

EXHIBIT A

TO THE AP'S MOTION IN LIMINE NO. 1 TO EXCLUDE OBEY CLOTHING'S EXPERT GABRIELLE GOLDAPER UNDER RULE 702

EXPERT REPORT OF GABRIELE GOLDAPER

Shepard Fairey et al. v. The Associated Press.

Case No. 09-1123 (AKH)

I. INTRODUCTION

1. I have been retained as an apparel industry expert consultant by the law firm of Caldwell Leslie & Proctor, P.C. (“Caldwell Leslie”) on behalf of their client Counterclaim Defendant One 3 Two, Inc. d/b/a OBEY Clothing in the above referenced matter, in which The Associated Press has claimed that OBEY Clothing improperly sold merchandise (the “Obama Merchandise”) bearing an image of President Barack Obama, which image was created by Plaintiff and Co-Counterclaim Defendant Shepard Fairey using a copyrighted photograph (the “Obama Photograph”). As an expert consultant I am providing this written report in compliance with Federal Rule 26 (a)(2)(B), which states relevant facts, as well as my opinions that:

(a) The elements of the Obama Photograph that are protected by copyright, as listed in section 19 of this report, did not contribute or add any quantifiable value to the design of the merchandise sold by OBEY Clothing, and I would assign zero percent value to those protectable elements; and

(b) The overhead costs attributable to creating specialized merchandise to be sold for philanthropic purposes, as the Obama Merchandise was intended to be, are generally greater than those attributable to merchandise that is sold for profit; in addition, the sale of merchandise where profits are donated to charity causes the manufacturer to lose time, energy, and cash since that time, energy, and cash could have been used instead to manufacture for-profit merchandise.

2. I will be prepared to present testimony at trial and/or at deposition about the statements and opinions in this report. I reserve the right to supplement or express additional opinions if additional and/or presently unknown information about this matter becomes known at or before trial.

3. I have been a principal, executive and consultant in the fashion industry for 45 years. I have held key executive and management positions and been a consultant to major public and private apparel companies in the wholesale and retail fashion ready-to-wear business. For the past 25 years, I have also been a member of the faculty at the Fashion Institute of Design and Merchandising. I have completed assignments for USAID (United States Agency for International Development) as an apparel expert, in Moscow, Thailand, Bulgaria, Romania, El Salvador and Egypt.

4. Attached hereto as Exhibit "A" is my curriculum vitae, which lists my professional experience and education, accomplishments, and a list of publications.

5. Attached hereto as Exhibit "B" is a list of cases in which I have been engaged as an expert consultant, and/or testified as an expert in the California State and Federal courts, at trial or at deposition, within the last four years.

6. I am being compensated at a rate of \$375.00 per hour for my time spent preparing this report in connection with this case, and my expenses incurred as a result of my work are being reimbursed. Should I be deposed, my rate of compensation is \$550.00 per hour. Should I testify at trial, my rate is \$3500.00, half day and \$6000.00, full day. Travel time outside of California, greater than 4 hours is charged at a flat rate of \$3000 per day. This is my standard compensation schedule and my compensation is not affected by the outcome of this case.

II MATERIALS CONSIDERED IN PREPARATION OF THIS REPORT

7. Amended and Restated Trademark License Agreement, Obey Giant, LLC Licensor, One 3 Two, Inc. Licensee.

8. Amended Complaint for Declaratory Judgment and Injunctive Relief.

9. Counterclaim Defendant One 3 Two, Inc. d/b/a OBEY Clothing's Supplemental Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) and 26 (e)(1).

10. The Associated Press's Responses and Objections to Counterclaim Defendant One 3 Two, Inc. d/b/a/ OBEY Clothing's First Set of Interrogatories.

11. Complaint for Declaratory Judgment and Injunctive Relief.

12. The Associated Press's First Amended Answer, Affirmative Defenses and

Counterclaims.

13. Deposition of Frank Shepard Fairey, Vol. 1 and Vol. 3.

14. Deposition of Donald Juncal, Vol. 1, with exhibits.

15. Deposition of Christopher Broders, Vol. 1, with exhibits.

16. I looked at several colored and black and grey T-shirts bearing the allegedly infringing images, and also saw color images of different public figures portrayed using the style of Shepard Fairey's Obama Image which were included as part of exhibit 223 to Shepard Fairey's deposition.

17 In addition, I had a telephone discussion with Donald Juncal, President of OBEY Clothing, regarding the background and history of the company and its involvement with the allegedly infringing images.

III BACKGROUND:

In order to address the issues of (1) the zero percent value attributable to the protected elements of the Obama Photograph, if any, used in the Obama Merchandise, and (2) the increase in overhead costs that an apparel manufacturer generally experiences when selling a line of clothing specialized for a particular philanthropic cause, for which I have been asked to give opinions, I must establish some pertinent background and relevant facts. I will refer to this information, and use it when detailing and supporting the opinions, which follow this section of the report.

MOTIVES FOR CONSUMER BUYING

18. Motives for buying clothes are both rational and emotional. They include:

To Be Fashionable. People need to feel that they are keeping up with the trends and that they are in the mainstream of fashion.

To Be Attractive. Consumers want clothing that looks good on them, i.e., is flattering makes them look and feel their best.

To Impress Others. People may want to project and communicate social and economic status, or to establish unique identities with fashion.

To Be Accepted by Friends and Peer Groups. People want to be accepted by friends and peer groups and feel it is important not to dress in a manner that differs from friends and other peer group members.

To Fill an Emotional Need. New clothes often help people feel better psychologically.¹

18.1 When I was the owner of an apparel manufacturing company and as an executive for several major private and public companies, I used focus groups and did extensive market studies when I wanted to make determinations about the preferences of my customers. On approximately six or eight different occasions in which I took these steps, I saw the same patterns develop, as described above.

18.2 In 25 years of teaching at the Fashion Institute of Design and Merchandising, I used these historical reasons for consumer buying behavior in giving instruction to the students who used the textbook, Fashion from Concept to Consumer, referenced above.

ELEMENTS PROTECTED BY COPYRIGHT IN A PHOTOGRAPH.

19. I have been asked to assume that only the following elements of a photograph may be protected by copyright, if they were part of the photographer's conception of the shot:

- Posing
- Lighting
- Angle
- The film and camera used

¹ FRINGS, GINI STEPHENS. FASHION FROM CONCEPT TO CONSUMER PRENTICE HALL, 2002 (7TH ED.), PP. 57-58

- If the photographer evoked a particular expression
- Background
- Perspective
- Shading
- Color

19.1 Shepard Fairey testified under oath at his deposition that he changed almost all of the above protected elements, such that they are not included in the Obama image that was ultimately produced on OBEY Clothing's merchandise. In particular, Mr. Fairey testified that he altered the posing, the lighting, the angle, President Obama's expression, and the perspective, and that he completely changed the background, shading, and color from the original photograph. See S. Fairey Depo. at pg. 804, lines 12-20 (Fairey first converted image to gray scale, cropped image and removed background); pg. 806, line 3 to pg. 807, line 3 (Fairey made various alterations to image, including brightening areas of chin, darkening right ear, removing unflattering highlights on left cheek, and darkening right cheek to create more definition); pg. 843, line 11 to pg. 844, line 14 (Fairey made further adjustments, realigning image and reconciling imperfections, colorizing the images, adding background colors, and various adjustments smoothing things out); pg. 868, line 22 to pg. 872, line 15 (the differences between the photograph and image include: change in color palette that was not based on Obama's actual likeness; changing lighting so the light seems to be coming from the direction of the gaze of the viewer; unflattering aspects were removed, including wrinkles on neck, stubble, and pursing around the mouth; twinkle added to eye; ear darkened; removed depth of field; and stylized and idealized Obama's likeness); pg. 873, lines 12-17 (Fairey portrayed light source as coming from the direction of the viewer's gaze and not from the side); pg. 874, line 8 to pg. 879, line 24 (Fairey rotated the entire head clockwise to make him seem to be sitting up straighter, changed lighting to have a more stylized effect, changed colors to have a deracialized abstracted depiction, and smoothed out image to make jaw line stronger, and to make hair, neck, lips, eyes more flattering.)

19.2 Assuming the truth of Mr. Fairey's testimony, the only protected element that remains is the film and camera used by the photographer. I have not been asked to

determine the ultimate issue of whether Mr. Fairey in fact changed, or did not use, these protected elements, which I understand is an issue for the judge or the jury to decide.

19.3 I am also assuming that only the photographer's original conception of the subject of the photograph, not the subject itself, is copyrightable. In other words, I am assuming that the Associated Press cannot own a copyright in Barack Obama's likeness itself.

OBEY CLOTHING BRAND

20. The OBEY Clothing brand has been in business since 2001 and is sold in more than 20 countries. The OBEY Clothing line sells to better stores such as Nordstrom and Urban Outfitters. One would not find their product in mass merchants or discount chains. OBEY Clothing addresses many different looks in progressive design street wear and apparel that are both classic and fashion driven. Their target customer is the 18- to 28-year-old male and female.

20.1 OBEY Clothing, an exclusive licensee of the artwork of Shepard Fairey, primarily sells clothing incorporating designs from Shepard Fairey and his related companies. Shepard Fairey is a known artist who has based much of his art on world icons, world events and their leaders, and general social commentary. He first came to prominence in 1989.

20.2 In 2007, OBEY Clothing launched a not-for-profit program, called OBEY Awareness, to educate people and generate funding for causes that Shepard Fairey and OBEY Clothing believed in, wanted to support and become involved with. Through these OBEY Awareness projects, OBEY Clothing has supported humanitarian causes and philanthropic organizations or movements, such as Hope for Darfur or the Haitian hurricane crisis. All profits generated from the sale of OBEY Awareness product completely support the causes. (*obeyclothing.com web site*). The purpose of the Awareness program is not only raising money for causes, but more importantly to raise awareness of the issues. (Exhibit #19, Juncal Depo., at Bates # OTT 000192)

OBAMA BURST ON THE PRESIDENCY

21. As a Presidential candidate in 2008, then-Senator Barack Obama was a phenomenon in American political history. (Bob Herbert, "The Obama Phenomenon," N.Y. Times, Jan. 5, 2008.) He came on the national primary election scene a little late in

the cycle, but against overwhelming odds; he ignited a lightning fire of enthusiastic supporters who embraced his positive projection of hope and change. (Perry Bacon, Jr., "Is Obama the Front-Runner?," Time, Jan. 16, 2007.)

21.1 With relatively little experience his youth and energy, along with his core message, galvanized the young, the minorities, the educated and the Democratic base. (Alex Johnson, "Barack Obama elected 44th President," MSNBC.com, Nov. 5, 2008.) He was a bright light on a somewhat dark political stage. Barack Obama charged on to the stage as a charismatic, motivating rock star. (Mark Murray, "'Rock Star' Obama in the Land of Lincoln," MSNBC.com, Feb. 10, 2008.) Nobody had seen anything like this before.

21.2 He produced record crowds everywhere he went: 45,000 in Albuquerque (Matthew Reichbach, "Obama Wows Crowd of Thousands at UNM," The New Mexico Independent, Oct. 26, 2008), 100,000 in St. Louis (Maria Gavrilovic, "Obama Draws Record Crowd in St. Louis," CBSnews.com, Oct. 18, 2008), 80,000 in Cleveland (Bill Meyer, "Obama Crowds Flood Ohio Cities as Finish Line Nears," Cleveland.com, Nov. 2, 2008), 100,000 in Denver ("Police: More than 100,000 Watch Obama," DenverPost.com, Oct. 26, 2008), and 75,000 in Kansas City ("75,000 Hear Obama in Kansas City," KCTV5.com, Oct. 13, 2008). As many as 1,800,000 people were at his inauguration, the largest event ever held in Washington, D.C. (Michael E. Ruane & Aaron C. Davis, "D.C.'s Inauguration Head Count: 1.8 Million," Washington Post, Jan. 22, 2009.) The outpouring of adulation, support and volunteers was a first in our lifetime.

OBEY CLOTHING IS ASKED TO SELL T-SHIRTS WITH THE OBAMA IMAGE AND DOES SO AS AN "AWARENESS"-TYPE PROJECT

22. I am informed that, early in 2008, Shepard Fairey used the Obama Photograph to create an iconic image of the Presidential hopeful Barack Obama, with the intention of having that image mass-produced on posters that would be widely distributed in an effort to support Obama's campaign. The poster generated a great deal of interest and excitement and, as a result of that, one of OBEY Clothing's largest retailers, Urban

Outfitters, asked OBEY Clothing to put the by-then iconic Obama Image on T-shirts. OBEY Clothing had not thought about selling clothing with the Obama Image until Urban Outfitters asked them to do so, and, in fact, Don Juncal, President, said his company did not want to do it. (Juncal Depo., pg. 80, lines 11-16.) “If Urban Outfitters hadn’t asked us to do it, if we didn’t have retailers asking us, we wouldn’t have done it.” (Juncal Depo, pg. 170, lines 16-19.)

22.1 After discussing the idea of selling Obama T-shirts with Shepard Fairey, OBEY Clothing decided to move forward with the project but to treat it as a kind of OBEY Awareness project, in that Shepard Fairey and OBEY Clothing wanted to make and sell T-shirts to support and promote the candidacy of Barack Obama and to get people involved in the political process, as opposed to selling the shirts for financial gain. This was the case even though, as Don Juncal testified, the Obama Merchandise took away from OBEY Clothing’s profits, as that project required time and effort that otherwise would have been directed at producing merchandise that would be sold for profit. (Juncal Depo, pgs. 170 to 175.) OBEY Clothing principals, and Shepard Fairey, believed that supporting the Obama candidacy was a worthwhile cause for OBEY Awareness to be involved with and to promote. Chris Broders, a partner in OBEY Clothing, when questioned in his deposition said:

“Shepard [Fairey] had very high beliefs in Obama and the change that he could institute as a president, and Shepard is a catalyst for kind of particular cultures, and we wanted to get behind Shepard’s beliefs in electing Obama. Our sole driving force, in our eyes, was raising the awareness of this presidential candidate, not the profits that could be derived from selling T-shirts.” (Broders Depo., pg. 86, lines 11 to 18.)

Don Juncal similarly testified that the Obama Merchandise “was about getting people involved in the political process. It was getting people—the general dialogue going. It was showing that we’re supportive of this guy who we think is progressive.” (Juncal Depo., pg. 177, lines 4-8.)

22.2 As with the other Awareness Projects, OBEY Clothing did not seek to receive financial benefit or realize any profits from their efforts to sell the Obama Merchandise. Instead, OBEY Clothing originally intended to donate all profits to the Obama campaign and, after learning that they could not do so under election finance laws, instead sought to use the money to further Obama's campaign by purchasing posters and stickers for distribution, giving away free Obama T-shirts, and distributing displays for retailers to put in their storefront windows.

IV. SUMMARY OF OPINIONS

23. Opinion One: Through my many years teaching at the Fashion Institute of Design and merchandising, I am very familiar with elements needed to create a design. I am of the opinion that the elements protected by copyright, as listed in section 19 of this report, did not contribute or add any quantifiable value to the design of the Obama Merchandise. I cannot attribute any value to the elements protected by copyright in the photograph, at issue, to the enhancement of the sale or distribution of OBEY Clothing using the allegedly infringing images.

24. Opinion Two: The overhead costs attributable to creating specialized merchandise to be sold for philanthropic purposes, as the Obama Merchandise was intended to be, are generally greater than those attributable to merchandise that is sold for profit; in addition, the sale of merchandise where profits are donated to charity causes the manufacturer to lose time, energy, and cash since that time, energy, and cash could have been used instead to manufacture for-profit merchandise.

V. STATEMENT OF RATIONALE FOR OPINIONS

Opinion One

25. It is my opinion that it was the likeness of Barack Obama that led people to purchase the merchandise produced and distributed by OBEY Clothing, and not any of the protected elements of the Obama Photograph that might have been used in the image.

I believe this to be true even if a judge or a jury were to determine that Fairey incorporated *each* of the protected elements into the Obama image. .

25.1 When designers create designs, each design must have a center of interest, something that draws attention to the focal point of the design or garment. In the apparel industry we call this “emphasis.” A center of interest must create visual attraction. A center of interest relates to the total structure of the garment. (FRINGS, GINI STEPHENS. FASHION FROM CONCEPT TO CONSUMER PRENTICE HALL, 2002 (7TH ED.), PP. 184)

25.2 An effective design results from a well-developed idea or theme. It is my opinion that the central theme of the garments at issue in this litigation all had as their central theme the iconic likeness of Obama that portrayed his message of hope and change. It was his likeness and message that drew the consumer to want to wear the T-shirt. Similar examples of consumer purchases of T-shirts with popular images, themes or messages are T-shirts from popular rock concerts, from long-running Broadway shows such as Phantom of the Opera and Lion King, and from destinations such as Hard Rock Cafes in various locales.

25.3 People purchased Obama merchandise because it made them feel good, and thus filled an emotional need, a valid motive for consumer buying. People, especially the younger generation, were heavily involved in the political process in 2008. As the news articles referenced above establish, people were volunteering, campaigning, donating or raising monies for their candidate and attending events. The image of Obama, whether on a poster, in a store window, or on any kind of wearing apparel, became a defining visual symbol that united Obama supporters across the country. Wearing the image of Obama on their clothing allowed people to feel like they were a part of a new and exciting political movement. Obama’s facial image became one of the most widely used and recognized symbols of his campaign.

25.4 People purchased Obama merchandise to impress others and to be accepted by friends and peer groups, another valid motive for purchasing clothing. People who wore clothing with the Obama image felt that by promoting Obama on their clothing they were helping to advance Obama as the new potential leader of our country. It was a way people could feel involved and a part of a movement they could believe in. The tenor of the Obama message was “Change” and “Hope,” and young consumers clung

to these words as it represented their own hopes for a better future. On Super Tuesday, Obama is estimated to have captured 59 percent of the votes cast by people under 30, which is precisely the demographic of OBEY Clothing's customers. (Michael Lipkin, "Super Tuesday a Mixed Bag for Dems – Youth Vote Favors Obama, Clinton Wins Big States," CBSNews.com, Feb. 6, 2008.) The country was ready for both "Change" and "Hope." Wearing a T-shirt with Obama's likeness, with or without any slogans, allowed folks to feel a sense of pride, a sense of belonging and a sense of commitment in supporting the first African American in history to run for President on a major party ticket.

25.5 People purchased the Obama merchandise to be fashionable. The iconic Obama image could be seen everywhere; in storefronts, on bumper-stickers, and on people's chests. It was fashionable to wear merchandise supporting the Obama candidacy, and it is my opinion that some people who did not fit into the categories above purchased the Obama merchandise because it was fashionable to do so. For those consumers who were aware of Shepard Fairey and the OBEY Clothing brand, they had a separate reason for wanting to purchase the merchandise. Shepard Fairey's illustration is visually appealing and was a fashionable addition to clothing and other merchandise. It was more fashionable than the photograph itself. The power and appeal of the illustration is demonstrated by the dozens of images that sought to copy the Obama image by using the same colors and same general artistic technique for any number of public figures, including, notably, John McCain, Sarah Palin, and Hillary Clinton. These copycats were not copying any protected elements of the Obama Photograph; they copied Shepard Fairey's artistic rendering and style. Indeed, there is even a website (which is not associated with Shepard Fairey) that allows visitors to upload photographs and replace the Obama image with their photograph to create their own image using Fairey's artistic style and color. (<http://obamiconme.pastemagazine.com/entries/new.html>.)

25.6 In my opinion, for all of the people who purchased Obama Merchandise, it did not matter *what* photograph the Obama image came from. I am also of the opinion that despite Shepard Fairey's reputation in the artistic community, a great number of people who purchased the Obama Merchandise did not know who he was. Additionally, even those people who were familiar with Shepard Fairey and knew that he had created

the illustration were primarily driven by their desire to wear a fashionable T-shirt featuring Barack Obama. The most important attribute was the iconic image as a whole, and the fervor with which the country (and particularly the 18- to 28-year-old demographic) supported Obama's candidacy.

Opinion Two

26. The overhead costs attributable to creating specialized merchandise that will be sold for particular philanthropic purposes, such as the Obama Merchandise was intended to be, are greater than those attributable to merchandise that is sold for profit. In addition, the sale of merchandise where profits are donated to charity results in additional costs of time, energy, and monies, since that time, energy, and monies could have been used instead for for-profit merchandise.

26.1 Having owned my own apparel manufacturing company, I know from experience that selling merchandise in order to donate the profits to a philanthropic cause not only does not make money for the company, but also can run up extra costs to the point where it ends up costing the company money to support the project.

26.2 I can validate that any not-for-profit project requires spending many additional hours in designing and many additional costs in marketing and distribution. Then one has the additional time and energy spent on production. Moreover, the time, energy and extra cash that are used in support of the not-for-profit venture could have been used instead to promote the for-profit business, which is an intangible cost that affects a company's ultimate bottom line.

26.3 When Don Juncal, in his deposition, was asked to explain what and why they had extra costs, he said:

“Well, oftentimes these tees were being bumped in front of regular production of product, which we do, and so it was hurting our general sales.....I can give you a laundry list of things that we incurred on this project.....” (Juncal Depo., pg. 172, lines 6-13.) . . . “It's just you have people spending time production and design and marketing on this

project as opposed to working on other projects within the company....” (Juncal Depo., pg. 175, lines 21-23.)

26.4 I have not been asked to compute the precise additional costs or overhead attributable to OBEY Clothing’s decision to sell the Obama Merchandise and use most of the profits to assist the Obama campaign, but Mr. Juncal’s testimony is consistent with my experience that there is an increase in costs for projects where profits are intended to be given for charitable, political, or other causes that are not-for-profit.

A handwritten signature in cursive script that reads "Gabriele Goldaper". The signature is written in black ink and is positioned above a horizontal line.

Gabriele Goldaper
Apparel Industry Consulting
September 17, 2010



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Professional Experience

Fashion Institute of Design and Merchandising College Instructor, 1986-Present
Classes in Entrepreneurship, Sales and Marketing, Purchasing and Inventory Control, Total Quality Management, Production Planning and various other business related subjects for Apparel Manufacturing and Design students. Received "Faculty of the Year" award 3 years and currently in "Hall of Fame".

Apparel Industry Expert Witness 1995-Present
Designated as the "expert" in more than 40 apparel industry disputes. Provided litigation support to attorneys for cases involving all aspects of the garment/fashion industry. Worked with both the plaintiff or the defense.

Business Management Consultant 1986-Present
Consultant to more than 180 new, failing or growing companies in need of reorganization, restructuring, or reengineering of the business process. Specializing in areas of inventory management, marketing and selling strategies, product development, financial planning, customer service, warehousing, distribution, and domestic and international manufacturing and sourcing. Worked with major American companies as well as companies in France, England, Australia and USAID (United States Agency for International Development) sponsored projects in Romania, Egypt, Russia, Thailand, El Salvador, and Bulgaria, as an "apparel expert"..

LCA Intimates (Intimate Apparel) Executive Vice President, Corporate Operations
Responsible for overall corporate operations. Areas of accountability include overseas and domestic production, customer service, information technology, inventory control, distribution logistics, and corporate profitability. Restructured and streamlined operations to support corporate growth.

Warnaco - Speedo (Swimwear and Sportswear) Director of Corporate Operations
Responsible for corporate operations of 5 divisions including Cole, Catalina, Speedo, White Stag and Oscar de la Renta.

Cherry Lane (Junior Sportswear) General Manager
Directed all corporate operations which included opening of the company in the United States (Australian based) to full establishment as a manufacturer of Better Junior Sportswear. Opened Cherry Lane stores, developed concept and established licensing for future stores. Achieved sales volume of \$2 million in the first 6 months.

Minstar Productions ((Videos and Audio-Cassettes) Executive Vice President
Directly responsible for all corporate operations including product development, production, sales and marketing and distribution. Increased sales volume by 50%, which brought the company from a substantial loss situation to profitability with six months.

Prisma Corporation (Sportswear and Dresses) Partner/Executive Vice President
Responsible for operations for six apparel divisions. Reorganized business structure, opened three new divisions and increased profitability by 300%

Silton AMS Vice President/Customer Support/Consultant

Consulted with top management of apparel companies. Delivered seminars nationally about information on computers in and for the apparel industry.

Also responsible for managing new installations and training of new users.

High Tide Swimwear (Women's Swimwear) Vice President/Operations

Responsible for corporate operations; business strategies, long range and immediate planning and manufacturing.

Guest Lecturer: Los Angeles Trade Tech, Brooks College, Santa Monica College, Mt. San Antonio College, American College, Cal State L.A., UCLA and The Bobbin Show, Fashion Business Incorporated

Education

Barnard College, NY
University of Cincinnati, Ohio
Bachelor of Arts, Major: Economics
Bachelor of Science, Major: Education

Xavier University, Ohio
Graduate Studies in Business

Certified: Arbitrator and Mediator by American Arbitration Association & Los Angeles Bar Association

Professional Accomplishments

- Apparel Expert for International Executive Service Corps.
- Apparel Expert for United States Agency for International Development
- Apparel Expert for Citizens for Democracy
- Expert Witness in Legal Disputes
- Member "Hall of Fame" Fashion Institute of Design and Merchandising
- Board of Directors- Fashion Business Incorporated
- Advisory Board- Los Angeles Trade Technical College
- Advisory Board- Fashion Institute of Design and Merchandising
- Board of Directors- LCA Intimates
- Faculty Award- Fashion Institute of Design and Merchandising
- Host- Business Talk Show- Station KTYM
- Business Volunteer- Los Angeles Arts Council
- Business Volunteer- Executive Service Corps of Los Angeles
- Elected to Who's Who of American Women
- Elected to Who's Who in the West
- Elected to Who's Who of American Teachers
- Elected to Who's Who in California
- Listed in Dictionary of International Biography
- Elected to Commission on Status of Women for (2) 4 year terms
- Member of American Production and Inventory Control Society
- Member of Executive Board of California Apparel Industries Assoc.

Publications

"To Boost Profits, Take a Closer Look at Customer Service," Apparel Industry Magazine.

"Making It in Middle Management," Bobbin Magazine

"Curve Fitting: Systematic Production Planning," Bobbin Magazine

"Automated Information Systems: Service Bureau or In-House," Apparel Industry Magazine

"Small Company View of the Computer," AAMA Publication

"A Results-Oriented Approach to Manufacturing Planning," Apparel Industry Magazine

"Forecasting- Profit Tool for the Manufacturer," Apparel Industry Magazine

“Customer Service Manual,” High Tide, Warnaco Publication

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EXPERT WITNESS EXPERIENCE

Nike, Inc. v. Adidas America, Inc. and Adidas-Salomon, AG, CV05-541 BR, expert consultation for Plaintiff

Cali-Fame v. Von Dutch Originals, BC 336-962, expert consultation for Plaintiff

Luciana Andrade v. Tonny Sorenson, BD 385 168, expert consultation for Defendant, deposition

L.A. Printex Industries, Inc. v. Target Corp, and Tease of California, Inc. et al. 05-3558 DSF, expert consultation for Defendants

SWB Limited v. RC Apparel Inc., BC 346795, expert consultation for Defendant

Mattel, Inc. v. Carter Bryant, BC 134398, expert consultation for defendant

Mattel, Inc. v. MGA Entertainment, Isaac Larian, Carter Bryant, CV04-9049 SGL, expert consultation for Defendants

Cameron Industries v. B.I.Y.A.Y.C.D.A., 06-CV-3579 RWS, expert consultation for Defendant

Antoinette Townsend v. Magic Chef, a division of Maytag Corp., La Barca Appliances, IP Holdings, LLC dba Joe Boxer Licensing and Sears Holdings Corp. dba K-Mart Corporation, BC35 2001, expert consultation for Plaintiff, deposition

Keith Chung v. City of Los Angeles, Brand Security Corp. Intellectual Enforcement Company, CV07-7379 AI expert consultation for Plaintiff, deposition

L.A. Printex Industries, Inc. v. Saks Inc., Bloomingdales, BOP, LLC and Dutch, LLC, CV06-5198 GPS, expert consultation for Defendants

SPI Manufacturing Co., LLC v. Pacific Sunwear of California, Inc. 06CC 04289, expert consultation for Plaintiff, deposition.

EXHIBIT B

Donna Lee Collection v. Lance Anderson, as trustee for the Anderson Family Trust, BC34 7036, expert consultation for Defendant

Jason Theis v. Abercrombie & Fitch Stores, YC05 1602, expert consultation for Plaintiff, deposition and testimony at trial

Henry Tao et al. v. Polytex Thread et al, BC 383284, expert consultation for Plaintiffs, deposition

Page Snear Apar v. Paula Speert, et al. BC 397957, expert consultation for Plaintiff

Royal Printex vs. Unicolors, CV07-05395 VBK, expert consultation for Defendants, deposition, testimony at trial

Bryan Callan v. Christian Audigier, Inc., Nervous Tattoo, Inc., Shop on State, Inc., CV08-8072 GW, expert consultation for Defendant, deposition.

JS Haute Stuff, LLC v. Now and Zen Productions, LLC, et al. CV 09-3094, expert consultation for Plaintiff

E&E, LTD. v. Divatex Home Fashions, Inc. CV 08-5660, expert consultation for Defendant, deposition.

Charm International, Inc. v. Ningbo Huiifu Import & Export Co., LTD, et al. JAMS Ref. No. 1220039627, expert consultation for Defendant, deposition, testimony at arbitration (JAMS)

Fortune Fashions Industries LLC v. Jessie James, et al, BC393430 and BC401327, expert consultation for Defendant and Cross-Complainant, deposition.