of the Vocational Rehabilitation Center. The program consisted of vocational evaluation, work adjustment services, work measurement, vocational training and placement.

PROFESSIONAL SERVICES

- Research and Demonstration Site Coordinator for Ergonomics Systems, Bissell Health Care Systems, Lafayette Instruments, 1993-1997.
- Montgomery Regional Hospital and Pulaski Community Hospital Advisory Counsel for Occupational Health and Safety, 1994.
- National Association of Forensic Economics, research contributor and member 1993-1996.
- Pain Management Consortium of Southwest Virginia, Council Member, 1992-2004.
- IMA Chairman of the Board of Directors and President; IMA holds the English speaking copyrights for the MODAPTS system; Western Michigan University, 1989-1992.
- International MODAPTS Board - Function as one of the twelve international members of the governing body, Sydney, Australia, 1986-2007.
- Editorial Advisory Board - Vocational Evaluation and Work Adjustment Bulletin, 1977-1984.
- The President's Committee on Employment of People with Disabilities, Washington, D.C., 1981-1985.
- Governor's Advisory Council on Facilities and Information Network Development, 1979-1982.
- State Department of Education Committee on Handicapped Children Early Childhood Education Program, 1980.
- Chairman of the Peer Review Panel for Rehabilitation Facility Administration Grants, R.S.A., H.E.W., Washington, D.C., 1979-1983.
- Research Editor of the National Association of Rehabilitation Instructors Bulletin, 1979.
- National Rehabilitation Administration Association Accreditation Standards Committee, 1979-1982.
- Peer Review Panel for Independent Living Part B Projects, Dept. of Education, Washington, D.C., 1979.

CONSULTING AND TRAINING

- Ken Knowledge International, PTE, Ltd., Singapore, Lead trainer for 2 day seminars, "MODAPTS: An Effective Work Measurement, Method Analysis, Ergonomic & Quality Improvement Tool," Held in Bangkok, Thailand, November 9th and 10th, 2006; Kuala Lumpur, Malaysia, November 6th and 7th, 2006.

Worked with over 500 community, state, and federal agencies as a systems expert for ergonomics expert and work injury management. Services have been provided to business, industry, governmental, and financial institutions. Internationally, projects have been conducted in New Zealand, Australia, Central America, and the Caribbean Basin. In legal services, over 500 cases have been developed and data presented.

- Management, Productivity, and Ergonomics Consultant to over 300 industries, businesses, financial institutions, labor unions and service agencies including Ford Motor Company (subcontract work through Industrial Engineering Services), General Motors, Abbott Labs, Brunswick Defense, U.S. Department of Justice, Southeast Bank, Internal Revenue Service, Boeing Aircraft, Vecta Industries, Johnson Controls, and Caterpillar, 1985-2006.
- Goodwill Industries of the Roanoke Valley - Ergonomics/Work Analysis Consultation, 2003.
- Virginia Department of Rehabilitative Services - Rehabilitation Engineer Consultant, provided assessment, implementation and follow-up for over 200 DRS clients. Services provided included work site accommodation, assistive device needs, and independent function facilitation, 1995-1999.
- Conducted over 150 training programs on work measurement and ergonomics. Participants represented financial, manufacturing, federal agencies, human services, and educational institutions.
- Florida Association of Rehabilitation Facilities, Work Injury Management and Rehabilitation Engineering Consultant, 1984-1985.
- Australian Department of Rehabilitation, conducted seminars in Vocational Assessment, 1984.
- Massey University, Massey, New Zealand, visiting lecturer, 1984.
- Alabama State Department of Mental Health. Provided a series of Staff Development Programs for State Institution Staff, 1982.
- Georgia Department of Human Resources. Conducted a Series of Methods Analysis and Time Study Workshops, 1981-1983.
- Kentucky Bureau for Blind Services, Work Program Training Consultant, 1980-1982.
- State Department of Education - Handicapped Children Work Activities Training, 1980.
- Conducted over 35 workshops on Interpersonal Skills and Communications Training as a consultant to various agencies and organizations, 1977-1990.
- Program Development Consultant to Tennessee Blind Services Agency, 1977-1983.
- Federal Technical Assistance Consultant to Rehabilitation Services Administration, 1976-2004.
- Consultant to Cornell University in developing rehabilitation adjustment services programs and in conducting management training, 1973-1986.
- Consultant to South Carolina University Rehabilitation and Counseling Department's Seminar on Innovations in Work Adjustment, Orangeburg, South Carolina, 1976.
- Special Education Consultant to Macon, Russell, and Perry County Boards of Education, 1975-1986.
- North Carolina Blind Services Agency, Staff Development, 1975, 1979.
- Cornell University's Labor Relations Think Tank on Work Adjustment and Rehabilitation Services, 1975.
- Adjunct Instructor to Tuskegee Institute's Drug Abuse Human Services Program, 1975.
- Special Education and Gifted Diagnosis Consultant for the Alabama State Department of Education, 1973-1986.

GRANTS AND CONTRACTS

- Since 1973, have secured over \$7 million in contracts and grants to provide training, product development, work measurement, work injury management program development, ergonomic assessment, human factors studies, and OSHA/NIOSH compliance reviews. Specific grants and contracts include:

General Motors, 1990, 1991, 1994; Brunswick Defense, 1990, 1991; Ford Motor Company (subcontract work through Industrial Engineering Services), 1988-2006; Boeing Aircraft Company, 1991, 1992; Bridgestone Tire Company, 1993, 1994; Abbott Laboratories, 1992-1995; Internet Foundries, 1990-1993; American College Pathologists, 1992; Federal Bureau of Prisons, 1988-1995; Special Needs Development and Training Program, 1985, 1986; Roadway Express, Inc., 1992-1999; Virginia Department of Rehabilitative Services, 1994-1999; National Industries for the Severely Handicapped, 1988-1999; Wabash Magnetics Control Products, 2000-2001; Vecta Industries, 2001; Caterpillar, 2001-2006; Indiana Association of Rehabilitation Facilities, 1990, 2000; Verizon, 2001-2002; Bassett Furniture, Co., 2000-2002.

- Partners of the Americas - developed an industrial contracting training program for the Rehabilitation Training Center, Guatemala City, Guatemala, 1985, 1995, 1997.
- The World Rehabilitation Fund - researched the application of industrial engineering work measurement to vocational rehabilitation, Sidney, Brisbane, and Perth, Australia; Massey University and Hamilton, New Zealand, 1984.
- Facility Administration In-Service Grant, funded by Rehabilitation Services Administration, 1982-1986.
- Vocational Evaluation and Work Adjustment In-Service Training, funded by RSA, 1982-1986.
- The Alabama State Department of Education - training in vocational evaluation, work measurement and work adjustment, 1981-1983.
- The Alabama State Department of Mental Health - training and consulting in work measurement, 1981.
- The Alabama Department of Youth Services - communications training for vocational instructors, 1981.
- The Georgia Division of Mental Health and Mental Retardation - work measurement, 1981.

HONORS AND AWARDS

- Director Emeritus, International MODAPTS Association and the International Labour Organization, Geneva, Switzerland, April 1999.
- Selected for the Who's Who National Directory Executives and Professionals, 1997.
- Recipient of the G. Christopher Heyde Award for international contributions to research in work measurement and work injury assessment. International MODAPTS Association, 1994.
- Disability Management & Work Injury Assessment Seminar - program consultant and speaker, Sidney, Australia, 1990.
- International MODAPTS Association Chairman and President 1989-1991.
- United States Representative to Partners of the Americas Employment Congress for Central and South America, Guatemala, 1985.
- The United States Presidential Committee on Employment of People with Disabilities, Washington, D.C., 1981-1985.
- World Rehabilitation Fund International Exchange of Experts Fellowship, Australia and New Zealand 1984.

PUBLICATIONS

- Shinnick, Michael, "MODAPTS Travels to Kuala Lumpur, Malaysia and Bangkok, Thailand", MODAPTS News, International MODAPTS Association, Volume 24, Issue No. 2, July 2007
- Shinnick, Michael D., TaskMaster 2000 Plus, MODAPTS Based Work Study Software, copyright, Dynamics Research Group, Inc., 2007.
- Shinnick, Michael D., Bennett, Caroline R., TaskMaster 2000 Plus, MODAPTS Based Work Study Software USER'S MANUAL, copyright, Dynamics Research Group, Inc., 2007.
- Charles Garratt, Steven Garratt, & Michael Shinnick, TaskMaster 2000, Gray Owl Software, Dynamics Research Group (January 2000), TaskMaster Version 3 (2002).
- Michael D. Shinnick & Martha J. Lanphear, An Expert Examines Daubert in the Context of Cumulative Trauma Disorders, <http://www.drshinnick.com/publications.htm>, June 2006.
- Richard J. Wickstrom & Michael D. Shinnick, Industrial Standards for the Jamar Physical Agility Test Battery, Lafayette Instruments and Ergonomics Systems, Bissell HealthCare (1995).
- Charles Garratt & Michael Shinnick, TaskMaster for Windows, Gray Owl Software (1995).
- Michael D. Shinnick & Victoria Jordan Stone, Vocational Aspects of Personal Injury Litigation, On Science and Technology, International MODAPTS Association (June 1993).
- Michael D. Shinnick, Disability Management: Background, Process, and Aims, International MODAPTS Association (1992).
- Michael D. Shinnick & Victoria J. Stone, Empirical Data Helps to Prove Vocational Loss in Personal Injury Cases, December 1992 Lawyers Weekly.
- Charles Garratt & Michael Shinnick, TaskMaster - Advanced Software for MODAPTS-based Work Standards, Gray Owl Software (1991).
- Michael D. Shinnick & Walter E. Erwin, Work Measurement System Creates Shared Responsibility Among Workers at Ford, 21(8) Industrial Engineering (August 1989).
- Michael D. Shinnick, Vocational and Rehabilitation Expert Testimony Objectified Through the Application of Ergotecture, III (4) Lawyers Weekly (June 1988).
- Michael D. Shinnick & Donald L. Gerber, A Common Language for Analyzing Work, 36(4) Journal of Systems Management 8-13 (1986).
- J. Black, M.D. Shinnick, & J. Welsh, A Work Measurement Approach to Functional Assessment, Issues Papers: National Forum on Issues in Vocational Assessment, Materials Development Center, University of Wisconsin-Stout, Menomonie, Wisconsin (1985).
- Michael D. Shinnick, Improving the Effectiveness of Rehabilitation Services Through a Common Language for Practitioners, August-September 1985 Journal of Rehabilitation 33-38.
- M.D. Shinnick, J.B. Black, & Roger S. Decker, A Partnership: Vocational Evaluation and Industrial Engineering, 16(1) Vocational Evaluation and Work Adjustment Bulletin (1983).
- M.D. Shinnick & J.B. Black, "The Application of Industrial Engineering," Vocational Evaluation, Work Adjustment and Independent Living Services for the Severely Disabled, Robert Lassiter, Ed. (Charles Thomas, Springfield, IL 1983).
- Michael D. Shinnick, Sabra H. Sallenger, & Nancy B. Burdg, "Guidelines for the Development of Independent Living Services in Rehabilitation Facilities," Vocational Evaluation, Work Adjustment and Independent Living for Severely Disabled, Robert Lassiter, Ed. (Charles Thomas, Springfield, IL 1983).
- M.D. Shinnick & S. Sallenger-Hoffman, Innovations in Vocational Evaluation and Work Adjustment - Independent Living: A Resource Manual, 14(1) Vocational Evaluation and Work Adjustment Bulletin (Spring 1981).
- J. Carter, M.D. Shinnick, & R.S. McDaniel, The Impact of In-Service Training in Rehabilitation Facility Administration, 5(4) Journal of Rehabilitation Administration (1981).
- R.S. McDaniel, N.B. Burdg, & M.D. Shinnick, The Relationship Between Vocational Evaluator Initial Perceptions and Their Recommendation for Adjudicated Youths, 14(4) Vocational Evaluation and Work Adjustment Bulletin (1981).

- M.D. Shinnick & M.R. Floyd, A Reliability Study Using Semantic Differential for Short-Term Workshop Evaluation, 3(5) National Association of Rehabilitation Instructors (June 1980).
- M. Shinnick, J. Carter, & J. Anderson, Directory of Region IV Vocational Rehabilitation Facilities - A Descriptive Analysis, Auburn University, (1979).
- Michael D. Shinnick, A System for the Evaluation for Short-Term Training for Rehabilitation Facility Personnel, 10(1) AURORA (January 1978).
- Michael D. Shinnick, The Follow-up Evaluation of Rehabilitation Facility Short-Term Training, II (2) Vocational Evaluation and Work Adjustment Bulletin (June 1977).
- Conrad M. Allen & Michael D. Shinnick, "Placement Through a Job Trial Approach to Vocational Evaluation," Placement Services and Techniques, J.T. Bowman & W.H. Graves, Eds. (January 1976).
- Michael D. Shinnick, The Effects of Time Interval Between Conclusion of Training and Follow-Up, Auburn University, (1976).
- Michael D. Shinnick, The Stone Masonry and Tile Setting Work Sample, Work Sample Clearing House, Materials Development Center, University of Wisconsin (January 1974).
- Conrad M. Allen & Michael D. Shinnick, Successful Placement Through a Job Trial Approach to Vocational Evaluation, 7(4) Vocational Evaluation and Work Adjustment Bulletin (1973).

TRAINING/RESOURCE MANUALS

- Charles Garratt & Michael Shinnick, TaskMaster 2000 - Applied Work Standards and Ergonomic Work Methods, Gray Owl Software, (January 2000-2006).
- Charles Garratt, David Cooper, & Michael Shinnick, TaskMaster - The Program for Understanding Work, Artifacts Software, Dynamics Research Group (1990, 1992, 1995).
- Michael D. Shinnick, MODAPTS Resource and Training Manual, Dynamics Research Group (1989, 1991).
- T. Sechrist, R. Spitznagal, & M. Shinnick, Contract Procurement and Cost Estimating, Auburn University, (1983).
- M.D. Shinnick & R. Spitznagal, Methods Analysis and Work Measurement, Auburn University, (1983).
- Michael D. Shinnick, Production Practices for Human Service Programs, Auburn University (July 1981). Revised 1983.
- D.L. Wilson, M.D. Shinnick, & J. Carter, Rehabilitation Facility Administration Practices and Procedures II, Management of the Organization, Auburn University (1979). Revised by D.L. Wilson, R. Spitznagal, & Michael D. Shinnick, 1983.
- J.P. Helm, M.D. Shinnick, & J. Carter, Program Evaluation for Rehabilitation Facilities, Auburn University (1979). Revised by R. Spitznagal, A. Brabham, & Michael D. Shinnick, 1983.
- D.L. Wilson, M.D. Shinnick, & J. Carter, Rehabilitation Facility Administration Practices and Procedures I, Personnel Management, Auburn University (1978). Revised by D.L. Wilson, M.D. Shinnick, & R. Spitznagal, 1983.
- M.D. Shinnick & M.R. Floyd, Communication Effectiveness Skills for Rehabilitation Facility Training Grant (1977). Revised 1980, 1983.
- S.J. Hoffman, M.D. Shinnick, & M. Willoughby, Independent Living Resource Manual, Auburn University (March 1980).
- J. Brolin, T. Smith, & M. Shinnick, Production Practices in Rehabilitation Facilities, Auburn University (1979).
- R.S. McDaniel, J.L. Anderson, & M.D. Shinnick, Vocational Evaluation Resource and Training Manual, Auburn University (1977).
- J.L. Anderson, R.S. McDaniel, & M.D. Shinnick, Adjustment Services Resource and Training Manual Auburn University (1977).

PRESENTATIONS, CONFERENCES, AND CONTINUING EDUCATION

- AMTRAK Contractor Safety and Security Course, New York City, September 30, 2009.
- Railway Track Systems: Engineering and Design, University of Wisconsin, College of Engineering, Department of Engineering Professional Development, May 4-5, 2009.
- Advanced Concepts in Ergonomics, Oxford Research Institute, Pleasanton, CA., January 23 – 25, 2008.
- Presentation, Ergonomic and Work Injury Analysis, Human Technology Corporation, Utica, New York, April 9-12, 2007.
- International MODAPTS Association, Board Meeting, Cocoa Beach, FL., Fall, 2006.
- Ergonomics and Human Factors, Harvard School of Public Health, Presenter and Participant, Boston, MA, October 2004, September 2005.
- Reducing Workplace Injuries, Ergonomics Conference, Presenter and Participant, New York City, NY, Presenter and Participant, March 2005.
- Applied Ergonomics and Work Related Musculoskeletal Disorders, Presenter, Virginia Tech Corporate Research Center, 2003, 2004.
- The Rehabilitation Consultant, Presenter, American Board of Disability Analysis, Washington, D.C., 2003.
- Textiles & Taskmaster, Ergonomics & Work Injury Management, Bassett, VA, 2002.
- Daubert/Kumho and the Expert Witness, 2002.
- AREMA, Chicago, IL., October 2002.
- American Board of Disability Analysis, Miami, FL., 2002.
- The National Ergonomics Conference, Las Vegas, NV., 2002.
- Ergonomics of Office Equipment, Seating, Furnishings and Work Practices, Dallas, TX, January 29-30, 2001, March 4-5, 2002.
- Ergonomic Applications, United Auto Workers Winter Conference, Miami, FL., February 2001.
- Human Factors and Work Related Musculoskeletal Disorders, IMA Conference, 2001.
- Ergonomics and Forensics, San Francisco, CA., 2001.
- International MODAPTS Associations, Coco Beach, FL., 2000, 2001, 2002, 2004, 2005.
- Ergonomics and Work Measurement, Wabash Magnetics Control Products, Fort Wayne, IN, October 12-14, 2000.
- MODAPTS, The Language of Ergonomics and Work Injury Management, INARF, September 12-13 and October 11-12, 2000, October 10-11 and November 7-8, 2007, Indianapolis, IN.
- Carpal Tunnel Syndrome and Hearing Loss, Epidemiology, Biomechanics, Causation, Prevention and Cost, Virginia Senate Commerce & Labor Subcommittee, October 16, 1996; House of Delegates Commerce & Labor Subcommittee, Richmond, VA., October 21, 1996.
- Management of Work Related Upper Extremity Injuries, An Ergonomic & Rehabilitation Perspective, Calgary, Canada, August 23, 1996.
- Assessment of Work Related Upper Extremity Risk Factors, MODAPTS Symposium, March 23, 1996, Cocoa, FL.
- The Language of understanding Work, MODAPTS Seminar, Reno, NV, March 11-15, 1996.
- MODAPTS & Ergonomics Seminar: St. Augustine, FL, January 96; New Orleans, LA, March 97; St. Louis, MO, October 97; Nashville, TN, June 98; St. Louis, MO, June, 1999.
- Work Injury & Ergonomics, Ford Motor Company (subcontract work through Industrial Engineering Services), Louisville, KY, January-April, 1996, Dearborn, MI, February-August 1997, January-March 1998; Kentucky Truck, May-July 1998; Twin Cities, February-March 1999, June 2000, February-March 2001.
- Special Health & Safety, Projects, Ford Motor Company (subcontract work through Industrial Engineering Services), Dearborn, MI, March 1999.
- An Historical Perspective of Ergonomics, Work Injury Management and MODAPTS, International MODAPTS Association Symposium, Cocoa, Florida, April 16, 1999.

- Ergonomics and Work Injury Management, An Interdisciplinary Mandate for the Millennium, International Symposium, Cocoa, FL, April 13, 2000.

OTHER EXPERIENCES, COMPETENCIES, AND ACTIVITIES

- Registered Psychometrist, 1977-present.
- Federal Technical Assistance Consultant - R.S.A, 1977-2005.
- Participant, co-leader, and leader of personal growth labs, marathons, and communications conferences, 1970-1992.
- Captain of a 110' private charter yacht, 1987.
- Owner of a 48' sailing vessel, 1985-1987.
- Extensive travel in the Caribbean Basin, Central America, 1982-present.
- Licensed Master by the United States Coast Guard for vessels up to 100 tons. 1984-present.
- Participant in the National Trust for Historic Preservation, 1974-1985.
- Completed the Rehabilitation Facility Administration Certificate Program, 1981.
- Licensed Effectiveness Trainer, 1977.
- Certified Water Safety Instructor and Scuba Diver, 1981-present.
- Conducted restoration of a historic southern antebellum plantation, 1975-1986.
- Contributed to undergraduate and graduate education expenses by employment as: hotel front desk manager, hardware store clerk, service station attendant, car salesman, life guard, recreation director, Fuller Brush salesman, painter, assistant manager of grocery store, census taker, bartender, yacht captain, furniture repairman, and carpenter.

NATHAN S. SIMPSON, M.D.**OBJECTIVE**

Practice of Comprehensive Spine Care and Surgery of the Spine

EDUCATION

University of Texas at San Antonio
Bachelor of Science - Biology 1987

University of Texas Health Science Center at San Antonio
Doctor of Medicine 1992

*Orthopedic Residency - University of Kansas Medical Center
1992-1997*

Fellowship in Spine - Texas Back Institute 1997-1998

LICENSURE

State of Alaska-Division of Occupational Licensing

Texas State Board of medical Examiners

Missouri Board of Healing Arts

Wyoming State Board of Medical Examiners

HONORS

Alpha Omega Alpha 1991

Outstanding Resident 1995

BOARD CERTIFICATIONS

American Board of Orthopedic Surgeons 2000

PRESENTATIONS

*Salvage of Thoracolumbar Fractures, Rae Jacobs Memorial Lecture,
Kansas City, 1996 - Eurospine 1996 - Zurich, Switzerland 1996*

*Management of Anterior Metastatic Spine Disease by Corpectomy and
Limited Anterior Stabilization. - Kansas Orthopedic society meeting 1995*

PATENTS AND PUBLICATIONS

Anterior Lumbar Interbody Fusion Device: Patent Pending

Simpson, N.S., et al; *Fracture - Dislocation of the Humerus with Intrathoracic Displacement of the Humeral Head*, JBJS, 80-A, No. 6, June 1998

Simpson, N.S., et al: *Anterior Lumbar Interbody Fusion with Threaded Fusion Cages. Technique, Feasibility, and Safety*. Presented in multiple meetings.

PROFESSIONAL MEMBERSHIPS

Fellow of the American Academy of Orthopedic Surgeons, February 2000

North American Spine Society

PROFESSIONAL EXPERIENCE

1998-1999 Roy S. Pierson, M.D., P.C. Fairbanks, AK
Orthopedic Spine Surgeon
Private Practice
Exclusively Spine and Spine Trauma

1999-2000 Liberty Orthopedic Associates Liberty, MO
Orthopedic Spine Surgeon
Private practice including rural outreach clinics
Primarily Spine, General, and heavy General trauma

2000-current Powder River Orthopedics & Spine, P.C. Gillette, WY
Orthopedic Spine Surgeon
Comprehensive Spinal Surgery

PERSONAL

Enjoys fine arts, travel, and the outdoors.

REFERENCES

Provided upon request

KAREN L. STRICKLETT
M.S., C.R.C., C.C.M., A.B.V.E.

EXPERIENCE:

Rehabilitation Consultant and President (July 1981 to present)

Stricklett & Associates, Inc., Omaha, NE.

Responsibilities include supervising a staff of Rehabilitation Consultants, as well as performing marketing, business administration and case management duties. Skills include conducting job analyses, providing vocational counseling, coordinating medical care, conducting labor market surveys, completing loss of earning capacity analyses and providing expert testimony in litigated cases.

Vocational Expert (January 1985 to 1988)

Social Security Administration, Office of Hearing and Appeals, Omaha, NE.

Served as an independent contractor to the Federal Government. Responsible for reviewing SSDI and SSI claims records, developing vocational profiles and testifying at the Hearing as to employability.

Rehabilitation Counselor (September 1986 to 1988)

Immanuel Medical Center, Rehabilitation Department, Omaha, NE.

Provided personal and vocational counseling to inpatients in the Rehabilitation Unit. Primarily worked with head-injured, stroke and spinal cord-injured patients.

Senior Rehabilitation Specialist (July 1980 to July 1981)

International Rehabilitation Associates, Inc., Shawnee Mission, KS.

Case management and counseling responsibilities included personal and vocational counseling, medical care coordination, job analyses, job development and placement of disabled individuals.

Rehabilitation Counselor (June 1979 to July 1980)

Nebraska Dept. of Education, Vocational Rehabilitation Division, Omaha, NE.

Primary emphasis upon vocational counseling and job placement of hearing impaired clients; coordinating of community services, client advocacy and public education with respect to deafness and other handicapping conditions. Also worked closely with local employers in a job development capacity.

CERTIFICATIONS:

Certified Case Manager (C.C.M.) since 1995

Certified by the Nebraska Workers' Compensation Court as a Vocational Rehabilitation Counselor and a Job Placement Specialist since 1994

Diplomate of the American Board of Vocational Experts since 1989

Certified Rehabilitation Counselor (C.R.C.) since 1983

Certified Disability Management Specialist (C.D.M.S.) from 1985 to March 2000

Certified by the U.S. Department of Labor to provide vocational counseling and rehabilitation services to disabled Federal employees, 1982-1990

EDUCATION:

Metropolitan Community College, Omaha, Nebraska. July 1979 to July 1980. Coursework to develop skills in communicating with the deaf; completed Advanced Sign Language training.

University of Nebraska at Omaha, Omaha, Nebraska. May 1979 M.S. Department of Counseling and Guidance. Emphasis upon Agency Counseling.

Gettysburg College, Gettysburg, Pennsylvania. May 1974 B.A. Major in Psychology; Minor in Elementary Education. Summa Cum Laude graduate. Received departmental honors in Psychology; Phi Beta Kappa.

ACTIVITIES AND TRAINING:

Periodically conduct seminars, workshops and give presentations concerning the vocational implications of disability and assessing loss of earning capacity to professional groups including attorneys, medical practitioners, employers, rehabilitation professionals and insurance companies. Also provide training to local and out of state adjusters who are unfamiliar with the Workers' Compensation rules pertaining to vocational rehabilitation issues in the state of Nebraska.

Attended the International Association of Rehabilitation Professionals 2009 Forensic Conference in Memphis, TN – October 2009

Attended the Nebraska IARP Spring Conference entitled "Restoring, Reforming and Rejuvenating Rehabilitation in 2009" in Omaha, NE – May 2009

Speaker at the Iowa SWILL Conference in Council Bluffs, IA – February 2008: "How to Effectively work with Vocational Rehabilitation Counselors in Personal Injury, Workers' Compensation, Social Security, Divorce and Long Term Disability cases"

Presenter at the Nebraska Self-Insurers Association Meeting in Omaha, NE – 2007: "Vocational Rehabilitation – Assessing Loss of Earning Capacity in Nebraska Workers' Compensation Cases"

Attended the Nebraska Association of Trial Attorneys Conference entitled "Workers'

Compensation: Nuts, Bolts and Beyond" in Ashland, NE - 2007

Attended the Nebraska IARP Conference entitled "TNT: A Dynamite Conference -- Explosive Issues in Rehabilitation" in Omaha, NE - 2007

Attended the IARP Forensic Conference entitled "Finding Your Oasis -- Strategies for Forensic Professionals" in Scottsdale, AZ - 2006

Attended the 9th Annual DMOS Workers' Compensation Symposium entitled "The Aging Workforce" in Des Moines, IA - 2006

Attended the NATA Conference entitled "Taking the Soft Tissue Injury Case to Trial" in Omaha, NE - 2006

Attended the Best Practices in Colorado Workers' Compensation Symposium in Denver, CO - 2006

Attended the Iowa Workers' Compensation Symposium in Des Moines, IA sponsored by The Iowa Clinic - 2005

Attended the IARP Forensic Section Conference "Overcoming the Fear Factor: Formulating and Communicating the Expert Opinion" in Nashville, TN - 2005

Attended the American Board of Vocational Experts Spring Conference in New Orleans, LA - 2005

Attended the Forty-Third Annual Workers' Compensation Symposium in Des Moines, IA - 2005

Attended the Nebraska Self-Insurers Conference and Membership Meeting in Omaha, NE - 2005

Presenter at the Panhandle Safety Conference and Exposition in Scottsbluff, NE - 2005

Presenter at the Safety and Health Summit "Reaching New Heights" in Omaha, NE - 2005

Presenter at the 2005 Nebraska Safety, Health and Environmental Conference "Spring Training" in Lincoln, NE - 2005

Faculty Member/Presenter at the Nebraska IARP Fall Conference, Omaha, NE - 2004

Presenter at the AON Risk Services Workers' Compensation Seminar, Omaha, NE - 2004

Presenter at the Principal Financial Group LTD Seminar, Des Moines, IA - 2004

Faculty Member/Presenter at the NSBA NWCC Seminar, Omaha, NE – 2003

Faculty Member/Presenter at the one day seminar presented by Lorman Education Services entitled "Advanced Workers' Compensation in Nebraska", Grand Island, NE – 2003

Panel Member at the Workers' Compensation Seminar sponsored by Holmes Murphy and Associates, Omaha, NE - 2003

Faculty Member/Presenter at the one day seminar presented by Lorman Education Services entitled "Preparing for the Workers' Compensation Hearing: Practical Tips and Strategies", Omaha, NE - 2003

Attended the 2002 Nebraska Chapter IARP Symposium, Omaha, NE – 2002

Attended the Nebraska Association of Trial Attorneys Fall Seminar entitled "Practice Pointers", Omaha, NE – 2002

Attended the Nebraska Self-Insurers Association Workers Compensation Seminar, Omaha, NE – 2001

Attended the 10th Annual National Workers' Compensation Disability Conference in Chicago, ILL – 2001

Attended the Lincoln Claims Association Fall Seminar in Lincoln, NE – 2001

Attended the Safety and Health Council EXPO 2000 in Omaha, NE - 2001

Attended the Nebraska State SHRM Conference in Lincoln, NE – 2000

Attended the Fall 2000 Nebraska IARP Conference in Omaha, NE - 2000

Attended the Nebraska Claims Association Annual Fall Seminar in Omaha, NE - 2000

Attended the NCLE Seminar on Workers' Compensation: "Getting a Head Start in the 21st Century" – Omaha, NE - 2000

Presenter at the 2000 Knudsen, Berkheimer, Richardson & Endacott Claims Seminar at Mahoney State Park, NE – 2000

Attended the NARPPS/IARP National Conference in Dallas, Texas – 2000

Attended the NCLE Seminar on Workers' Compensation: Sharpening Your Skills for the New Millennium in Omaha, NE – 1999

Attended the Nebraska Association of Trial Attorneys Winter Seminar "Facing Juror Bias"

in Council Bluffs, Iowa – 1999

Attended the Lincoln Claims Association Annual Fall Seminar in Lincoln, NE – 1999

Attended the American Board of Vocational Experts Fall Conference in Pittsburgh, PA – 1999

Attended the NATA Fall Seminar "Motor Vehicle Litigation in the 21st Century" in Lincoln, NE – 1999

Attended the Nebraska Workers' Compensation Court Education Seminar in Lincoln, Nebraska – 1999

Attended the Nebraska Continuing Legal Education, Inc. Seminar "Workers' Compensation Practice" in Omaha, Nebraska – 1998

Presenter/Moderator at the Nebraska NARPPS Conference in Omaha, NE–1998

Attended Workers' Compensation in Nebraska Seminar sponsored by Lorman Education Services in Lincoln, Nebraska – 1998

Presenter at the Nebraska Continuing Legal Education, Inc. Seminar "Evaluating Workers' Injuries and Trying Claims in a Quickly Changing Atmosphere" in Omaha, Nebraska – 1997

Attended Safety and Health Council of Greater Omaha, Inc. Conference at Mahoney State Park in Nebraska – 1997

Attended 1997 Nebraska SHRM State Conference in Omaha, Nebraska - 1997

Attended American Board of Vocational Experts Fall Conference in Minneapolis, Minnesota - 1997

Attended the Fifth Annual National Expert Witness and Litigation Seminar sponsored by S.E.A.K. Inc. in Hyannis, Massachusetts - 1996

Attended the 1996 Great Plains Regional Conference of the National Rehabilitation Association in Omaha, Nebraska

Attended the "Trial Practice" Seminar sponsored by the Nebraska Association of Trial Attorneys and the Nebraska College of Advocacy - 1996

Attended the 1995 Annual Conference of the Central States Association of the IAIABC

Attended the Rehabilitation Association of Nebraska 1995 Annual Conference

Presenter at the Great Plains Regional RAN Conference in Des Moines, Iowa - 1995

Presenter at the Baylor, Evnen, Curtiss, Grit and Witt Client Seminar in Lincoln, Nebraska - 1995

Presenter at the Knudsen, Berkheimer, Richardson and Endacott Client Seminar in Lincoln, Nebraska - 1994

Attended the NARPPS Forensic Section Conference "Managing the Personal Injury Case: Vocational, Economic and Special Issues" - 1994

Attended the NARPPS National Conference, "Gaining The Competitive Edge: Horizons For The Advanced Practitioner" - 1994

Presenter at the "Workers' Compensation Law and Practice in Nebraska Seminar" sponsored by CISI - 1993

Attended Earning Capacity Evaluations: Solutions for Economic Recovery sponsored by Heartland Rehabilitation Associates, Inc. - 1992

Attended NARPPS Conference, "Rehabilitation: The Future is Now" - 1991

Presenter at the 1991 Annual Conference, Rehabilitation Association of Nebraska

Attended American Board of Vocational Experts Regional Conference in Kansas City, Missouri - 1989

Committee Member and Presenter, Iowa Workers' Compensation Seminar "Returning the Injured Worker to Employment" - 1988

Attended "Vocational Disability and Earning Capacity Determination" - Evert G. Dillman, Ph.D. in Omaha, Nebraska - 1988

PROFESSIONAL MEMBERSHIPS AND OFFICES:

National and Nebraska Rehabilitation Associations - Private Rehabilitation Division

National and Nebraska Rehabilitation Counselor Associations

International Association of Rehabilitation Professionals - Forensic Section

Nebraska Chapter - IARP - Secretary (1982 - 1983); President (1984 - 1985 and 1997-1998); have served as Board Member "off and on" over the years.

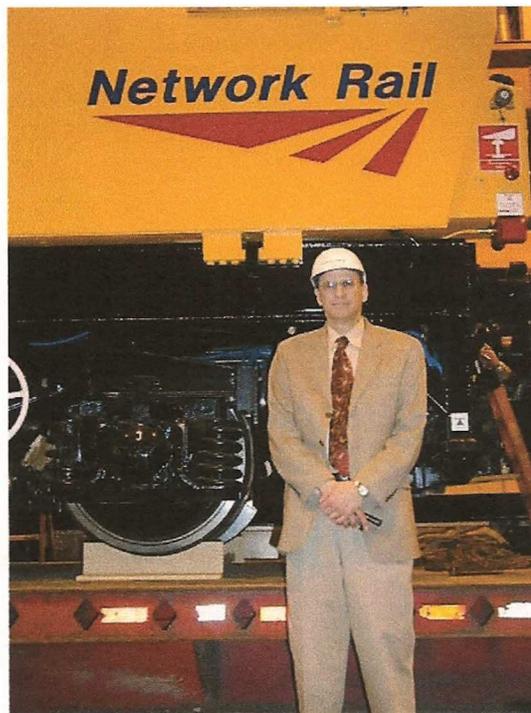
**ROBERT NEWMAN ENGINEERING
LLC**

Robert Newman
MSME, PE

843.860.4405
robert@robertnewmanengineering.com
www.railwayexpertwitness.com
Charleston, SC

Railway
Track
Mechanical
Marketing

Resume of G. Robert Newman



RESUME of G. Robert Newman

Background:

1. 36 years Railway Engineering and Railway Track Engineering Experience
2. Registered Professional Engineer (South Carolina with Reciprocity 50 States)
3. BS Mechanical Engineering University of Tennessee
4. MS Mechanical Engineering University of Tennessee
5. Business Experience: 21 years as President of a \$280 M per year company manufacturing railway track maintenance machinery and providing on track contract services. Total 36 years with the company with most time spent in General Management, design of heavy machinery, engineering of structures, design safety, litigation, and machine components.
6. Company: Harsco Track Technologies Division of Harsco Corporation (Now Harsco Rail)
7. Graduate US Navy Officer Candidate School
8. AMS® (Accredited Marine Surveyor® for legal, insurance, engines & safety)
9. Non Technical Expertise
 - a. Product Liability
 - b. On track safety
 - c. Industrial Safety
 - d. Business Interruption Costs
 - e. Extensive Deposition Experience
 - f. Extensive Litigation Experience
 - g. International Business Marketing and Management

10. Areas of technical expertise:

- a. On Track Heavy Machinery
- b. On Track Light Machinery
- c. Railway Ballast
- d. Railway Track Maintenance and Construction Machinery
- e. Insurance Claims - Technical
- f. On track safety engineering
- g. Off track safety engineering
- h. Industrial Safety engineering
- i. Off Road Vehicles
- j. On Road Vehicles
- k. On Track Machinery
- l. Construction Machinery Including Earth Moving
- m. Lifting Equipment
- n. Open Deck Railway Bridges
- o. Ballast Deck Railway Bridges
- p. Railway Lifting Equipment
- q. Railway Power Tools
- r. Railway Hand Tools
- s. Conveyors
- t. Material Handling
- u. Hydraulic Controls

- v. Electrical Controls for Hydraulic and Mechanical Systems
- w. Structural
- x. Manufacturing Engineering Including Fabrication of Structures and Machinery (Cutting, Bending, Machining of Metal Fabrications)
- y. Foundry Processes
- z. General Machine Design
 - aa. Power Train Including Railway and Marine
 - bb. Diesel Power
 - cc. Gasoline Power
 - dd. Transmissions
 - ee. Hydraulic Brakes
 - ff. Railway Engineering (Track & Rolling Stock)
 - gg. US Navy Experience with Diesel Engines, Boilers, and Turbines
 - hh. Marine (Accredited Marine Surveyor®) Website:
<http://www.marineenginesurvey.com/>

11. Extensive experience conducting business in USA, China, India, Australia, Japan, Canada, and United Kingdom

10. Other interests:

- a. Intercoastal Waterway Cruising
- b. Marine Surveying
- c. Antique cars
- d. High performance cars
- e. Water skiing
- f. Bicycling

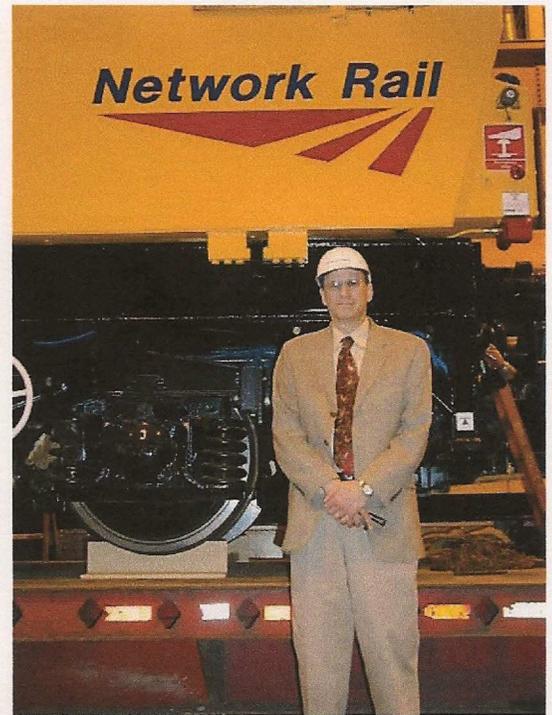
11. Other Information / Accomplishments

- g. Tau Beta Pi Engineering Honorary Society
- h. Pi Tau Sigma Mechanical Engineering Honor Society
- i. Eagle Scout
- j. Past Leader Boy Scouts of America
- k. Holder 4 patents: Railway Engineering
- l. Author or Co-Author Several Papers for Railway Engineering

CONTACT: Robert Newman: 843-860-4405
robert@robertnewmanengineering.com



Example of one of many types of machines I have been involved in the design of. This is a Tamper, and it is used to smooth and align railway track. It is a complex structural machine using Diesel power and computer controlled hydraulics to control the machine and do the work.



Switch & Crossing Rail Grinder
Network Rail – United Kingdom



Track Renewal Train