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SUMMARY

Patrick Kilbourne is a Managing Director in the Salt Lake City office of Berkeley Research Group (BRG), a leading global expert services and consulting firm. He is a Certified Public Accountant (CPA), a Certified Management Accountant (CMA), a Certified Fraud Examiner (CFE) and a Chartered Global Management Accountant (CGMA). He is also Certified in Financial Forensics (CFF) and Accredited in Business Valuation (ABV) by the American Institute of Certified Public Accountants (AICPA). He earned a Master of Business Administration (MBA) degree from the University of Pennsylvania's Wharton School of Business, a Master of Accountancy degree from Brigham Young University and a Bachelor of Science degree in Accounting from Brigham Young University. Mr. Kilbourne is an expert in applying finance, accounting and economic analysis to intellectual property damage assessments, lost profits calculation and financial statement analyses. He has been retained as an expert in numerous matters and has testified as an expert in both federal and state venues.

A substantial portion of his career has been spent in advising companies in non-litigation matters relating to royalty investigations, cost cutting, strategy, finance and operational issues. His experience spans a broad range of industries, including technology, software, manufacturing, automotive, healthcare, pharmaceutical, biotechnology, construction, real estate, telecommunications, chemicals and oil & gas.

Prior to joining BRG, he spent 9 years at LECG as a Director in the Salt Lake City office. Prior to LECG he was the head of Arthur Andersen's Strategy Finance & Economic Consulting practice in Salt Lake City, where he oversaw accounting, intellectual property, economic consulting, and strategic consulting services.

EDUCATION

Master of Business Administration (MBA), The Wharton School, University of Pennsylvania

Master of Accountancy (MACC), Brigham Young University

Bachelor of Science in Accounting, Brigham Young University

PRESENT POSITION

BRG, LLC, Managing Director, 2011 to Present

OTHER POSITIONS HELD

LECG, LLC, Director, 2002 to 2011

Arthur Andersen, LLP, Divisional Director/Senior Manager, 1993 to 2002

PROFESSIONAL CREDENTIALS

Certified Public Accountant

Certified Management Accountant

Certified Fraud Examiner

Chartered Global Management Accountant

Certified in Financial Forensics

Accredited in Business Valuation by the AICPA

Institute of Certified Fraud Examiners

Institute of Management Accountants

American Institute of Certified Public Accountants

Utah Association of Certified Public Accountants

TESTIMONY

R&R Industrial Park v. Glidden Company

Utah State Court

Dial Industries v. Lipper International

U.S. District Court in Utah

Gravel Resources of Arizona v. Salt River Sand & Rock

Arizona State Court

State of Hawaii v. Hawaii Government Employees Union

Arbitration Panel in Hawaii, 2005

Cox v. Iomega Corporation

Delaware State Court

SME Steel v. Star Seismic, LLC

Utah State Court

Vectra Fitness v. ICON Health & Fitness

U.S. District Court in Washington

Bucon v. FedEx Ground
Utah State Court

Tyree, LLC v. Harrison Development, Inc.
California State Court

AH Aero Services v. Ogden City, Kemp Development and Fair Air
Utah State Court

State of Hawaii v. Hawaii Government Employees Union
Arbitration Panel in Hawaii, 2007

BC Technical v. Ensil
U.S. District Court in Utah

Tooele Associates v. Tooele City
Utah State Court

Canyons School District v. Jordan School District
Arbitration Panel in Utah

Berkeley Booth v. Glass Slipper Properties, et al.
Utah State Court

State of Hawaii v. Hawaii Government Employees Union
Arbitration Panel in Hawaii, 2009

State of Hawaii v. United Public Workers Union
Arbitration Panel in Hawaii

Utah Digestive Health Institute, et al. v. Dr. Steven Porter
Utah State Court

CoreBrace, LLC v. Star Seismic, LLC
Utah State Court

Novartis Vaccines & Diagnostics v. Ortho Clinical Diagnostics (div. of Johnson & Johnson)
Arbitration in New York

MedImmune v. PDL Biopharma
U.S. District Court in California

Seychelles Organics, Inc. v. John Rose
U.S. Bankruptcy Court, District of Arizona

StorageCraft Technology Corporation v. James Kirby
U.S. District Court in Utah

MCA Financial Group, Ltd. v. Desert Equipment Company, Phoenix, San-Man, Maricopa Materials, et al.
Arizona State Court

The Layton Companies, Inc. and Layton Construction Company, Inc. v. SIRQ, Inc.
Utah State Court

Consonus Acquisition Corporation v. SimplexGrinnell LP
Utah State Court

Holly Refining & Marketing Company v. Mullen Crane and Transport, Inc; Olsen-Beal Associates Co.;
and Benham Constructors, LLC
U.S. District Court in Utah

State of Hawaii v. Hawaii Government Employees Union, Bargaining Unit 6
Arbitration Panel in Hawaii, 2013

PRG Resort Management, LLC v. The Resort Center Condominiums Owners Association, All Seasons
Resort Management, Inc. and The Resort Center, LTD.
U.S. District Court in Utah

Pfizer v. Amgen
Arbitration Panel in Washington, D.C.

California College, Inc.; Stevens-Henager College, Inc.; CollegeAmerica Services, Inc.; CollegeAmerica
Denver, Inc.; and CollegeAmerica Arizona, Inc. v. UCN, Inc.; inContact, Inc.; InsideSales.com, Inc.
Utah State Court

MicroStrategy Services Corporation v. OpenRisk, LLC
U.S. District Court for the Eastern District of Virginia, Alexandria Division

Salt Lake City v. ERM-West
U.S. District Court

State of Hawaii v. Hawaii Government Employees Union, Bargaining Unit 8
Arbitration Panel in Hawaii, 2015

State of Hawaii v. Hawaii Government Employees Union, Bargaining Unit 14
Arbitration Panel in Hawaii, 2015

OpenRisk, LLC v. MicroStrategy Services Corporation
U.S. District Court for the Eastern District of Virginia, Alexandria Division

Stericycle, Inc., Steri-Safe Contract Litigation
U.S. District Court for the Northern District of Illinois, Eastern Division

First American Title Insurance Company and First American Title Company, LLC v. Northwest Title
Insurance Agency, LLC, Michael Smith, Jeff Williams and Kristi Carrell
U.S. District Court in Utah

State of Hawaii v. Hawaii Fire Fighters Association, Bargaining Unit 11
Arbitration Panel in Hawaii, 2017

State of Hawaii v. Hawaii Government Employees Union, Bargaining Units 3 and 4
Arbitration Panel in Hawaii, 2017

State of Hawaii v. Hawaii Government Employees Union, Bargaining Units 2, 8, 9 and 13
Arbitration Panel in Hawaii, 2017