

**DENNIS WILLIAM CARLTON**  
Economist

October 2000

Business Address: Lexecon Inc. (312) 322-0215  
332 South Michigan Avenue  
Chicago, Illinois 60604

Home Address: 21 Lakewood Drive (847) 835-8855  
Glencoe, Illinois 60022

### EDUCATION

Ph.D., MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Cambridge, Massachusetts:  
Economics, 1975.

M.S., MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Cambridge, Massachusetts: Operations  
Research, 1974.

A.B., HARVARD UNIVERSITY (Summa cum laude): Applied Math and Economics, 1972.

### EMPLOYMENT

LEXECON INC., Chicago, Illinois (1977 - present): President, 1997 - present.

UNIVERSITY OF CHICAGO, Graduate School of Business (1984 - present): Professor of  
Economics.

UNIVERSITY OF CHICAGO, Law School (1980 - 1984): Professor of Economics.

UNIVERSITY OF CHICAGO, Department of Economics: Assistant Professor (1976 - 1979).  
Associate Professor (1979 - 1980).

MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Cambridge, Massachusetts, Department of  
Economics (1975 - 1976): Instructor in Economics.

### OTHER PROFESSIONAL EXPERIENCE

HARVARD UNIVERSITY, Public Policy Summer Course in Economics (1977): Professor

BELL TELEPHONE LABORATORIES (Summers 1976, 1977).

JOINT CENTER FOR URBAN STUDIES OF M.I.T. AND HARVARD UNIVERSITY, Cambridge,  
Massachusetts (1974 - 1975).

CHARLES RIVER ASSOCIATES, Cambridge, Massachusetts (Summers 1971, 1972): Research  
Assistant.

FIELDS OF SPECIALIZATION

Theoretical and Applied Microeconomics

Industrial Organization

ACADEMIC HONORS AND FELLOWSHIPS

M.I.T., National Scholar Award, 1968

Edwards Whitacker Award, 1969

Detur Book Prize, 1969

John Harvard Award, 1970

Phi Beta Kappa, 1971

National Science Foundation Fellowship, 1972 - 1975

Recipient of Post-doctoral Grant from the Lincoln Foundation, 1975

National Science Foundation Grant, 1977 - 1985

Recipient of the 1977 P.W.S. Andrews Memorial Prize Essay, best essay in the field of Industrial Organization by a scholar under the age of thirty

Ph.D. Thesis chosen to appear in the Garland Series of Outstanding Dissertations in Economics

Alexander Brody Distinguished Lecture, Yeshiva University, 2000

PROFESSIONAL AFFILIATIONS AND ACTIVITIES

Co-editor, Journal of Law and Economics, 1980 - present

Associate Editor, Regional Science and Urban Economics, 1987 - 1997

Associate Editor, The International Journal of Industrial Organization, 1991 - 1995

Member, American Economics Association, Econometrics Society

National Bureau of Economic Research, Research Associate

Member, Advisory Committee to the Bureau of the Census, 1987 - 1990

Editorial Board, Intellectual Property Fraud Reporter, 1990 - 1995

Consultant on Merger Guidelines to the U.S. Department of Justice, 1991 - 1992

Accreditation Committee, Graduate School of Business, Stanford University, 1995

Visiting Committee, MIT, Department of Economics, 1995 - present

Resident Scholar, Board of Governors of the Federal Reserve System, Summer, 1995

Member, Advisory Board, Economics Research Network, 1996 - present

Member, Steering Committee, Social Science Research Council, Program in Applied Economics, 1997 - 1999

Participant in meetings with Committee of the Federal Reserve on Payment Systems, June 5, 1997

Participant in round table discussions on "The Role of Classical Market Power in Joint Venture Analysis," before the Federal Trade Commission, November 19, 1997 and March 17, 1998.

Member, Advisory Board of Antitrust and Regulation Abstracts, Social Science Research Network, 1998 - present

Participant in the Round Table on the Economics of Mergers Between Large ILECS before the Federal Communications Commission, February 5, 1999.

Advisory Board, Massachusetts Institute of Technology, Department of Economics, 1999 - present

BOOKS

"Market Behavior Under Uncertainty," Ph.D. Thesis, Massachusetts Institute of Technology (September 1975); Garland Publishing (1984).

Modern Industrial Organization, Scott, Foresman & Co., co-authored with Jeffrey Perloff, first edition (1990), second edition (1994); Addison Wesley Longman, third edition (1999).

RESEARCH PAPERS

- "The Equilibrium Analysis of Alternative Housing Allowance Payments," (with Joseph Ferreira) Chapter 6 of Analysis of a Direct Housing Allowance Program, The Joint Center for Urban Studies of M.I.T. and Harvard University. (July 1975).
- "Theories of Vertical Integration," presented at Fourth Annual Telecommunications Conference. Appears in a volume of Proceedings of the Fourth Annual Telecommunications Conference, Office of Telecommunications Policy, (April 1976).
- "Uncertainty, Production Lags, and Pricing," American Economic Review. (February 1977).
- "Selecting Subsidy Strategies for Housing Allowance Programs," (with Joseph Ferreira) Journal of Urban Economics. (July 1977).
- "Peak Load Pricing With Stochastic Demand," American Economic Review, (December 1977) (Reprinted in Economic Regulation edited by P.L. Joskow, Edward Elgar Publishing Limited, 1998.)
- "The Distribution of Permanent Income," (with Robert Hall) presented at the Symposium on Income Distribution and Economic Inequality, (May 1976). Published in Income Distribution and Economic Inequality, edited by Zvi Griliches, et al. (Harvard Press, 1978).
- "Market Behavior with Demand Uncertainty and Price Inflexibility," American Economic Review. (September 1978).
- "Why New Firms Locate Where They Do: An Econometric Model," in Studies in Regional Economics, edited by W. Wheaton, (Urban Institute, 1980). Presented at the Conference on Regional Economics, sponsored by the Committee on Urban and Public Affairs, Baltimore, Maryland (May 1978).
- "Vertical Integration--An Overview," in Congressional Record Hearings on the Communications Act of 1978, Bill H.R. 13105, (August 3, 1978)
- "Vertical Integration in Competitive Markets Under Uncertainty," Journal of Industrial Economics, (March 1979). Awarded the P.W.S. Memorial Prize for the best essay in the field of Industrial Organization by a scholar under the age of thirty.
- "Valuing Benefits and Costs in Related Output and Input Markets," American Economic Review. (September 1979).
- "Contracts, Price Rigidity and Market Equilibrium," Journal of Political Economy. (October 1979)
- "Benefits and Costs of Airline Mergers: A Case Study," (with W. Landes and R. Posner) Bell Journal of Economics. (Spring 1980).
- "The Limitations of Pigouvian Taxes as a Long Run Remedy for Externalities," (with G. Loury) Quarterly Journal of Economics, (November 1980).

- "The Law and Economics of Rights in Valuable Information: A Comment," Journal of Legal Studies, (December 1980).
- "Price Discrimination: Vertical Integration and Divestiture in Natural Resources Markets," (with J. Perloff) Resources and Energy, (March 1981).
- "The Spatial Effects of a Tax on Housing and Land," Regional Science and Urban Economics, (November 1981).
- "Comments on Weicher," Journal of Law and Economics, (December 1981)
- Comment, in Sherwin Rosen ed. Studies in Labor Markets, University of Chicago Press, (1981).
- "Planning and Market Structure," in The Economics of Information and Uncertainty, edited by J.J. McCall, University of Chicago Press, (1982)
- "The Disruptive Effect of Inflation on the Organization of Markets," in Robert Hall, ed. The Economics of Inflation, University of Chicago Press, (1982).
- "A Reexamination of Delivered Pricing," Journal of Law and Economics, (April 1983).
- "Futures Trading, Market Interrelationships, and Industry Structure," American Journal of Agricultural Economics, (May 1983).
- "The Location and Employment Choices of New Firms. An Econometric Model with Discrete and Continuous Endogenous Variables," The Review of Economics and Statistics, (August 1983)
- "The Need for Coordination Among Firms With Special Reference to Network Industries," (with J. M. Klammer) University of Chicago Law Review, (Spring 1983).
- "The Regulation of Insider Trading" (with D. Fischel), Stanford Law Review, (May 1983).
- "Economic Goals and Remedies of the AT&T Modified Final Judgement" (with W. Lavey), Georgetown Law Review, (August 1983).
- "Equilibrium Fluctuations When Price and Delivery Lags Clear the Market," Bell Journal of Economics, (Autumn 1983).
- "Futures Markets. Their Purpose, Their History, Their Growth, Their Successes and Failures." paper presented at the Columbia University Conference on Futures Markets, February 1984, Journal of Futures Markets, (September 1984). (Reprinted in Futures Markets edited by A.G. Mallians and W.F. Mullady, Edward Elgar Publishing Limited, 1995.) (Forthcoming in Classic Futures: Lessons from the Past for the Electronics Age, edited by Lester Telser, Risk Books, 2000 )
- "Energy and Location," presented at the Brookings Conference on Housing and Energy, Washington, D.C., (November 1981), Energy Costs, Urban Development, and Housing, Brookings Institution, (1984)
- "The Limitation of Pigouvian Taxes As A Long Run Remedy for Externalities: Extension of Results," (with G. Loury) Quarterly Journal of Economics, (August 1986).

"The Rigidity of Prices," American Economic Review, (September 1986).

"The Theory and The Facts of How Markets Clear: Is Industrial Organization Valuable for Understanding Macroeconomics?" in Handbook of Industrial Organization, eds. Schmalensee and Willig. (1989).

"Market Power and Mergers in Durable Good Industries," (with R. Gertner), Journal of Law and Economics, (October 1989).

Comments on Vertical Integration and Market Foreclosure, Brookings Papers on Economic Activity, (December 19, 1989).

Book Review of Tirole's The Theory of Industrial Organization, Journal of Political Economy, (June 1990).

"The Genesis of Inflation and the Costs of Disinflation. Comment," Journal of Money, Credit & Banking, (August 1991, Part 2).

"The Theory of Allocation and its Implications for Marketing and Industrial Structure: Why Rationing is Efficient," Journal of Law and Economics, (October 1991).

"The Economics of Cooperation and Competition in Electronic Services Network Industries," in Economics of Electronic Service Networks, Wildman Steven ed., Praeger Press, (1992).

"Merger Policy and Market Definition Under the EC Merger Regulation," Conference on Antitrust in a Global Economy, Fordham Corporate Law Institute, (1994)

"The Antitrust Economics of Credit Card Networks," (with A. Frankel) Antitrust Law Journal, (Winter 1995).

"Economic Organization and Conflict," Journal of Institutional and Theoretical Economics, (March 1995).

"Antitrust and Higher Education: Was There a Conspiracy to Restrict Financial Aid?" (with G. Bamberger and R. Epstein) The Rand Journal of Economics, (Vol. 26, No. 1, Spring 1995, pp. 131-147).

"The Competitive Effects of Line-of-business Restrictions in Telecommunications," (with K. Arrow and H. Sider), Managerial and Decision Economics, (Vol. 16, pp. 301-321, 1995). (Reprinted in Deregulating Telecommunications - The Baby Bells Case for Competition, edited by Richard S. Higgins and Paul H. Rubin, John Wiley & Sons Ltd., 1995.)

"The Antitrust Economics of Credit Card Networks: Reply to Evans and Schmalensee," (with A. Frankel), Antitrust Law Journal, (Spring 1995).

"Antitrust and Payment Technologies," (with A. Frankel), Review, Federal Reserve Bank of St. Louis (November/December 1995).

"Antitrust Policy Toward Mergers When Firms Innovate: Should Antitrust Recognize the Doctrine of Innovation Markets?" Testimony before the Federal Trade Commission Hearings on Global and Innovation-based Competition (October, 1995).

- "You Keep on Knocking But You Can't Come In. Evaluating Restrictions on Access to Input Joint Ventures," (with S. Salop), Harvard Journal of Law & Technology, (Volume 9, Summer, 1996).
- "Comments on Causes and Consequences of Airline Fare Wars," Micro Brookings Papers on Economic Activity, (1996).
- "A Critical Assessment of the Role of Imperfect Competition in Macroeconomics," in Market Behaviour and Macro Economic Modeling, Brakman, Van Ees, & Kuipers (eds ), MacMillan Press (1997).
- "Price Rigidity," Business Cycles and Depressions, David Glasner ed., Garland Publishing, Inc , (1997).
- "Communication Among Competitors: Game Theory and Antitrust," (with R. Gertner and A. Rosenfield), George Mason Law Review, (1997).
- "Comments on Born and Viscusi," Brookings Papers on Economic Activity: Microeconomics, (1998).
- "Antitrust and Higher Education: MIT Financial Aid (1993)" (September 1997) (with G. Bamberger), The Antitrust Revolution, (Oxford University Press), 3rd edition (1999).
- "Market Power and Vertical Restraints in Retailing: An Analysis of FTC v Toys 'R' Us," (with H. Sider), The Role of the Academic Economist in Litigation Support, edited by Daniel Slottje, North Holland, (1999).
- "Lessons from Halacha about Competition and Teaching," (with A. Weiss), Clear Profit, 2000 Winter edition (January, 2000).
- "Inferring Values from Jewish Attitudes Toward Competition," (with A. Weiss), Journal of Legal Studies, (forthcoming).
- "A General Analysis of Refusal to Deal -- Why Aspen and Kodak are Misguided," Antitrust Law Journal (2000 forthcoming).
- "The Lessons from Microsoft," Business Economics (forthcoming).

UNPUBLISHED PAPERS

- "Modeling the Housing Allowance Program," M.A. Thesis, Massachusetts Institute of Technology (September 1974).
- "The Cost of Eliminating a Futures Market and The Effect of Inflation on Market Interrelationships," (1984).
- "The Empirical Importance of Delivery Lags as an Explanation of Demand," (1984).
- "Airline Networks and Fares," (with G. Bamberger), (1986)
- "The Choice of Organizational Form in Gasoline Retailing and The Costs of Laws Limiting that Choice," (with A. Blass), (revised September 1988); Working Paper No. 7435, National Bureau of Economic Research, revised December, 1999.
- "Statistical Supplement to The Antitrust Economics of Credit Card Networks: Reply to Evans and Schmalensee Comment, 63 Antitrust Law Journal 903 (1995)." (with A. Frankel), (May 1997)
- "The Strategic Use of Tying to Preserve and Create Market Power in Evolving Industries," (with M Waldman), Working Paper No. 145, George J. Stigler Center for the Study of the Economy and the State, University of Chicago (1998), revised 2000
- "An Empirical Assessment of Predation in the Airline Industry," (with G. Bamberger), November, 1999

EXPERT TESTIMONIAL EXPERIENCE

- Testimony of Dennis W. Carlton in Re: "Vertical Integration--An Overview." Congressional Record Hearings on the Communications Act of 1978: Proceedings before the House on Bill H.R. 13105, August 3, 1978.
- Testimony of Dennis W. Carlton, William M. Landes and Richard A. Posner in Re: Competitive Effects of the Proposed North Central-Southern Airline Merger: Proceedings before the Civil Aeronautics Board, Docket No. 33136, Exhibit NC/SO-T-7, October 13, 1978 and October 9, 1979.
- Testimony of Dennis W. Carlton in Re: McNeilab, Inc.: Proceedings before the United States Department of Justice, Drug Enforcement Administration, Docket No. 78-13, March 13, 1980 and May 1980 (Oral).
- Testimony of Dennis W. Carlton in Re: Acco Industries, Inc. v. Kresl Power Equipment, Inc.: In the U.S. Court of Appeals For the Seventh Circuit, Docket No. 80-2024, March 29, 1980.
- Deposition, Testimony, and Rebuttal Testimony of Dennis W. Carlton in Re: Ethyl Corporation: Proceedings before the Federal Trade Commission, Docket No. 9128, November 10 & 11, 1980 (Deposition), November 13 & 14, 1980 (Testimony), and February 20, 1981 (Rebuttal).
- Deposition of Dennis W. Carlton in Re: Independence Tube Corporation v. Copperweld Corporation, Regal Tube Company, The Yoder Company v. David F. Grohne (counter-defendant). In the U.S. District Court for the Northern District of Illinois, Eastern Division, No. 76 C 4201, January 24, 1981.
- Affidavit of Dennis W. Carlton in Re: Ellis Banking Corporation, Ellis First National Bank of Bradenton, and Ellis First Security Bank v. Barnett Banks of Florida, Inc., Barnett Bank of Manatee County, and Westside National Bank of Manatee County: In the U.S. District Court for the Middle District of Florida, Tampa Division, No. 81-693-Civ-T-H, July 28, 1981.
- Deposition and Economic Report of Dennis W. Carlton in Re: Schneider Industrial Sales and Service Company, William Schneider and Mary Emily Schneider v. Acco Industries, Inc.: In the U.S. District Court for the District of New Jersey, April 19, 1982.
- Deposition and Testimony of Dennis W. Carlton in Re: City of Batavia, et al. v. Commonwealth Edison Company: Proceedings before the U.S. District Court, Northern District of Illinois, Eastern Division, No. 76 C 4388, May 17, 18 & 25, 1982 (Deposition), and July 22, 1982 (Testimony).
- Deposition of Dennis W. Carlton in Re: M. K. Metals Inc., et al. v. National Steel Corporation: In the U.S. District Court for the Northern District of Illinois, Eastern Division, No. 79 C 1661, September 15, 1983.
- Declaration and Deposition of Dennis W. Carlton in Re: Carter Hawley Hale Stores, Inc. v. The Limited, Inc., et al.: In the U.S. District Court, Central District California, No. CV 84 22000 AWT (JRX), April 21, 1984 (Declaration), and April 23, 1984 (Deposition).



- Verified Statements and Testimony of Dennis W. Carlton in Re: Denver & Rio Grande Western Railroad v. Santa Fe Southern Pacific Corporation et al.: Proceedings before the Interstate Commerce Commission, Docket No. 30400, August 28, 1984, November 14, 1984, and May 22, 1985, (Statements), and January 30, 1985, and June 19, 1985, (Testimony).
- Affidavit of Dennis W. Carlton and William M. Landes in Re: United States of America v. Western Electric Company, Inc. and American Telephone and Telegraph Company: In the United States District Court for the District of Columbia, December 19, 1984.
- Statement of Carlton, DeMuth, Landes, and Rosenfield in Response to the National Telecommunications Information Administration (NTIA) Request for Comments in Connection with the Comprehensive Study of the Structure and Regulation of the U.S. Telecommunications Industry, March 29, 1985.
- Deposition and Affidavit of Dennis W. Carlton in Re: L&W Industries, Inc. v. American Standard, Inc.: In the U.S. District Court, Eastern District of Wisconsin, Civil Action No. 81-C-1409, May 14, 1985 (Deposition) and August 30, 1985 (Affidavit).
- Testimony of Dennis W. Carlton in Re: E. I. Du Pont De Nemours and Company's Thebaine Import Application: Proceedings before the U.S. Department of Justice, Drug Enforcement Administration, Docket No. 84-51, May 31, 1985.
- Testimony of Dennis W. Carlton, William M. Landes and Sam Peltzman in Re: Joint Application of Pan American World Airways, Inc. and United Airlines, Inc., Pacific Division Transfer Case: Proceedings before the U.S. Department of Transportation, Docket No. 43065, August 7, 1985.
- Deposition of Dennis W. Carlton in Re: General Motors "THM 200" Transmission Litigation: Proceedings before the U.S. District Court, Northern District of Illinois, Eastern Division, No. 79 C 1249, 80 C 2151 and 85 C 4805, July 2, 1986.
- Affidavit of Dennis W. Carlton in Re: Norwest Bank Fire Case: Proceedings before the U.S. District Court, Fourth Judicial District, State of Minnesota, Court File No. 83-08122, August 28, 1986.
- Affidavit of Dennis W. Carlton in Re: Policy and Rules Concerning Rates for Dominant Carriers: Before the Federal Communications Commission, Washington, D.C., Docket No. 87-313, October 16, 1987.
- Deposition of Dennis W. Carlton in Re: Research Institute for Medicine and Chemistry, Inc. v. Wisconsin Alumni Research Foundation: In the U.S. District Court, Western District of Wisconsin, Case No. 85-C-1060-D, October 20 & 21, 1986.
- Affidavit and Deposition of Dennis W. Carlton in Re: United States Football League et al. v. National Football League et al.: In the U.S. District Court, Southern District of New York, 84 Civ. 7484 (PKL), November 24, 1986 (Affidavit), February 26, 1986 and December 4, 1986 (Deposition).
- Verified Statements of Dennis W. Carlton in Re: Coal Trading Corporation et al. v. The Baltimore and Ohio Railroad Co. et al.: Before the Interstate Commerce Commission, ICC Docket No. 38301S, December 16, 1986 and September 8, 1987.

Testimony of Dennis W. Carlton in Re: The Application of Pacific Bell, a Corporation, for Authority to Increase Certain Intrastate Rates and Charges Applicable to Telephone Services Furnished within the State of California, California Public Utilities Commission, Application No. 85-01-034, December 19, 1986, and January 22 & 28, 1987.

Deposition of Dennis W. Carlton in Re: John H. Torphy v. Touche Ross & Co., et al. In the Circuit Court Dane County, State of Wisconsin, Case No. 82-CV-4033, August 25, 1987.

Deposition of Dennis W. Carlton in Re: Martin Exploration Management Company, et al. v. Panhandle Eastern Corporation, et al. In the U.S. District Court for the District of Colorado, Civil Action No. 86-Z-804, May 5, 6 & 18, 1988.

Deposition of Dennis W. Carlton in Re: The Dow Chemical Company v. Halliburton Company and The Dow Chemical Company v. Mississippi Power & Light Company. In the U.S. District Court for the Northern District of Mississippi Greenville Division, No. GC-78-31-GD-D and No. GC-78-32-GD-D, June 16, 1988.

Statements and Testimony of Dennis W. Carlton in Re: Trailer Train Company et al., Approval of Pooling of Car Service With Respect to Fiat Cars: Before the Interstate Commerce Commission, Finance Docket No. 27590. (Sub-No 1), July 7 & 14, 1988 (Statements) and July 25 & 26, 1988 (Testimony)

Testimony of Dennis W. Carlton in Re: Pontarelli Limousine, Inc. v. City of Chicago, Finance Docket No. 83-C-6716, September 25 & 26, 1989.

Deposition of Dennis W. Carlton in Re: Great Northern Nekoosa Corporation v. Georgia-Pacific Corporation: Before the United States District Court District of Connecticut, Civ. Action No. B-89-607-WWE, December 28, 1989 and January 15, 1990.

Testimony of Dennis W. Carlton in Re: The Matter of the Physicians and Surgeons Medical Malpractice Insurance Rates of St. Paul Fire & Marine Insurance Company: Before the State of Minnesota Office of Administrative Hearings for the Commissioner of Commerce, O.A.H. Docket No. 0-1004-3412-2, January 1990.

Deposition of Dennis W. Carlton in Re: Dale A. Ervin, et al. v. Amoco Oil Company, et al.: In the District Court, City and County of Denver, State of Colorado, No. 88-CV-11994, September 5, 1990.

Reply Affidavit of Dennis W. Carlton and George J. Stigler in Re: United States of American v. Western Electric Company Inc. and American Telephone and Telegraph Company: In the United States District Court for the District of Columbia, Civil Action No. 82-0192, January 10, 1991.

Testimony of Dennis W. Carlton in Re: Westreco, Inc. v. Commissioner of Internal Revenue: In the United States Tax Court, Washington, D C 20217, Docket No. 24078-88, January 29, 1991.

Deposition, Testimony, and Rebuttal Testimony of Dennis W. Carlton in Re: In the Matter of Marathon Oil Company and Phillips Petroleum Company: Before the Department of Revenue, State of Alaska, Case No. 89314, April 23 & 24, 1991 (Deposition), March 28, 1991, June 19, 1991 (Testimony), July 22, 1991 (Rebuttal Testimony) and October 3 & 4, 1991 (Oral).

Deposition of Dennis W. Carlton in Re: Martin Exploration Management Company, et al. v. Panhandle Eastern Pipeline Corporation, et al.: In the U.S. District Court for the District of Colorado, Civil Action No. 91-N-110, February 5, 1992

Deposition, Affidavit and Testimony of Dennis W. Carlton in Re: United States of America v. Brown University, et al.: In the U.S. District Court For the Eastern District of Pennsylvania, Civil Action No. 91-CV-3274, February 18 & 19, 1992 (Deposition), April 28, 1992 (Affidavit), and July 8 & 9, 1992 (Testimony).

Deposition of Dennis W. Carlton in Re: United States of America, People of The State of California, et al. v. J. B. Stringfellow, Jr., et al.: In the United States District Court Central District of California, No. CIV 83-2501 JMI, March 10 & 11, 1992

Affidavit of Dennis W. Carlton in Re: SCFC ILC, Inc. d/b/a MountainWest Financial v. Visa U.S.A. Inc.: In the U.S. District Court for the District of Utah, Central Division, Civil No. 2:91-cv-047B, June 25, 1992.

Deposition and Testimony of Dennis W. Carlton in Re: Adcom, Incorporated, Cutrone Communications, Incorporated, Great Southern Communications Incorporated, Noia Communications Incorporated and Conrad Communications, Incorporated v. Nokia Corporation, Nokia-Mobira Oy, Nokia-Mobira, Incorporated, Nokia, Incorporated, Nokia Data Communications and Cue Paging Corporation: In the United States District Court for the Eastern District of Louisiana, Civil Action Number 90-4088, November 3 & 4, 1992 (Deposition), and February 9 & 10, 1993 (Testimony).

Statement, Supplemental Statement and Deposition of Dennis W. Carlton in Re: City of Dillingham, et al. v. Western Pioneer, Inc., et al., and City of Nome v. Western Pioneer, Inc., et al.: In the United States District Court for the District of Alaska, No. A89-014 Civil (Consolidated for Pre-Trial Proceedings with No. N89-004 Civil), November 6, 1992 (Statement and Supplemental Statement) and November 24, 1992 (Deposition).

Verified Statement of Dennis W. Carlton in Re: Kansas City Southern Industries, Inc., The Kansas City Southern Railway Company and K&M Newco, Inc. - Control - MidSouth Corporation, MidSouth Rail Corporation, MidLouisiana Rail Corporation, SouthRail Corporation and TennRail Corporation, Before the Interstate Commerce Commission, Finance Docket No. 32167, May 1993.

Verified Statements and Deposition of Dennis W. Carlton in Re: Union Pacific Corporation, Union Pacific Railroad Company and Missouri Pacific Railroad Company - Control - Chicago and North Western Holdings Corp. and Chicago and Northwestern Transportation Company: Before the Interstate Commerce Commission, Finance Docket No. 32133, May 24, 1993, June 21, 1993, and November 24, 1993 (Statements), and March 17, 1994, and July 26, 1994 (Deposition).

Verified Statement of Dennis W. Carlton in Re: Application of TTX Company and Certain Common Carriers by Railroad For Approval of Amendment of Pooling Agreement and Car Contract Extending Their Terms, Before the Interstate Commerce Commission, Finance Docket No. 27590 (Sub-No. 2), November 19, 1993.

Deposition of Dennis W. Carlton in Re: Merck & Co., Inc. v. Alcon Laboratories, Inc., In the United States District Court for the District of Delaware, No. C.A. 92-691, December 14, 1993.

Deposition and Affidavit of Dennis W. Carlton in Re: Northwest Airlines, Inc. v. American Airlines, Inc., Before the United States District Court, District of Minnesota, Fourth Division, C.V. No. 4-91-539, February 22 & 23, 1994, May 16 & 17, 1995, and July 8, 1997 (Deposition); and February 20, 1995 and May 9, 1996 (Affidavit).

Testimony of Dennis W. Carlton in Re: Florida Power & Light Company: Before the Federal Energy Regulatory Commission, Docket Nos. ER93-465-000, ER93-507-000, ER-93-922-000, and EL94-12-000, April 8, 1994, October 19, 1994, and June 22, 1995.

Testimony of Dennis W. Carlton in Re: The Matter of Touchfax Information Systems Inc. and Landis & Gyr Communications: Before the American Arbitration Association, No. 13-T-133-00260-93, May 10, 1994.

Affidavit and Declaration of Kenneth J. Arrow and Dennis W. Carlton in Re: United States of America v. Western Electric Company, Inc., and American Telephone and Telegraph Company Before the United States District Court for the District of Columbia, Civil Action No. 82-0192, February 28, 1994 (Affidavit), and May 30, 1995 (Declaration).

Affidavit and Testimony of Dennis W. Carlton and Alan S. Frankel in Re: Leonard R. Kahn v. Emerson Electric Co., a Missouri corporation; Hazeltine Corporation, a Delaware corporation; and Motorola, Inc., a Delaware corporation; John Doe corporations 1-x; and John Does 1-x, individually; Before the United States District Court, for the Eastern District of New York, 92 Civ 3063 (ADS), October 20, 1994 (Affidavit), and May 22, 1995 (Testimony).

Deposition and Testimony of Dennis W. Carlton in Re: Federal Trade Commission v. B.A.T. Industries P.L.C., Brown and Williamson Tobacco Corporation, American Brands, Inc., and American Tobacco Company, Before the United States District Court, Southern District of New York, C.V. No. 94 Civ. 7849, November 20, 1994 (Deposition), and December 14, 1994 (Testimony).

Affidavit, Supplemental Affidavit and Deposition of Dennis W. Carlton in Re: Weatherford Roofing Company v. Employers National Insurance Company and Employers Casualty Company et al. In the United States District Court for the District of Dallas County, Texas, 116th Judicial District, No. 91-05637, May 5, 1995 (Affidavit), May 9-10 & June 1, 1995 (Deposition), and October 20, 1995 (Supplemental Affidavit).

Affidavit of Dennis W. Carlton in Re: Airline Travel Agency Commission Antitrust Litigation: In the United States District Court for the District of Minnesota, No. 4-95-107, June 14, 1995.

Declaration of Dennis W. Carlton in Re: Donnelly Corporation v. Gentex Corporation: In the United States District Court for the Western District of Michigan, Southern Division, Case No. 1:93 CV 530, October 20, 1995.

Testimony of Dennis W. Carlton before the Federal Trade Commission Hearings on Global and Innovation-based Competition, October 25, 1995.

Report and Deposition of Dennis W. Carlton in Re: Brand Name Prescription Drugs Antitrust Litigation. In the United States District Court for the Northern District of Illinois, Eastern Division, MDL No. 997, November 20, 1995 (Report), December 18 & 19, 1995 (Deposition).

- Expert Report and Deposition of Dennis W. Carlton in Re: Johnson Matthey v. General Motors (Antitrust Counterclaim), District Court for the Eastern District of Wisconsin, No. 93 C 0931, January 9, 1996 (Expert Report), February 14, 1996 (Deposition).
- Brief of Evidence, Summary of Evidence, and Testimony of Dennis W. Carlton on Behalf of Defendants in Re: Shell (Petroleum Mining) Company Limited and Todd Petroleum Mining Company Limited v Kapuni Gas Contracts Limited and Natural Gas Corporation of New Zealand Limited, In the High Court of New Zealand, Auckland Registry, Commercial List, CL 5/94, April 2, 1996 (Brief of Evidence), July 18, 1996 (Summary of Evidence), and July 18-19, 1996 (Testimony).
- Expert Report, Deposition, and Testimony of Dennis W. Carlton in Re: The Matter of the Arbitration Between Sprint Communications Company L.P. and Network 2000 Communications Corporation, Arbitration Case Number 57 181 0013 94, July 15, 1996 (Expert Report with H. Sider), August 12, 1996 (Deposition), and September 27, 1996 (Testimony).
- Testimony and Prepared Statement of Dennis W. Carlton on behalf of Sacramento Municipal Utility District in Re: Pacific Gas & Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company: Before the Federal Energy Regulatory Commission Technical Conference on Market Power & Transmission Pricing, Docket Nos. ER96-1663-000, EC96-19-000, EL96-48-000, September 12, 1996.
- Declaration of Dennis W. Carlton in Re: United States of America v. International Business Machines: In the United States District Court for the Southern District of New York, Civil Action No. 72-344 (AGS), November 12, 1996.
- Expert Report, Affidavit Rebuttal and Deposition of Dennis W. Carlton in Re: Bell Atlantic Corporation and DSC Communications Corporation v AT&T Corporation and Lucent Technologies Inc., Civil Action No. 5-96CV45, December 4, 1996 (Expert Report with R.E. Olley and D.S. Sibley), January 10, 1997 (Affidavit Rebuttal with R.E. Olley and D.S. Sibley), and January 21, 1997 (Deposition).
- Affidavit of Dennis W. Carlton in Re: Pacific Gas & Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company: United States of America Before the Federal Energy Regulatory Commission, FERC Docket No. ER96-1663-000, January 16, 1997 (with G.E. Bamberger).
- Affidavit of Dennis W. Carlton in Re: Advanta Corp., Advanta National Bank U.S.A., and Advanta National Bank v. Visa U S A., Inc. and Mastercard International, Inc.: In the United States District Court for the Eastern District of Pennsylvania, Civil Action No. 96-CV-7940, January 21, 1997.
- Deposition, Testimony, and Surrebuttal Testimony of Dennis W. Carlton in Re: In the Matter of Toys "R" Us, Inc.: In the United States of America Before the Federal Trade Commission, File No. 9278, March 16, 1997 (Deposition), April 16 and 25, 1997 (Testimony), and June 3, 1997 (Surrebuttal Testimony).
- Deposition of Dennis W. Carlton in Re: In the Matter of Theresa Aguilar, et al vs Atlantic Richfield Corporation et al: In the Superior Court of the State of California In and For the County of San Diego, File No. 700810, September 30, 1997 (Deposition).

Report of Dennis W. Carlton in Re: Few Ready Mix Concrete Co. v. Transit Mix Concrete & Materials Co., et al.: In the United States District Court for the Eastern District of Texas Lufkin Division, No. 9:96-CV-86, October 31, 1997 (with W. J. Lynk).

Verified Statement, Depositions, Verified Reply Statement, and Verified Rebuttal Statement of Dennis W. Carlton in Re: CF Industries, Inc. v. Koch Pipeline Company, L.P.: In the United States of America Before the Department of Transportation Surface Transportation Board, No. 41685, November 7, 1997 (Verified Statement), December 19, 1997 (Deposition), January 8, 1998 (Verified Reply Statement), February 3, 1998 (Deposition), and February 20, 1998 (Verified Rebuttal Statement).

Expert Witness Report, Deposition and Affidavits of Dennis W. Carlton in Re: Industrial Silicon Antitrust Litigation: In the United States District Court for the Western District of Pennsylvania, No. 95-2104, January 9, 1998 (Expert Witness Report), February 10-11, 1998 (Deposition), April 8, 1998 (Affidavit), and June 29, 1998 (Affidavit).

Declaration of Dennis W. Carlton in Re: Applications of WorldCom, Inc. and MCI Communications Corporation for Transfer of Control of MCI Communications Corporation to WorldCom, Inc.: Before the Federal Communications Commission, CC Docket No. 97-211, January 25, 1998 (with H. Sider)

Expert Report and Deposition of Dennis W. Carlton in Re: Bepco, Inc., et al v. AlliedSignal Inc. and AlliedSignal Truck Brake System Co.: In the United States District Court for the Middle District of North Carolina, Winston-Salem Division, No. 6:96CV00274, February 3, 1998 (Expert Report) and March 3, 1998 (Deposition).

Affidavit of Dennis W. Carlton in Re: Petition of WorldCom, Inc. for Approval to Transfer Control of MCI Communications Corporation to WorldCom, Inc.: Before the New York State Public Service Commission, No. 97-C-1804, February 16, 1998 (with H. Sider).

Affidavit of Dennis W. Carlton in Re: Petition of WorldCom, Inc. for Approval to Transfer Control of MCI Communications Corporation to WorldCom, Inc.: Before the Florida Public Service Commission, No. 971375-TP, February 27, 1998 (with H. Sider)

Second Declaration of Dennis W. Carlton in Re: Applications of WorldCom, Inc. and MCI Communications Corporation for Transfer of Control of MCI Communications Corporation to WorldCom, Inc.: Before the Federal Communications Commission, CC Docket No. 97-211, March 19, 1998 (with H. Sider).

Affidavit, Reports, Reply Affidavit, Reply Report, Prepared Statements and Testimony of Dennis W. Carlton in Re: The Merger of SBC Communications Inc. with Ameritech Corporation. Before the Federal Communications Commission, CC Docket No. 98-141, July 20, 1998 (Affidavit and Report), November 12, 1998 (Reply Affidavit and Reply Report), February 5, 1999 (Prepared Statements and Testimony as a Participant in the Round Table on the Economics of Mergers Between Large ILECS), April 13, 1999 (Report to the FCC on Supplemental Analysis of the Katz/Salop Hypothesis).

Report and Supplemental Report of Dennis W. Carlton in Re: Riverside Pipeline Company v. Panhandle Eastern Pipeline Company: In the U.S. District Court for the Western District of Missouri, No. 97-0642-CV-W-4, September 20, 1998 (Report with H. Sider) and January 7, 1999 (Supplemental Report).

Statement of Dennis W. Carlton in Re: Enforcement Policy Regarding Unfair Exclusionary Conduct in the Air Transportation Industry. Before the Department of Transportation, Office of the Secretary, Washington, D.C., Docket No. OST-98-3713, September 24, 1998 (with G. Bamberger)

Report and Deposition of Dennis W. Carlton in Re: The Procter & Gamble Company, et al. vs. Amway Corporation, et al. In the U.S. District Court for the Southern District of Texas, Houston Division, January 8, 1999 (Report) and February 9, 1999 (Deposition).

Responsive Direct Testimony and Prepared Answering Testimony of Dennis W. Carlton for Intervenor Oklahoma Gas and Electric Company in Re: Joint Application of American Electric Power Company, Inc., Public Service Company of Oklahoma and Central and South West Corporation Regarding Proposed Merger. Before the Corporation Commission of the State of Oklahoma, Cause No. PUD 98000444, March 29, 1999 (with G. Bamberger).

Report and Declaration of Dennis W. Carlton in Re: Telnet Communications, Inc., et al. v. WorldCom, Inc., et al. In the United States District Court for the Southern District of Texas, Houston Division, No. H-98-2020, March 30, 1999 (Report) and April 28, 1999 (Declaration).

Prepared Answering Testimony and Exhibits of Dennis W. Carlton on Behalf of Oklahoma Gas and Electric Company in Re: American Electric Power Company, Inc. and Central and South West Corporation: United States of America Before the Federal Energy Regulatory Commission, FERC Docket Nos. ER98-40-000, ER98-2770-000, ER98-2785-000, April 27, 1999 (with G. Bamberger).

Expert Report, Deposition and Supplemental Report of Dennis W. Carlton in Re: United States of America vs. American Society of Composers, Authors and Publishers in the Matter of the Application of Turner Broadcasting Systems Inc. for the Determination of Reasonable License Fees: Before the United States District Court, Southern District of New York, Civ. 13-95 (WCC) (Referred to Magistrate Judge Dolinger), April 15, 1999 (Expert Report), July 28-29 and August 5, 1999 (Deposition), and December 16, 1999 (Supplemental Report).

Declaration, Deposition and Reply Declaration of Dennis W. Carlton in Re: Visa Check/MasterMoney Antitrust Litigation: Before the United States District Court, Eastern District of New York, No. CV 96-5238 (JB) RLM), April 15, 1999 (Declaration), May 25, 1999 and June 1, 1999 (Deposition), and August 1, 1999 (Reply Declaration)

Report and Deposition of Dennis W. Carlton in Re: Zeneca Limited, Zeneca Holdings Inc., and Zeneca Inc. v. Rhone-Poulenc Inc. and Rhone-Poulenc AG Company. In the United States District Court for the District of Delaware, No. 97-652-GMS, May 17, 1999 (Report) and June 16, 1999 (Deposition).

Affidavit and Reply Affidavit of Dennis W. Carlton in Re: Andersen Consulting Business Unit Member Firms v. Arthur Andersen Business Unit Member Firms and Andersen Worldwide Societe Cooperative. Before the International Court of Arbitration of the International Chamber of Commerce, No. 9797/CK, June 2, 1999 (Affidavit) and September 13, 1999 (Reply Affidavit).

Affidavit, Report, Rebuttal Report, Reply Report, Rebuttal Report and Testimony of Dennis W. Carlton in Re: The Commissioner of Competition and Superior Propane Inc. and ICG Propane Inc.: Before The Competition Tribunal, No. CT-98/2, August 17, 1999 (Affidavit and Report), September 14, 1999 (Rebuttal Report with G. Bamberger), September 19, 1999 (Reply Report with G. Bamberger), September 27, 1999 (Rebuttal Report to Professor Michael Ward with G. Bamberger), and December 13-14, 1999 (Testimony with G. Bamberger).

Declaration of Dennis W. Carlton in Re: Merger of Qwest Communications International Inc. and U S WEST, Inc.: Before the Federal Communications Commission, CC Docket No. 99-272, October 18, 1999 (with Hal Sider).

Prepared Direct Testimony, Deposition and Cross-Examination of Dr. Dennis W. Carlton on behalf of Sierra Pacific Power Company in Re: United States of America Before the Federal Energy Regulatory Commission: Docket Nos. ER99-28-001, ER99-28-003, EL99-38-002 and ER99-945-002, November 17, 1999 (Prepared Direct Testimony), January 10, 2000 (Deposition), and April 26 and May 1, 2000 (Cross-Examination).

Expert Report and Deposition of Dennis W. Carlton in Re: United States of America v. Northwest Airlines Corporation and Continental Airlines, Inc.: In the United States District Court for the Eastern District of Michigan, Southern Division, Civil Action No. 98-74611, January 27, 2000 (Expert Report) and June 7, 2000 (Deposition).

Declaration and Ex Parte Declaration of Dennis W. Carlton in Re: Joint Applications of MCI WorldCom, Inc. and Sprint Corporation for Consent to Transfer Control: Before the Federal Communications Commission, CC Docket No. 99-333, February 18, 2000 (Declaration with H. Sider), and May 10, 2000 (Ex Parte Declaration with H. Sider).

Testimony, Rebuttal Testimony and Cross-Examination of Dennis W. Carlton on behalf of Sacramento Municipal Utility District in Re: Application of Pacific Gas and Electric Company to Market Value Hydroelectric Generating Plants and Related Assets Pursuant to Public Utilities Code Sections 367(b) and 851: Before the Public Utilities Commission of the State of California, application No. 99-09-053, March 2, 2000 (Testimony), March 16, 2000 (Rebuttal Testimony) and May 9, 2000 (Cross-Examination).

Affidavit, Deposition and Reply Affidavit of Dennis W. Carlton in Re: Gregory F. Daniel, M.D., et al. v. American Board of Emergency Medicine, et al.: In the United States District Court for the Western District of New York, Civil Action No. 90-CV-1086A, March 3, 2000 (Affidavit), April 17 and 18, 2000 (Deposition), and July 12, 2000 (Reply Affidavit).

Expert Report and Reply Expert Report of Dennis W. Carlton in Re: CSX Transportation, Inc. V. Qwest Communications International, Inc.: In the United States District Court for the Middle District of Florida, Jacksonville Division, Civil Action No. 99-412-CIV-J-21C, July 19, 2000 (Expert Report) and October 11, 2000 (Reply Expert Report).



# Exhibit 2

**HAL SIDER**

June 2000

Business Address: Lexecon Inc.  
332 S. Michigan Ave  
Suite 1300  
Chicago, IL 60604 (312) 322-0229

Home Address: 385 Ramsay Road  
Deerfield, IL 60062 (847) 405-0153

**EDUCATION**

Ph.D., UNIVERSITY OF WISCONSIN, Madison, Wisconsin: Economics, 1980.  
M.A., UNIVERSITY OF WISCONSIN, Madison, Wisconsin. Economics, 1978  
B.A., UNIVERSITY OF ILLINOIS, Urbana, Illinois: Economics, 1976.

**EMPLOYMENT**

LEXECON INC., Chicago, Illinois (October 1985 - present): 1985-90: Economist; 1990-1999:  
Vice President; 1999-current: Senior Vice President

U.S. COMMISSION ON CIVIL RIGHTS, Washington, D.C., (August 1984 - October 1985): Co-  
Director. Project on Minority Income Trends.

OFFICE OF POLICY, U.S. DEPARTMENT OF LABOR, Washington, D.C., (May 1982 - August  
1984): Economist.

PRESIDENT'S TASK FORCE ON FOOD ASSISTANCE (on leave from U.S. Department of  
Labor), Washington, D.C., (September 1983 - February 1984): Research Associate.

OFFICE OF RESEARCH AND EVALUATION; BUREAU OF LABOR STATISTICS,  
Washington, D.C., (September 1980 - May 1982): Economist.

UNIVERSITY OF WISCONSIN, Madison, Wisconsin (1978 - 79): Teaching Assistant.

UNIVERSITY OF WISCONSIN, Madison, Wisconsin (1976 - 78): Science Writer.

**FIELDS OF SPECIALIZATION**

Applied Microeconomics  
Econometrics  
Industrial Organization  
Telecommunications  
Labor Economics

ARTICLES

- "Will Mergers of Large Local Exchange Carriers Lead to Discrimination Against Rivals?" April 2000 (with Dennis Carlton and Thomas Stemwedel).
- "Recent Developments in U.S. Antitrust Enforcement." The United States Antitrust Review, October 1999 (with Gustavo Bamberger).
- "Market Power and Vertical Restraints in Retailing: An Analysis of FTC v. Toys 'R' Us," in The Role of the Academic Economist in Litigation Support, edited by Daniel Slottje (1999), with Dennis Carlton.
- "The Competitive Effects of Line-of-Business Restrictions in Telecommunications," Managerial and Decision Economics (1995), with Kenneth Arrow and Dennis Carlton. (Reprinted in R. Higgins and P. Rubin, eds., Deregulating Telecommunications: The Baby Bells' Case for Deregulation, Wiley Series in Managerial Economics, 1995.)
- "Applications of Economic Theory and Econometric Methods to Merger Review in the United States," (paper presented to European Commission Merger Task Force, 1992), with A. Rosenfield and W. Bishop.
- "Unemployment Incidence and Duration: 1968-1982," American Economic Review (June 1985).
- "The Pay Gap and Occupational Segregation: Implications for Comparable Worth," Proceedings of the Industrial Relations Research Association (1985), with June O'Neill.
- "Work-Related Accidents and the Production Process," Journal of Human Resources (Winter 1985).
- "Labor Force Participation and the Relative Earnings of Black and White Males: 1940-80," with Andy Sparks, (paper presented at the World Congress of the Econometric Society, 1985).
- "Comment on McIntyre: Estimating Long-Term Labor Market Flows from CPS Data," Proceedings: Conference on Applications of Gross Flow Data, U.S. Bureau of the Census (1985).
- "The Changing Makeup of the Military and the Effect on Labor Force Data," Monthly Labor Review (July 1984), with Cheryl Cole.
- "Accuracy of Response in Labor Market Surveys: Evidence and Implications," Journal of Labor Economics (October 1983), with Wesley Mellow.
- "Safety and Productivity in Underground Coal Mining," Review of Economics and Statistics (May 1983).

"Economic Incentives and Safety Regulation," American Economist (Summer 1983).

"Consumers and Product Safety: Market Processes and Imperfections," Policy Studies Journal (February 1983), with Eugene Smolensky.

### REPORTS

The Economic Progress of Black Men in America, U.S. Commission on Civil Rights (1986).

Economic Status of Americans of Eastern and Southern European Ancestry, U.S. Commission on Civil Rights (1986).

Report of the President's Task Force on Food Assistance, Curran Press, Alexandria, Virginia (1984).

### MISCELLANEOUS

University-Industry Dissertation Fellowship, University of Wisconsin, 1979-80.

#### Referee for:

Journal of Human Resources

Journal of Industrial Economics

Journal of Labor Economics

Journal of Law and Economics

Journal of Legal Studies

National Commission on Employment Policy

National Science Foundation

Policy Studies Journal

Review of Economics and Statistics

Social Science Research Council

U.S. Department of Health and Human Services

Member, Internet Committee, American Bar Association Section on Antitrust Law

### TESTIMONIAL EXPERIENCE

Vitamin Antitrust Litigation, United States District Court for the District of Columbia, MDL No. 1285. Expert Report (with William M. Landes) on behalf of opt-out plaintiffs, June 2000.

Ex Parte Declaration to Federal Communications Commission, CC Docket No. 99-333, in the matter of Joint Application of MCI WorldCom and Sprint for Consent to Transfer Control, May 2000, on behalf of SBC.

Gas City, Ltd. v. Indiana Department of Transportation, Circuit Court of St. Joseph County, Indiana. Affidavit on behalf of Gas City, March 2000.

Declaration before the Federal Communications Commission, CC Docket No. 99-333, in the matter of Joint Application of MCI WorldCom and Sprint for Consent to Transfer Control, February 2000 (with Dennis Carlton), on behalf of SBC.

Ex Parte Comments to Federal Communications Commission, CC Docket No. 99-272, in the matter of the Merger of Qwest Communication International Inc. and U S WEST, February 2000, on behalf of Qwest and U S WEST.

Lemon, Myer, Duncan et al. v. International Union of Operating Engineers, et al., U.S. District Court for the Eastern District of Wisconsin, Case No. 97-C-0857. Affidavit on behalf of International Union of Operating Engineers (December 1999); deposition (January 2000); Supplemental Report (February 2000).

Declaration before the Federal Communications Commission, CC Docket No. 99-272, in the matter of Merger of Qwest Communications International Inc. and U S WEST, Inc., October 18, 1999 (with Dennis Carlton), on behalf of Qwest and U S WEST.

Ex Parte Report to the Federal Communications Commission, CC Docket No. 98-141 regarding the merger of SBC Communications Inc. with Ameritech Corporation, April 1999 (with Dennis Carlton) on behalf of SBC and Ameritech.

Riverside Pipeline Co. v. Panhandle Eastern Pipeline Co., United States District Court for the Western District of Missouri, Case No. 97-0642-CV-W-4, Expert Report in September 1998, on behalf of Panhandle Eastern Pipeline Co.

Lemon, Myer, Duncan et. al v International Union of Operating Engineers, et al., United States District Court for the Eastern District of Wisconsin, Case No. 97-C-0857; Affidavit in September 1998, on behalf of International Union of Operating Engineers.

Testimony before the Department of Public Service of the State of West Virginia in the Matter of Application of WorldCom, Inc., Corp., for Approval to Transfer Control of MCI Communication to WorldCom, Inc. (June 17, 1998); oral testimony (July 2, 1998), on behalf of WorldCom.

Testimony before the Department of Public Service Regulation, Public Service Commission of the State of Montana, Docket No. D97.10.191, In the Matter of the Application of WorldCom, Inc. and MCI Communications Corporation for Approval to Transfer Control of MCI Communications Corporation to WorldCom, Inc., May 12, 1998, on behalf of WorldCom.

Testimony before the Public Utilities Commission of the State of Colorado, Docket No. 97A-494T, In re Application of WorldCom, Inc. for Approval to Transfer Control of MCI Communications Corporation to WorldCom, Inc., pre-filed direct testimony (March 25, 1998), cross-examination (April 2, 1998); on behalf of WorldCom.

Affidavit before the Florida Public Service Commission, Docket No. 971375-TP, Petition of WorldCom, Inc. for Approval to Transfer Control of MCI Communications Corporation to WorldCom, Inc., February 27, 1998 (with Dennis Carlton); on behalf of WorldCom.

Affidavit before the New York State Public Service Commission, Case 97-C-1804, Petition of WorldCom, Inc. for Approval to Transfer Control of MCI Communications Corporation to WorldCom, Inc., February 16, 1998 (with Dennis Carlton); on behalf of WorldCom.

Second Declaration before the Federal Communication Commission, CC Docket No. 97-211, in the Matter of Application of WorldCom, Inc. and MCI Communications Corporation for Transfer of Control of MCI Communications Corporation to WorldCom, Inc., March 19, 1998 (with Dennis Carlton); on behalf of WorldCom and MCI.

Shuller v. United States, U.S. District Court for the Eastern District of Pennsylvania, Civil Action No. 97-3820, Expert report in February, 1998; on behalf of U.S. Department of Justice.

Declaration before the Federal Communication Commission, CC Docket No. 97-211, in the Matter of Applications of WorldCom, Inc. and MCI Communications Corporation for Transfer of Control of MCI Communications to WorldCom, Inc., January 25, 1998 (with Dennis Carlton); on behalf of WorldCom and MCI.

Smith v. Amtrak, Circuit Court of Cook County, IL, Case 92 L 10525. Deposition in November 1997, trial testimony in January 1998; on behalf of Smith.

Johnson and Lehl v. City Colleges of Chicago, U.S. District Court for the Northern District of Illinois Eastern Division Case No. 96 C 0862. Expert report in July 1997, deposition testimony in November 1997; on behalf of City Colleges of Chicago.

Gelumbauskas v. Precision Gear, U.S. District Court, Northern District of Illinois Eastern Division, Case No. 96 C 0862. Expert report in April 1997, on behalf of Gelumbauskas.

Galvan v. U.S. Industries, Expert Report on December 27, 1997, deposition testimony in January 1997; on behalf of U.S. Industries.

Sprint Communications Company L.P. v. Network 2000 Communications Corporation, Expert report on July 15, 1996, deposition testimony in July, August 1996; affidavit on November 9, 1996; on behalf of Sprint

Beazer East v. CSX Transportation, Inc., U.S. District Court for the Western District of Pennsylvania Case No. 93 0861, Expert report in April 1996; deposition testimony in June 1996; on behalf of CSX.

Report submitted in May 1996 to the National Association of Insurance Commissions on behalf of National Association of Independent Insurers.

Carbon Dioxide Industry Litigation, U.S. District Court for Central District of Florida MDL940. Expert report in October 1994 (with William M. Landes); supplemental report (with William M. Landes and Richard Leftwich) in May 1995; deposition testimony in July 1995; on behalf of opt-out plaintiffs.

AVR, Inc. v. Cemstone Products Corp., U.S. District Court, District of Minnesota, Third Division, File CIV 3-92-551. Expert report in October 1994; supplemental affidavits in December 1994, January 1995; on behalf of Cemstone.

W. Borysiewicz v. M. Gilblair, Circuit Court of Cook County, Illinois. Deposition testimony in August 1994, trial testimony in September 1994; on behalf of Borysiewicz

NAACP et. al. v. American Family Mutual Insurance Co., U.S. District Court, Eastern District of Wisconsin, Civil Action No. 90-C-0759. Deposition testimony in July 1994 and November 1994; on behalf of American Family.

G. Bowan v. The Sales Force Companies, U.S. District Court for The Western District of Missouri, Case No. 92-0496-CV-W-2. Affidavit in February 1993; on behalf of Sales Force.

Wisconsin Central Transportation Corporation – Continuance in Control – Fox Valley and Western Ltd., Finance Docket 32036. Verified Statement to the Interstate Commerce Commission in September 1992 (with Andrew M. Rosenfield); on behalf of the Wisconsin Central.

Castaneda v. Baron Wire and Steel Inc., Circuit Court of Cook County, Illinois, Municipal Department, Second District. Deposition testimony in February 1992; on behalf of Castaneda

Morgan v. ServiceMaster, U.S. District Court for the Northern District of Illinois, Case No. 89-C-0581. Report in August 1991 (with Sherwin Rosen); on behalf of ServiceMaster.

Sepich v. Mueller, U.S. District Court for the Central District of Illinois, U.S. District Court, Case No. 88-2353. Report in March 1991 (with Sherwin Rosen); on behalf of Mueller

N. Savakis v. Beatrice Company, U.S. District Court for the N.E. District of Illinois Eastern Division, No. 89 C5790. Deposition testimony in June 1990; on behalf of Beatrice.

Times Herald Printing Company v. A.H. Belo Corp. and Dallas Morning News Company, District Court of Harris County Texas, 280th Judicial District. Deposition testimony in April 1990; on behalf of Dallas Morning News.

Turner v. IDS Financial Services, Inc., U.S. District Court for the District of Minnesota, File No. 88-521. Report in November 1989; on behalf of IDS.

McLendon et al. v. Continental Group et. al., U.S. District Court for the District of New Jersey, Civil Action No. 83-1340 (SA). Trial testimony in February 1989, testimony before Special Master in February 1990; testimony before Special Master (with Sherwin Rosen) in August 1990; on behalf of Continental Group.

Application of Illini Carrier L.P. before Illinois Commerce Commission. Testimony in April 1988 regarding application to provide natural gas transportation services; on behalf of Illini Carrier.



