

## **Jeffrey Klenk**

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### **Education**

#### **The Pennsylvania State University**

**Aug. 1998 – Dec. 2002**

- M.A. Economics
- B.S. Economics
- B.A. History

### **Consulting Experience**

#### **Berkeley Research Group, LLC**

*Director*

*Associate Director*

**Dec. 2014 – Current**

*July 2018 – Current*

*Dec. 2014 – June 2018*

#### **GreatBridge Consulting**

*Director*

**Sept. 2014 – Dec. 2014**

*Sept. 2014 – Dec. 2014*

#### **Econ One Research, Inc.**

*Economist*

**March 2009 – Sept. 2014**

*March 2009 – Sept. 2014*

#### **LECG, LLC**

*Senior Economist*

*Economist*

*Senior Associate*

*Associate*

**June 2003 – March 2009**

*July 2007 – March 2009*

*January 2006 – June 2007*

*March 2005 – Dec. 2005*

*June 2003 – February 2005*

### **Teaching Experience**

#### **The Pennsylvania State University**

*Instructor*

*Teaching Assistant*

**Jan. 2001 – Current**

*August 2004 – Current*

*January 2001 – July 2004*

#### **The Catholic University of America**

*Adjunct Lecturer of Economics*

**Aug. 2011 – May 2012**

*August 2011 – May 2012*

#### **The George Washington University**

*Adjunct Lecturer of Economics*

**Aug. 2010 – May 2011**

*August 2010 – May 2011*

## Publications

### Journals

- “Understanding the Antitrust Jurisprudence of Justice Gorsuch: *Conwood*’s Continuing Influence,” (with Jeffrey Armstrong) *The Antitrust Source*, vol. 16, no. 6, June 2017.
- “An Application of Nash Bargaining to Intellectual Property Negotiations,” (with Richard Higgins) *The Federal Circuit Bar Journal*, vol. 25, no. 1, September 2015.

### Trade Press

- “Applying *A Beautiful Mind* to High-Stakes Negotiations and IP Disputes,” *ThinkSet*, Summer 2018.
- “Bargaining Model Takeaways from Limelight Ruling,” *Law360*, February 9, 2018.
- “An Economic Review of Supreme Court Justice Neil Gorsuch’s Antitrust Record,” (with Jeffrey Armstrong) *Economics Committee Newsletter*, vol. 18, no. 2, Fall 2017.
- “Experts Must Investigate Materials on Which They Rely,” *Law360*, August 29, 2017.
- “Do PAEs Stifle Competition? Recent FTC Study Leaves that Question Unanswered,” *IAM*, April 5, 2017.
- “Size Alone Does Not Constitute a Promotional Service: Seventh Circuit Looks to Legislative Intent of the Robinson-Patman Act in Reversing Lower Court’s Decision,” *The Price Point*, vol. 17, no. 1, Winter 2017.
- “Update on Bargaining Theory in Hypothetical Negotiations,” (with Richard Higgins) *Law360*, September 2, 2015.
- “Can Package Size Constitute a Promotional Service? Recent Decision Raises Questions about the Implications of the Robinson-Patman Act,” *The Price Point*, vol. 14, no. 1, Winter 2015.
- “The Incentives and Ability of a Fringe Competitor to Restrain Industry Prices: Evidence from the Domestic Beer Industry,” *The Price Point*, vol. 13, no. 2, Summer 2014.
- “New Research Provides Insight into Investigating Cartel Behavior,” *Economic Theories in Practice*, November 2009.

### Other

- European Prices as a Proxy for Integration*, Master’s Essay in Economics, December 2002.

## **Presentations**

- “Updates in Class Certification,” Panelist, 2nd Annual Class Action Money and Ethics Conference: Aligning Interests and Optimizing Outcomes in Class Action Litigation, May 7, 2018.
- “Rubinstein Model and Takeaways from *Limelight*,” Speaker, American Intellectual Property Law Association - Patent Damages Subcommittee, March 20, 2018.
- “Pricing Conduct: 2017 Developments and a Look Ahead at 2018,” Panelist, American Bar Association - Section of Antitrust Law, February 27, 2018.
- “Class Certification: Making Sense of Class Certification Doctrine, Economics, and Econometrics,” Panelist, American Antitrust Institute - 11th Annual Private Antitrust Enforcement Conference, November 7, 2017.
- “The Increased Use of Expert Testimony in Addressing Public Interest Issues,” Moderator, Berkeley Research Group, October 26, 2017.
- “From Billboards to Aluminum: The Career of an Antitrust Economist,” Speaker, Penn State University - World Campus Economics Organization, October 20, 2016.
- “Considering the Cost of the Price Cost Test,” Panelist, American Bar Association - Section of Antitrust Law, October 7, 2015.
- “Retrospective on the *Baby Products* Litigation,” Moderator, American Bar Association - Section of Antitrust Law, July 31, 2013.
- “The Role of Economics in Identifying and Litigating Cartel Behavior,” Speaker, State Bar of Michigan - Antitrust, Franchising and Trade Regulation Section, September 23, 2010.

## **Expert Engagements**

*Eddie Mercer Agri-Services, Inc. v. Mid-American Salt, LLC*

- United States District Court for the Northern District of Indiana
- Case No. 1:17-CV-239-TLS-PRC
- Retained by Starr, Austen & Miller, LLP
- Opinion concerning claimed damages stemming from an alleged breach of an express warranty
  - Expert Report – April 3, 2018

Marie E. Moore v. Deborah L. James, Secretary, Department of the Air Force

- United States Equal Employment Opportunities Commission, Washington Field Office
- EEOC No. 570-2016-00054X
- Retained by the Federal Employee Legal Services Center
- Opinion concerning claimed damages stemming from a constructive discharge
  - Expert Report – April 2, 2018
  - Hearing – April 26, 2018

Michelle Donahue v. Elaine Duke, Acting Secretary, U.S. Department of Homeland Security

- United States District Court for the District of Columbia
- Case No: 16-cv-02443 (APM)
- Retained by the Federal Employee Legal Services Center
- Opinion concerning claimed damages stemming from a constructive termination
  - Expert Report – February 23, 2018

United States of America v. \$11,000 in United States Currency and Charles L. Clarke, II

- United States District Court for the Eastern District of Kentucky
- Case No: 2:14-cv-00125-WOB-JGW
- Retained by the Institute for Justice
- Opinion concerning the economic incentives underlying civil forfeiture
  - Expert Report – September 25, 2015

Colon Health Centers of America, LLC, et al. v. Bill Hazel, in his official capacity as Secretary of Health and Human Resources, et al.

- United States District Court for the Eastern District of Virginia
- Case No: 1:12-cv-00615-CMH-TCB
- Retained by The Institute for Justice
- Opinion concerning the effects of certificate of need laws
  - Expert Report – April 30, 2014
  - Declaration – August 8, 2014

## **Professional Memberships and Activities**

American Economic Association

- Member, Current

American Bar Association

- Member, Antitrust Section, Current

National Institute for Trial Advocacy

- Expert Witness, DC Advanced Advocates Program, November 8, 2013

## **Other Activities**

### DiscipleMakers

- Treasurer, Board of Directors, January 2018 – Current
- Member, Board of Directors, July 2017 – Current

### Montgomery County Board of Elections

- Chief Judge, 2016 General Election
- Closing Judge, 2016 Primary Election

### Suburban Nursery School

- Member, Board of Directors, 2014-2015 School Year

## **Other Education**

### **The Catholic University of America**

**Aug. 2011 – May 2012**

- J.D. Candidate

## **Honors and Scholarships**

### Phi Beta Kappa

Graduate of the Schreyer Honors College

Schreyer Honors College Thesis Research Grant

The University Scholar's Award in the College of Liberal Arts

CUA Law Alumni Scholarship Award – First Year Scholarship