

MICHAEL J. MCDONALD, PH.D.
BERKELEY RESEARCH GROUP, LLC
28 State Street, 28th Floor
Boston, MA 02109

Phone: 617.925.4090
mmcdonald@thinkbrg.com

SUMMARY

Dr. McDonald is a Director at Berkeley Research Group. He has twenty-five years of experience advising clients and providing analyses for expert testimony in antitrust, class action certification, damages analysis, data analytics, false advertising, intellectual property, and public policy matters. He has directed and conducted a wide range of complex quantitative and qualitative analyses that have been presented in federal and state courts; before national and international arbitration panels; and before the Department of Justice, the Federal Trade Commission, the Federal Communications Commission, and Copyright Royalty Board. The quantitative analyses include econometric and statistical analysis, analysis of large databases, discounted cash flow analysis, and the analysis of credit worthiness. The econometric analyses include the estimation of demand and antitrust overcharges; determination of competitive effects and antitrust impact; stock and bond market event studies; time series analysis; and hedonic pricing models. Dr. McDonald's consulting experience includes a wide range of industries such as animal feed, building products, commercial aircraft, department stores, food and beverages, lawn and garden products, medical equipment, mining and metals, microprocessors, petroleum, printing equipment, pulp and paper, security and detection equipment, telecommunications, and vitamins. Dr. McDonald received his Ph.D. in Economics from George Mason University and has published in the fields of antitrust, econometrics, and public choice economics.

EDUCATION

Ph.D., Economics, George Mason University (1993)
M.A., Economics, George Mason University (1989)
B.S., Economics, Western Oregon State College (1986)

PRESENT POSITION

Berkeley Research Group, LLC

Director: April 2011 - Present

Office Director: April 2011 – April 2017

PRIOR PROFESSIONAL EXPERIENCE

LECG, LLC

Office Director and Principal: December 2007 – March 2011

Co-Office Director and Principal: April 2005 - November 2007

Principal: December 2000 – March 2005

Capital Economics

Senior Economist: May 1998 - November 2000

Economist: July 1992 - April 1998

PUBLICATIONS

"The Causes and Consequences of the Aluminum MOU," with R. Higgins, M. Glueck, and D. Kaplan, In Economic Inputs, Legal Outputs, edited by F. McChesney, John Wiley & Sons, London, 1998.

"Empirical Tests Of RBOC Leveraging and Cross-Subsidization," with R. Higgins, In Deregulating Telecommunications, edited by R. Higgins and P. Rubin, John Wiley & Sons, London, 1995, pp. 231-240.

"Residual Demand Analysis of the Carbonated Soft Drinks Market," Emperica, with R. Higgins, D. Kaplan and R. Tollison, vol. 22, 1995, pp. 115-126.

"Electoral Politics And The Executive Veto: A Predictive Theory," Economic Inquiry, with K. Grier and R. Tollison, vol. 33, July 1995, pp. 427-440.

"Business Restraints and The Clayton Act of 1914: Antitrust or Interest-Group Legislation?," with R. Ekelund and R. Tollison, In The Causes and Consequences of Antitrust: A Public Choice Perspective, edited by F. McChesney and W. Shugart, University of Chicago Press, 1995, pp. 271-286.

PRESENTATIONS

"Business Restraints and The Clayton Act of 1914: Antitrust or Interest-Group Legislation?" and "Residual Demand Analysis Of The Carbonated Soft Drinks Market," Southern Economic Association Meeting 1993.

"Residual Demand Analysis Of The Carbonated Soft Drinks Market," Western Economic Association Meeting 1993.

HONORS

Bradley Fellowship 1991-1992

Claude R. Lambe Fellowship 1989-1991

SELECTED CONSULTING EXPERIENCE

Antitrust

Mergers and Acquisitions - Direct and conduct analyses addressing market definition, competitive effects, and likelihood of entry in support of expert reports and presentations to the Department of Justice and Federal Trade Commission. Industry experience includes aggregates, asphalt, baking mixes, baby food, beer, bottled water, bread, commercial aircraft, defense contracting, department stores, dried fruit, frozen foods, metals, natural gas, paper and pulp, pet food, petroleum, ready-to-eat cereals, salt, telecommunications services, and wine.

Monopolization - Direct and conduct analyses in support of expert reports addressing liability and damages associated with vertical restraints, tying arrangements, and foreclosure. Industry experience includes high-speed printers, lawn and garden products, telecommunication equipment, telecommunications services, and wide-format printers.

Predatory Pricing - Direct and conduct analyses in support of an expert report addressing liability in the ductile iron pipe industry.

Price Fixing - Direct and conduct analyses in support of expert reports addressing liability and damages. Industry experience includes dairy, flat glass, graphite electrodes, lysine, metals, textiles, and vitamins.

Robinson-Patman Act - Direct and conduct analyses in support of an expert report addressing liability in the dairy industry.

Class Action Certification

Direct and conduct analyses in support of expert reports addressing class certification in the air cargo, aluminum, beer, building materials, cable TV, chemicals, cranberries, dairy, high-speed printers, microprocessors, pharmaceuticals, potatoes, plastic additives, and heavy duty truck industry.

Damages Analysis

Breach of Contract - Direct and conduct analyses in support of expert reports estimating damages. Industry experience includes diesel engines, hair care products, mining, and petroleum products.

Breach of Fiduciary Duty – Direct and conduct analyses in support of an expert report estimating damages resulting from a breach of fiduciary duty in the security and detection industry.

Insolvency – In support of an expert report, direct and conduct analysis of market value, adequate capitalization, and ability to pay debts. The analysis of the ability to pay debts included the use of the Altman's Z-Score model, the KMV model, and financial ratio analysis.

Data Analytics

Estimation of Demand – Direct and conduct econometric analyses estimating the demand for baby food, baking mixes, beer, bottled water, bread, carbonated soft drinks, dried fruit, forced air blankets, frozen food, long distance services, pet food, and ready-to-eat cereals.

Estimation of Competitive Effects – Direct and conduct econometric analyses estimating the competitive effects of mergers in the baby food, baking mixes, beer, bottled water, bread, department stores, dried fruit, frozen food, metals, pet food, salt, and ready-to-eat cereals industry.

Estimation of Antitrust Impact – Direct and conduct econometric analyses estimating impact of alleged anticompetitive conduct in the air cargo, aluminum, cranberry, dairy, lysine, metals, microprocessor, plastic additives, telecommunication services, textile, and vitamins industry.

Event Studies – Direct and conduct stock and bond market event studies.

Hedonic Price Model – Direct and conduct analysis estimating the value of a large inventory of wine.

Time Series Analysis – Direct and conduct time series analysis of metals prices and bond market yields.

Statistical Modeling – Selected analysis include determining the statistical validity of an advertising claim by a telecommunications services firm; estimation of the impact of marketing claims in the distilled spirits industry using econometric analysis; estimation of the contribution margin in the medical equipment industry using econometric analysis; and analysis of petroleum prices.

Analysis of Large Databases – Direct and conduct analysis of large transactional databases in the air cargo, aluminum, building products, chemicals, cranberry, dairy, high-speed printers, microprocessor, plastic additives, textile, telecommunications equipment, and vitamins industry.

Intellectual Property

Patent Infringement - Direct and conduct analysis in support of expert reports estimating damages in the biomedical research, engine system components, and medical equipment industries.

Estimation of Damages Due to Price Erosion –In support of an expert report, direct and conduct econometric analysis to estimate the change in price and sales due to infringement as well as the contribution margin in the medical equipment industry.

Lanham Act - In support of expert reports, direct and conduct analysis determining the statistical validity of an advertising claim by a telecommunications services firm; estimate the impact of marketing claims in the distilled spirits industry using econometric analysis; and estimate damages in the wide-format printer industry.

Patent Portfolio Valuation – Estimation of the value of a wireless communications patent portfolio.

Webcasting Royalty Rates – Direct and conduct analyses in support of an expert report evaluating proposed royalty rates to the Copyright Royalty Board.

Public Policy

Aluminum Industry – Estimate the impact of a Memorandum of Understanding to reduce the supply of aluminum inputs on the price of aluminum and additional expenditures for aluminum products by US consumers.

Telecommunications Services – Direct and conduct analyses included in expert reports filed by the Regional Bell Operating Companies in support of a motion to vacate the AT&T consent decree. Analyses included the use of econometrics to test for discriminatory conduct and cross-subsidization.