

RANDALL J. MOON
BERKELEY RESEARCH GROUP, LLC
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CAREER SUMMARY

- Respected professional with 35 years of experience as a human resources executive, advisor, and attorney.
- Testifying expert witness for matters involving ERISA fiduciary process, human resources and M&A.
- Top Global HR Executive at Archer Daniels Midland Company.
- Corporate officer at Archer Daniels Midland Company and Lowe's Companies, Inc.
- Significant experience in all aspects of global M&A, including integration.
- Senior executive leader with responsibility for Talent Management for 250,000 employees.
- Driver of strategic evaluation and implementation of cost savings across the range of global compensation and employee benefit programs, resulting in millions of dollars in cost savings for multiple employers.
- Extensive experience as an ERISA fiduciary, having led the global employee benefits functions and chaired the administrative committees at three Fortune 100 companies.

PRESENT POSITIONS

UNIVERSITY OF SOUTH CAROLINA, Darla Moore School of Business

Adjunct Professor

July 2018-present

Teach Labor Relations course and Employee Benefits class in the Master of Human Resources Program

BERKELEY RESEARCH GROUP, LLC

Managing Director

July 2018–present

ADVISORY SERVICES CONSULTING

Consulted with publicly traded healthcare company in the areas of organizational design, change management, succession planning, leadership development, performance management and employee benefits.

EXPERT RETENTIONS IN LITIGATION

Retained as a testifying expert witness in litigation. Provided analysis and reports, testified at trial and was deposed in cases involving ERISA fiduciary claims and other HR matters in state and federal courts. Listed below are the matters where retained as an expert.

2019. Kimberly Cusack – Acocella, et al. v. Dual Diagnosis Treatment Center, Inc., et al; ERISA

fiduciary; Glynn & Finley; plaintiff; U.S. District Court, Central District of California

2019. County of Monterey v. Blue Cross of California, et al; ERISA fiduciary; Hogan Lovells; defendant; U.S. District Court, Northern District of California

2020. First American Title Company of Napa v. Larry Frattini, et al; hiring executive officers from competitor; Chiarelli & Associates; plaintiff; Superior Court of the State of California, County of Napa.

2022. Spicin Foods v. Gourmet Specialties, et al; HR due diligence issues resulting in risk to viability of business; Boulware Law; plaintiff; District Court of Johnson County, Kansas.

PROFESSIONAL EXPERIENCE

NORTH COVE ADVISORS, LLC

Founder & President
May 2016-July 2018

- Provided HR consulting to medium and large businesses in employee benefits, law and lobbying sectors.
- Advised benefits consulting firm on domestic medical tourism, vendor selection and purchasing for healthcare strategies.
- Advised mid-sized company on cultural integration issues associated with purchase of business.
- Provided executive coaching for new executive in privately held company.
- Met with congressional representatives on Capitol Hill to educate on current employee benefit issues

LOWE'S COMPANIES, INC

Senior Vice President – Learning & Organizational Effectiveness
April 2014-May 2016

Led organization design, change management, performance management and talent assessment for 250K employees. Oversaw 105-member team including VP of Learning & Development, Director of Leadership Development, and Director of Organizational Effectiveness. Delivered 5M web-based trainings per year. Member of the Board of Directors for Lowe's India. Modeled servant leadership to promote inclusion and leverage underutilized employees to advance organization.

- Redesigned curriculum to infuse stronger emphasis on "Customer Promise." Worked closely with operations group, vendors, and best-of-best store staff to design branded training to drive better customer service.
- Introduced, developed and directed unique training program to prepare M&A cross-functional stakeholders for major, complex transactions. Worked with outside advisor to design simulations of due diligence and integration.
- Managed people issues and helped architect integration plan for biggest acquisition in Lowe's history, a \$2.4B acquisition in Canada.
- Chaired Learning Council comprised of cross-departmental executives from operations, merchandising, technology, and supply chain that guided prioritization of training requests.
- Developed and piloted introduction of Talent Management Philosophy and clarified mission to

attract/retain top performers, for the first time differentiating employees by performance to guide development of enterprise talent.

- Advocated for switch from annual performance review to periodic discussions based on individual employee needs. Persuaded senior managers of value, demonstrating improved engagement scores and time savings.
- Launched action learning program for high-potential employees to prepare future leadership.
- Educated on strategic planning and matrixed partnerships to support business value and formulate constructive solutions.
- Instituted leadership development program for VP-level and above, Leading Organizations at Lowe's, cooperatively designed with UNC Kenan-Flagler to help leaders lead themselves, their teams, and the business.
- Corporate officer and member of Lowe's corporate leadership team.

LOWE'S COMPANIES, INC

Vice President – International HR, Benefits & HRIS

October 2011-March 2014

Recruited by Company to resolve problems with benefit programs that were exposing Lowe's to significant risk. Developed and executed long-term healthcare strategy to drive lower cost, higher quality care with improved financial results. Member of the Board of Directors for Alacritty Restoration Services. Partnered on committee handling acquisitions and global opportunities. Presented to the Lowe's Board of Directors on impact of ACA. Served as HR Business Partner for President of Lowe's International.

- Instituted "cost follows care" model that delivered healthcare 3% below national trend. Overhauled benefit communications and flipped cultural paradigm from "administration out" to "customer in."
- Started innovative pharmacy program that realized \$30M in savings. Sourced competitive bids and insisted pharmacy benefit managers lock in pricing/fees while elevating responsiveness to members.
- Co-created pioneering Joint & Spine program that covered surgical expenses at flagship medical institutions. Program so effective it attracted Fortune 500 companies to join negotiating alliance.
- Dramatically improved health outcomes by removing roadblocks to receiving quality care.
- Introduced concierge/navigator tools through call center and web to quickly provide members with correct resources.
- Simplified communications and ensured messaging was inclusive of different cultures and spoke sincerely to spouses, domestic partners, and family members about healthcare.
- Embedded discipline in vendor selection and management to clarify obligations and significantly reduce expenses. Produced flexible living contract documents to ensure service level standards were met and billing was consistent with terms.
- Key member of executive team that built business case to win approval for data and technology center in India to mitigate issues with sourcing data professionals; Visited Bangalore to meet with colleges and local companies to benchmark successes; Hired and negotiated employment contract for Lowe's India Managing Director; Elevated service levels and significantly reduced use of contractors.
- Chairman of the Lowe's ERISA fiduciary committee responsible for 401k plan investment and administration and employee welfare benefit plan administration.

ARCHER DANIELS MIDLAND COMPANY

Vice President – Global Benefits

January 2009-October 2011

Charged with transforming total rewards in ADM's key foreign countries including Canada, UK, Brazil, Netherlands and Singapore, achieving market-based plans with cost savings. Headed due diligence and HR integration planning for four acquisitions. Co-chaired Pandemic Preparedness Task Force that revised Pandemic Policy. Performed review of updated SEC Proxy Disclosure rules. Trustee of pension plans in England, Ireland and Jamaica. Chairman of administrative and plan investment committee for ADM's defined benefit and defined contribution plans in the US and Canada.

- Established model framework for HR approach to M&A, joint ventures, dissolutions, and divestitures with focus on global integration. Coached cross-functional teams on people issues involved with business transactions.
- Collaborated with doctors and health professionals around the world to aid preparedness, response and recognition of diseases. Instituted groundbreaking strategy in response to H1N1 outbreak.
- Set up global network to address H1N1 crisis. Worked with federal government and offered ADM clinical facility to store Tamiflu for quick distribution to protect vulnerable populations.

ARCHER DANIELS MIDLAND COMPANY

Vice President – Global Compensation & Benefits

May 2007-January 2009

Solicited to undertake new position entrusted with moving forward Board of Director's strategic initiative to attract top talent and evolve ADM to best-in-class competitor in global market. Ensured incentives, compensation, and benefits represented unified brand philosophy around the world to accelerate positive bottom line impact as company matured. Implemented first cash bonus program for senior leadership with goal to progressively cascade deeper into the organization.

- Leveraged influence and subject matter expertise to shift ADM to modern compensation and benefits culture, renovating programs to better compete for global leadership talent.
- Conducted total benefits/policy review for US resulting in major revisions. Presented business case to Board of Directors to reallocate resources away from costly benefits to short-term incentives for the first time in ADM history.
- Examined steps to transition workforce from defined benefit pension plans on a net neutral basis to avoid disadvantaging long-term employees. Consulted with advisors and team to prepare contrasting proposals for CEO.
- Served on Global Crisis Management Team tasked with handling multiple crises including employee deaths.
- Reorganized Expatriate group to centralized administration. Provided regional design flexibility that helped identify and promote high potential leaders and coordinate assignments based on international experience.

ARCHER DANIELS MIDLAND COMPANY

Vice President – Human Resources

February 2005-May 2007

Steered mission-critical change initiatives directed by CEO as Corporate Officer and top Human

Resources leader in ADM. Oversaw global HR, labor relations, and expatriate administration as well as Centers of Excellence for Compensation & Benefits, Learning & Development, and Talent Acquisition. HR Business Partner for C-Suite and executives. Managed 250 reports worldwide, maintaining stability through multiple organizational disruptions.

- Appointed to ADM Leadership Team comprised of top 70 global executives chosen to develop short-/long-term strategies aligned with Board of Director's vision including global consolidation and entrance into new markets.
- Led HR team through uncertainty associated with hiring of new Chief Executive Officer and Senior Vice-President of Human Resources. Assisted with onboarding CEO and provided counsel/briefings as key change agent.
- Orchestrated extensive HR process review involving multinational, multidisciplinary team.
- Championed and secured Board of Director's approval for first global human resources information system.
- Shifted recruiting focus from "filling jobs" to sourcing great talent, hiring people with potential to drive ADM forward in global market. Challenged and coached executives to plan workforce assets for the long-term.

ARCHER DANIELS MIDLAND COMPANY

Vice President – Compensation & Benefits
August 2002-January 2005

Recruited by ADM to transform and lead global compensation and benefits strategically. In the past, they were administrative functions.

- Initiated strategic, global review of compensation and benefit programs.
- In partnership with the VP of Risk Management, developed and implemented global benefits insurance pooling with reinsurance to the ADM captive resulting in considerable savings.
- Improved department's relationship with key business constituents within ADM by introducing data driven, fact-based management style.
- ERISA fiduciary for all employee pension benefit and employee welfare benefit plans.

CSX CORPORATION

Assistant Vice President – Human Resources
January 2000-July 2002

At the request of members of the company's executive management, moved from the Law Department to the HR Department to manage employee benefits and human resources management systems. Remained a member of the Law Department's deal team.

- Introduced concept of shared service center to more effectively and efficiently manage human resources transactions.
- Slashed annual health and welfare expenses by approximately \$10 million, while improving benefits offered to employees.
- Successfully reorganized department to reduce headcount by 10% and realign work.
- Chairman of the ERISA fiduciary committee, responsible for plan investments and for deciding ERISA appeals.
- Member of Human Resources Leadership Team. Responsible for determining and implementing corporate-wide human resources strategy, policies and procedures.

- Initiated “Six Sigma” program and piloted first “Six Sigma” teams within the organization. Member of “Six Sigma” Senior Advisory Team.
- Negotiated employment, employee benefits and due diligence matters in sale of logistics

CSX CORPORATION

Assistant General Counsel

August 1997-December 1999

- Key member of Law Department deal team. Participated in transactions involving billions of dollars and thousands of employees. Significantly involved in many aspects of transactions resulting in sale of stock and assets, a recapitalization and a merger with a competitor.
- Directed the investigation of several major incidents of fraud perpetrated against affiliates of the company. Assisted the U.S. Attorney in Los Angeles in preparing for the successful prosecution of a former employee who defrauded a subsidiary.
- Served as General Counsel of The Greenbrier Resort, which was wholly owned by CSX. Primary responsibility for all legal matters. Negotiated agreements with vendors. Commenced litigation against those involved in the theft of trade secrets and misrepresentations about the functionality of technology equipment.
- Successfully “crisis managed” a serious situation involving a subsidiary at a vulnerable time.
- Primary legal responsibility for all employment, employee benefits and executive compensation matters. Prepared materials concerning employee benefits and executive compensation programs for the consideration of the Board of Directors of CSX Corporation. Made frequent presentations to the Pension Committee of the Board of Directors.

AMERICAN COMMERCIAL LINES, INC

Associate General Counsel November 1996 – July 1997

Was a wholly owned subsidiary of CSX Corporation

- Responsibility for legal issues pertaining to domestic and international business transactions and operations and labor and employment matters. Served as the company’s Compliance Officer.
- Led team to review transaction opportunities in Brazil and Argentina. Negotiated Consortium Agreement for boat repair facility in Corumba, Brazil.
- Successfully defended company against environmental criminal action brought by the U.S. Justice Department.
- Aggressively dealt with various labor matters at the company’s barge building facility.
- While at American Commercial Lines, continued to be involved in significant CSX transactions.

CSX CORPORATION

Senior Counsel

November 1993 – November 1996

- Primary legal responsibility for employment matters, employee benefits and executive compensation programs.
- Led legal team charged with the review and revision of company’s “change of control” provisions in its employment agreements and executive programs. Led business team that selected trustee for “rabbi trust”.
- Active participant on company’s Purchasing Council. Analyzed legal fees and expenses company-

wide and recommended changes to the process of selecting and paying outside counsel.

- Lead in-house attorney in False Claims matter brought against a subsidiary by the U.S. Justice Department and various states. Negotiated settlement.

CSX TRANSPORTATION, INC

Counsel

May 1991 – October 1993

- Responsible for employee benefits and special projects.
- Significant participation in negotiating the purchase of a small railroad and barge facility.
- Key member of team developing company's Corporate Compliance Program as required by the U.S. Sentencing Guidelines.
- First employee selected to participate in the Chairman's Corporate Internship Program, which was designed for high potential employees to spend six months at the corporate headquarters in Richmond, Virginia.

JAFFE, SNIDER, RAITT & HEUER

Tax Attorney

June 1986 – April 1991

COOPERS & LYBRAND

Tax Attorney

January 1985 – May 1986

THE HONORABLE HILDA R. GAGE

Senior Court Clerk – Oakland County Circuit Court

May 1983 – December 1984

EDUCATION

J.D. Wayne State University School of Law, 1984
B.A. University of Michigan, 1981

ASSOCIATIONS / ACCOMPLISHMENTS

- American Benefits Council - Executive Board of Directors (2012-2016)
- The Modern CHRO & Strategies for Success Certification, School of ILR, Cornell University (2014)
- National Business Group on Health - Institute on Healthcare Costs & Solutions Board of Directors (2011 to 2014)
- Executive Client Advisory Boards: Aetna, Blue Cross Blue Shield Alabama, Kaiser, United Health Care, CVS Caremark (2011-2014)
- "Workforce Management" magazine Editorial Advisory Board (2013-2016)
- Quality Quest for Health, Central Illinois, Board of Directors (2009-2011)
- Chairman of Board of Directors of Jackson Field Homes [facilities for abused and neglected teenage girls in Virginia] (1997-2000)
- State Bar of Michigan (admitted in 1985)

- United States District Court for the Eastern District of Michigan (admitted in 1985)
- American Bar Association (admitted in 1985)
- Varsity Letterwinner for Baseball, University of Michigan (1978, 1979)

RECENT PUBLICATIONS

1. Moon, R. *Leading Remote Teams*, American Management Association Quarterly, August 2020
2. Moon, R. *Why the Best Post-COVID-19 Leaders Will Embrace Ambiguity*, BRG Thinkset, June 2020
3. Moon, R. *In Times Like These, Mind Your Culture*, TLNT, April, 2020
4. Moon, R. *Amazon's Healthcare Play: It's Exciting – But It's Not New*, BRG Thinkset, August 2019