

Curriculum Vitae

STEFAN BOEDEKER

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SUMMARY

Stefan is a managing director at Berkeley Research Group where he focuses on the application of economic, statistical, and financial models to a variety of areas such as solutions to business issues, complex litigation cases, and economic impact studies. He has extensive experience applying economic, financial, and statistical expertise in the areas of: consumer class action, class action consulting, class action litigation, damages analysis, data analytics, data science, complex data analysis, discrimination disparate impact, treatment analyses, disputes, investigations, economic impact, feasibility analysis, health analytics, healthcare disputes & investigations, labor & employment, predictive analysis, forecasting, sampling design, securities & complex valuation, statistical analysis, and wage and hour.

Stefan has applied these techniques as an expert witness and litigation consultant in business disputes, single-plaintiff cases, multi-plaintiff cases, and class action proceedings in the areas of class certification, liability assessment, developing damages scenarios, and post settlement or judgment distributions across numerous industries including but not limited to: agriculture, automobile, communication/media, construction, consumer products, correctional facilities, cryptocurrency, education, energy, entertainment, financial, food/beverages, gaming, gas pipelines, government, healthcare, high-tech, hospitality, insurance, manufacturing, meat packing, pharmaceutical, property management, public sector, real estate, retail, technology, telecommunication, and transportation.

His experience includes but is not limited to providing solutions to questions of competitive position diagnostics, forecasting of key business and economic variables, business unit development, product portfolio optimization, marketing and pricing, allocation of scarce resources (e.g., marketing budgets), decision tree analysis, advertising effectiveness, customer relationship management, customer knowledge management, increasing customer retention, acquisition and share-of-wallet, minimizing customer churn, predicting customer behavior, determining optimal product portfolios, and identifying optimal product bundling and cross-selling opportunities.

EDUCATION

Met Ph.D. Requirements	University of California, San Diego
<i>Except dissertation in Economics</i>	
M.A., Economics	University of California, San Diego
M.S., Statistics	University of Dortmund, Germany
B.A., Business Administration	University of Dortmund, Germany
B.S., Statistics	University of Dortmund, Germany

PRESENT EMPLOYMENT

Managing Director, Head of Statistical Consulting Group, Berkeley Research Group LLC, 2010 – Present

PREVIOUS POSITIONS

Partner, Resolution Economics, 2008 – 2010

Managing Director, Alvarez & Marsal, 2007 – 2008

Director, LECG LLC, 2005 – 2007

Managing Director, Litigation and Investigation Practice, Navigant Consulting Inc., 2004 – 2005

Leader, Economic and Statistical Consulting Practice in the Western Region, Deloitte & Touche LLP, 2003 – 2004

Leader of the Litigation Consulting Group in Los Angeles, Leader of the Economic and Statistical Consulting Practice in the Western Region, PricewaterhouseCoopers LLP, 2002 – 2003

Partner (since 2000), Director of Economic and Statistical Consulting Practice in the Pacific Region, Anderson LLP, 1992 – 2002

PROFESSIONAL AFFILIATIONS

Prior

Member, AICPA Task Force, Corporate Integrity Agreement (CIA), 2001

PRESENT

Member, American Economic Association (AEA)

Member, American Statistical Association (ASA)

Member, Econometric Society

Member, Mathematical Association of America (MAA)

Member, American Association for Public Opinion Research (AAPOR)

Member, Insights Association (FKA MRA)

PROFESSIONAL AND BUSINESS EXPERIENCE

EMPLOYMENT LITIGATION

Stefan has extensive experience applying economic and statistical theories and methodologies to employment related matters such as discrimination, wrongful termination, and wage and hour cases. His work in such cases to date has included, but is not limited to, designing and conducting surveys, time and motion studies, observational studies, statistically analyzing the results of such surveys and studies (his own and other experts' studies), applying statistical sampling methodologies to extrapolate results from a subset to a universe of individuals, developing statistical models and tests to answer liability questions, applying economic theory to develop damages scenarios, and analyzing large employment related databases.

Wage and Hour

- » For a computer equipment leasing company Stefan utilized statistical models to estimate exposure due to alleged forfeiture of unpaid vacation time.
- » In several cases involving 12 hour shift workers at hospitals Stefan performed rebuttal analyses of plaintiff's damages computations.
- » For a large electronic retail chain Stefan calculated exposure based on the failure of paying overtime for store managers.
- » For a major department store Stefan performed a statistical analysis of manager surveys where he found significant differences in the managers' allocation of time across department and stores. Ultimately, due to these differences a class was not certified.
- » For a large sporting goods retail chain Stefan assisted in defining the size of the potential class and in estimating the potential exposure which led to a favorable, early settlement of the case.
- » For a women's shoes retail chain Stefan designed and statistically analyzed an observational study to quantify the amount of time spent on exempt versus non-exempt tasks.
- » For a video rental store chain Stefan developed sampling algorithms based on in-store security cameras to analyze time spent by assistant managers on exempt versus non-exempt activities.
- » For a large fast food chain Stefan directed a team collecting employee work information from restaurant locations in order to monitor and gain compliance in response to litigation.
- » For a large mass merchandiser Stefan developed a document and data reconciliation tool and he developed a statistical sampling mechanism to proof compliance with a court ordered document retention procedures in the course of a wage and hour litigation.
- » For a limousine company Stefan developed a statistical sampling based exposure model to quantify the impact of alleged unpaid overtime and missed meal breaks.
- » Stefan worked with a Fortune 500 bank in a class action suit to review the claims of managers that were misclassified and should have been paid overtime. To compute damages, Stefan reviewed the overtime records of employees in this position prior to a job classification change and, in the absence of overtime data after the job classification change, Stefan reviewed sign in and sign out times of the office building.

- » For a long-term care provider Stefan used data from timesheets, payroll, and other scheduling records to create comprehensive reports showing potential exposure for each of the claimed areas: timely wage payment, overtime wage payment, adequate daily meal and rest break periods, and travel time compensation.
- » For a maternity clothing store chain Stefan performed analyses related to exempt/non-exempt status issues for managers and assistant managers. Stefan also conducted a break time analysis for all employees.
- » For a commercial flooring contractor Stefan assessed the job duties and responsibilities of a group of supervisors. During the engagement, the scope of work expanded to include an analysis of misclassification and back-pay exposure for additional groups of employees.
- » For a software developer Stefan analyzed how department and project specific characteristics impacted the work flow and the correlation of that impact to certain exemptions.
- » For a large meatpacker Stefan conducted a time and motion study to properly assess the duration of certain separately compensated activities to rebut allegations of violation of minimum wage laws.
- » For a public university housing department Stefan conducted an extensive time and motion study to identify the tasks (and associated time range to perform each task) related to processing a contract cancellation.
- » For a large drugstore chain Stefan used in-store cameras for the smaller stores and actual in-store observations for the larger stores to conduct a time motion study and quantify the time spent by assistant managers on certain pre-defined tasks.
- » For a large public storage company Stefan conducted a detailed time and motion study to determine the cost of collection and administration of late payments. Using both self -logging and independent review techniques, Stefan defined each step in the late payment process, calculated the cost to the company for such activities, and compared this cost to the late fees under dispute.
- » For a large retail store chain Stefan performed statistical analyses of regularly conducted employee activity surveys. » For a mass merchandiser, Stefan conducted an observational study of activities of all individuals classified as managers to show significant differences in daily activities.
- » For a department store, Stefan conducted an in-store observational study of managers and assistance managers to assess the percentage of time spent on managerial tasks.
- » For a state ferry system in the Pacific Northwest, Stefan conducted an observational study of engine room personnel during shift changes to quantify potentially unpaid time worked.
- » For a large retail chain Stefan conducted an extensive analysis of the company's compliance with break time rules and regulations and also the employees' usage and potential abuse of break time.
- » For a large mass merchandise retailer Stefan compiled a comprehensive database of punch clock data, payroll data, point of sales data, hardcopy information about manual edits of time entries, store security system data, etc. to analyze allegations of inserting breaks, deleting time and forcing employees to work after they clocked out.
- » For a large electronic retail chain Stefan analyzed time card data, point of sales data and other store specific attributes to quantify potentially missed meal and rest breaks.

Discrimination, Wrongful Termination

- » For a large telecommunications company, Stefan provided a rebuttal analysis of plaintiffs' expert's damages analysis in a multi-plaintiff action alleging wrongful termination and age discrimination. Stefan also developed alternative damages scenarios and addressed questions of liability.
- » In an OFCCP investigation alleging discriminatory hiring practices at several food processing plants, Stefan constructed employment databases and performed statistical analyses to address the allegations.
- » In a gender discrimination case involving a client in the food processing industry, Stefan analyzed the impact of the implementation of an Affirmative Action Plan on the allegedly discriminatory employment practices.
- » In a wrongful termination case alleging age discrimination for a vegetable seed company, Stefan performed rebuttal work of the plaintiff's expert's liability and damages analysis.
- » In a wrongful termination case alleging age discrimination for a major aerospace company, Stefan performed statistical analyses to rebut allegations of age discrimination.
- » In a class action race discrimination suit against the Alabama Department of Transportation, Stefan developed statistical regression models and tests to analyze the alleged discrimination.

- » In a class action gender discrimination case against a large real estate brokerage firm, Stefan provided deposition testimony to class certification issues.
- » In a wrongful termination dispute of a regional property manager, Stefan utilized economic and statistical models to assess the allegations of economic loss due to the separation of employment.
- » In a gender discrimination case against a temporary employment agency, Stefan performed econometric analyses to disprove salary discrimination against two former female employees.
- » Stefan addressed plaintiffs' expert's damages calculations and developed alternative scenarios.
- » In a case involving a job lottery for dock workers, Stefan performed a statistical analysis of the process showing that the lottery did not create a disparate impact.
- » For a large meat processing plant, Stefan performed statistical analyses of employment data to address allegations of discriminatory hiring practices.

HEALTHCARE

With more than twenty-five years of experience in the healthcare industry, Mr. Boedeker provides statistical and economic consulting to a variety of clients including but not limited to providers, payors, and federal, state and local Government agencies. Mr. Boedeker has extensive experience in assisting healthcare organizations when facing disputes where complex economic issues have to be assessed and where complex statistical methods are necessary to answer questions of liability, over-/underpayments and/or damages. He has extensive experience in negotiating and presenting statistical methodology with Government agencies such as OIG, CMS (formerly HCFA), and DOJ when assessing the appropriateness of claims submission and payment practices based on statistical samples. During his tenure at various Big Accounting firms Mr. Boedeker coordinated statistical sampling methodology on numerous healthcare audits. In addition, he served as the statistical expert with the IRO for healthcare organizations, including hospitals and DME companies in response to Corporate Integrity Agreements.

- » For a large Skilled Nursing Facility operator involved in a dispute under the False Claims Act, Stefan performed a statistical analysis of the Government's proposed sampling plan.
- » For a large durable medical equipment supplier involved in a dispute under the false claims act, Stefan performed a statistical analysis of the Government's proposed sampling plan.
- » For a major healthcare provider involved in a dispute with a potential class of more than 3,000 other providers over allegedly excessive outlier payments Stefan performed economic and statistical analyses. Ultimately, class certification was denied in that case.
- » For a large homecare product provider involved in a Qui Tam investigation, Stefan analyzed and rebutted the Government's expert's statistical approach to extrapolating error frequencies and potential damages.
- » For a large chain of healthcare services provider involved in a corporate fraud investigation, Stefan developed statistical models to assess how the corporate fraud may have affected payments under the federally funded healthcare reimbursement programs.
- » For a large chain of healthcare services provider involved in a corporate fraud investigation, Stefan developed statistical models in junction with a DOJ hired expert statistician to quantify potential overpayments through the cost report system which was tainted by the corporate fraud.
- » For a major health care provider involved in a large scale DOJ investigation, Stefan developed statistical sampling models and negotiated their application in an eight year corporate integrity agreement with the OIG.
- » For a State Department of Health and Social Services, Stefan quantified the damages caused by a system error in the State's Medicaid eligibility processing system.
- » For a large homecare product provider involved in a Qui Tam investigation, Stefan developed alternative stratified sampling models to address allegations of fraudulent billing practices.
- » For a State Department of Health and Social Services, Stefan developed a simulation study to assess the impact of an insurer's plans of changing its status to for-profit.
- » In a provider's OIG self-disclosure relating to CPT coding issues, Stefan conducted statistical sampling reviews to prove that the errors were random in nature and did not constitute fraud.

- » For a major health care provider, Stefan developed statistical methods to assess the exposure in a DOJ investigation related to cost report reserve issues.
- » For a state's psychiatric hospitals, Stefan developed the statistical methodology in a billing dispute with HCFA about potential charge and billing problems.
- » In a variety of cases, Stefan designed statistical random samples for an HMO to test the validity and reliability of electronic databases in a billing dispute with HCFA (now CMS).
- » In a variety of cases, Stefan assisted clients in the use of the Government approved statistical program RatStat to perform probe samples and the necessary extrapolations of repayments due to the Government in Medicare reimbursements disputes.
- » For several County owned hospitals in San Diego County, Stefan conducted the statistical analysis for a self-disclosure, and presented the results to the regional OIG office in Santa Ana, CA.
- » In a dispute between a major health care provider and private payor groups, Stefan developed statistical stratified sampling models to assess exposure across different contract types.
- » For a project analyzing data of billing overcharges of a chain of psychiatric hospitals, Stefan worked on a sample design and the estimation of the total amount of overcharges based on the sample.
- » For a large healthcare corporation involved in the breast implant litigation, Stefan specified and estimated statistical models to quantify the expected contribution to a combined settlement pool. He also quantified potential liability in individual law suits by analyzing company specific production and profitability data combined with a study of the correlation between compensatory and punitive damages in similar law suits.
- » For a major health care provider, Stefan developed statistical sampling plans in the area of Home Health Care to assess the exposure in a DOJ investigation regarding medical necessity issues.
- » For a major health care provider, Stefan developed statistical sampling models and predictive models to answer questions about irregularities of Lab billings.
- » For the Los Angeles County Department of Health Services, Stefan conducted a time and motion study to determine the time required to complete specific Medi-Cal eligibility and provider forms.
- » For the Los Angeles County Department of Health Services, Stefan developed a database tool to capture the time spent on specific Medi-Cal eligibility and provider tasks.

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SURVEY SAMPLING

Stefan has extensive experience in designing, conducting, and statistically analyzing surveys. He has applied his expertise in both, the business consulting sector as in litigation proceedings in a wide variety of industries. Stefan's work also often incorporates the review and evaluation of surveys designed, conducted, and analyzed by other consultants and experts. In this capacity Stefan has frequently been asked to assess what can and what cannot be concluded from survey data.

- » In a class action alleging misleading advertisement about coupon redemption policies, Stefan analyzed transactional coupon redemption data and conducted a consumer survey about the perceived meaning of the advertising regarding the coupon redemption policies.
- » In a case involving the meaning of certain endorsement labels on sporting equipment, Stefan analyzed a consumer survey about the recognition and perceived meaning of such labels.
- » In a case where a celebrity chef look-alike was used in a commercial, Stefan conducted a survey to assess the extent of consumers' confusion and the potential impact on product sales.
- » In a case of advertising slogans for an alcoholic beverage, Stefan conducted a survey to assess whether consumers assumed that the products advertised were from a particular brewery.
- » In a post-acquisition study for a large instant breakfast producer, Stefan conducted surveys to assess the value of the acquired brand name and the advantages of keeping that name for certain product lines.
- » In a dispute between two golf club manufacturers over advertising claims for their drivers, Stefan performed statistical analyses of test data and a consumer survey to assess the impact of the advertising on the propensity to buy a particular driver.

- » For a large consumer products company, Stefan combined statistical modeling of transactional purchase data with consumer surveys to assess the price premiums that consumers were willing to pay for certain national brands over local brands and non-branded products.
- » Stefan designed, conducted and implemented consumer surveys about coupon redemption rates, frequency and volume of coupon usage, and the perceived value of coupons in class action settlements.
- » Stefan designed and analyzed a survey in a dispute about the perception of customer misinformation, concerning the rating process of video and computer games.
- » For a large casino operator Stefan designed, conducted, and analyzed surveys about consumer visit frequency and gambling habits to develop a "comp" system.
- » Stefan analyzed guest data to analyze the effectiveness of a frequent traveler program as well as group discount pricing. Based on a survey of frequent travelers and utilizing data mining tools Stefan developed predictive models for customer acquisition, retention, and attrition. Stefan also specified share of wallet models. The study resulted in price setting recommendations and a restructuring of the yield management system.
- » Stefan designed a survey of used car dealers to assess the impact of optional equipment and general condition on the value of used automobiles for insurance valuation purposes.
- » In a consumer class action alleging economic losses to the class caused by defective window regulators Stefan designed, conducted, and analyzed a survey used to segment the customer base and identify different levels of economic loss.
- » For one of the largest school districts in the country Stefan designed, conducted and statistically analyzed a survey of school administrators, teaching personnel, students, and parents about the attitude towards a new recycling program prior to its implementation.
- » For a large school district Stefan designed, conducted and statistically analyzed a survey about the acceptance of a recycling program across school administrators, teaching personnel, students, and parents after its implementation. The answers of the survey were cross validated by actually observing and analyzing the recycling behavior on a sample of school yards.
- » In several environmental disputes Stefan designed, conducted and statistically analyzed surveys assessing the willingness to pay among users and non-users of natural resources for cleanup costs related to pollution.
- » In a dispute over alleged underfunding of special education in public schools funding Stefan designed, conducted, and statistically analyzed a survey among school district administrators about allocation of public funds.
- » In a variety of instances for clients across multiple industries Stefan designed, conducted, and statistically analyzed data from customer surveys to assess a qualitative ranking of the importance of goods and services offered and to measure the performance relative to the customers' perception of importance.
- » For the San Diego County Bar Association, Task Force on Diversity in the Profession, Stefan performed a statistical analysis of questionnaires on diversity regarding aspects of race, gender, age, and disability.
- » On numerous occasions Stefan has been retained to critically analyze other experts' surveys and opine on design, implementation, statistical analysis of data obtained from the surveys, and interpretations and conclusions drawn based on the results.
- » For a large insurance company, Stefan utilized statistical sampling methodology to estimate the potential exposure in a lawsuit alleging the unlawfulness of certain liability waivers in automobile insurance.
- » In numerous wage and hour litigation cases Stefan designed, conducted, and statistically analyzed surveys in conjunction with observational studies to gain information about how store managers, assistant managers, and/or other salaried employees in supervisory functions allocate their time worked across managerial and non-managerial activities.
 - Including, but not limited to large department stores, electronics retailer, large big box retailer, women's special clothing retailer, women's shoe retailer, sporting goods stores, amusement park industry, restaurant industry, high tech, etc.
- » In numerous wage and hour litigation cases Stefan designed, conducted, and statistically analyzed surveys in conjunction with observational studies to gain information about the implementation of and compliance of meal and rest break policies.
 - Including, but not limited to large department stores, electronics retailer, large big box retailer, women's special clothing retailer, women's shoe retailer, sporting goods stores, amusement park industry, restaurant industry, high tech, etc.

OTHER DISPUTES

- » In a class action alleging misleading advertising practices, Stefan performed statistical analyses in the class certification stage.
- » In a large variety of patent, copyright, and trademark infringement cases, Stefan rebutted expert reports utilizing economic theory or

statistical techniques, in particular economic demand models, regression models and statistical sampling methods.

- » For a large U.S. food and beverage company, Stefan specified and estimated multivariate econometric and statistical models to derive the value of trademarks involved in a business acquisition.
- » In several cases involving confusion of trademarks, Stefan designed, conducted, and statistically analyzed the results from consumer surveys that were designed to assess the market penetration of certain trademarks.
- » In several cases involving similar sounding advertising slogans, Stefan designed, conducted, and statistically analyzed the results from consumer surveys that were designed to assess the likelihood of confusion as to which manufacturer was behind a particular slogan.
- » For a large real estate developer who was accused by several individual architects of having used their designs and plans in their developments without paying royalties, Stefan used statistical models to assess the “likeness” of the plans involved.
- » In a copyright infringement case alleging the use of lyrics from another song, Stefan used probabilistic models to assess the “likeness” of the lyrics in question and he also calculated the probability that a certain sequence of words used in the lyrics would happen by chance.
- » In a case involving the use of a “look-alike” of a celebrity chef and cookbook author, Stefan conducted an economic demand analysis of the spice market to estimate the goodwill of the particular brand as compared to other branded and several unbranded competitors. In the same case, Stefan predicted future book sales and estimated future royalty payments for books already in print and books to be published
- » For a patent infringement case on micro-motors, Stefan analyzed data of production and sales of goods that contain micro-motors and ran econometric regressions to determine price erosion.
- » In a patent infringement case on electronic regulators used in automobiles, Stefan utilized multivariate regression models to determine market segment specific price erosion.
- » For a patent infringement case on industrial machines, Stefan analyzed scenarios based on economic demand models and price elasticity calculations to determine past and future lost profits as well as price erosion.
- » For a large U.S. food and beverage company, Stefan worked on an evaluation of intangible assets based on an econometric model comparing the demand of branded and private label products.
- » In a copyright infringement case of used car evaluation guides, Stefan specified and estimated linear and non-linear regression models to determine the effect of the infringement of the copyright on sales over time.
- » In several cases alleging the theft of trade secrets when high level employees left a company, Stefan performed economic analyses to estimate the impact of the theft of the trade secret.
- » In a large variety of patent, copyright, and trademark infringement cases, Stefan rebutted expert reports utilizing economic theory or statistical techniques, in particular economic demand models, regression models and statistical sampling methods.
- » In a class action alleging improper practices of charges for gym memberships, Stefan performed statistical analyses in the class certification analysis. Based on the analysis, the ultimately certified class was significant smaller than initially defined. In this case, Stefan also developed statistical models to assess damages.
- » In a class action alleging losses to consumers due to faulty window regulators in automobiles, Stefan utilized statistical models to assess economic damages.
- » In a class action against a large financial institution alleging fee overcharges for personal trust accounts, Stefan utilized statistical analyses to segment the account holders and ultimately reduce the size of the class.
- » In a case where a provider of a used car evaluation model was ordered by the court to test if their model did not significantly undervalued cars, Stefan performed statistical analyses.
- » In a class action case over fee overcharges in the payment process of car insurance, Stefan developed a distribution model of repayments to class members after a settlement had been reached.
- » In a class action of home owners over alleged diminution of property values due to proximity to a plume of contaminated soil, Stefan performed statistical analysis to assist counsel in a motion against class certification.
- » In a natural resource damage case, Stefan provided econometric analysis of property value loss due to proximity to a solid waste site utilizing hedonic regression models.
- » In a natural resource damage case, Stefan provided econometric analysis of property value loss due to proximity to a polluted river utilizing hedonic regression models.
- » For a case involving potential damage from a landfill in a state park, Stefan analyzed data about travel, tourism and park attendance. Stefan specified and estimated linear regression models and time series models to predict park attendance.

- » In a class action case involving alleged diminution of property values due to ground-water contamination, Stefan specified and estimated hedonic regression models to show that other factors than the contamination contributed significantly to the loss in property value.
- » In a class action against a large financial institution alleging non-payment of coupon payments for bearer bonds Stefan designed and administered large-scale databases to reconstruct accounting records of a large financial institution's Corporate Trust Department. He developed statistical models to analyze bondholders' presentment behavior of Bearer bonds.
- » In a class action dispute between the Department of Interior and individual Native Americans over mismanagement of individual trust accounts, Stefan performed a statistical analysis of an electronic database with approximately 60 million records in order to draw a statistically valid sample of accounts for further analysis.
- » In a trademark infringement case of video equipment, Stefan calculated damages based on the defendant's unjust enrichment utilizing statistical time trend models.
- » For a shareholder derivative action against a leading publicly-traded health care provider, employed an econometric approach to quantify potential damages per share due to alleged section 10b -5 violations and other claims. For the same matter, developed a multi-trader model to estimate the number of shares potentially damaged.
- » In a dispute between a major health care provider and private payor groups, Stefan developed statistical stratified sampling models to assess exposure across different contract types.
- » For a large financial institution's personal trust department, Stefan designed a random sample to estimate the potential exposure due to fee overcharges.
- » For a computer equipment leasing company Stefan utilized statistical models to estimate exposure due to alleged forfeiture of unpaid vacation time in a class action of former and current employees.
- » For a leading publicly-traded developer of enterprise management software, employed statistical approach to demonstrate the diversity of investment styles among proposed lead plaintiffs for a securities class action lawsuit alleging section 10b-5 violations and other claims. Employed an econometric approach to estimate potential damages for each lead plaintiff.
- » For a leading publicly-traded developer of enterprise management software, Stefan employed econometric time-series model to analyze allegations of insider trading and the timing of certain stock transactions relative to information available to officers in the company.
- » For a shareholder derivative action against a leading publicly-traded health care provider, employed an econometric approach to quantify potential damages per share due to alleged section 10b -5 violations and other claims. For the same matter, developed a multi-trader model to estimate the number of shares potentially damaged.
- » For a publicly-traded manufacturer of office supplies, developed a Black-Scholes application and utilized a binomial distribution probability methodology to evaluate the appropriateness of the size of a loan loss reserve related to a loan collateralized by the assets of an employee stock purchase plan.
- » For a large software developer, Stefan performed statistical modeling to assist in a securities class action litigation involving allegations of improper revenue recognition, reserve allocations, financial statement disclosures and other accounting irregularities
- » For a failed computer hardware company in defense of a 10b-5 securities litigation action, Stefan performed statistical analyses of accounting transactions, inventory and receivable reserves and the auditor's work papers in its evaluation of the allegations.
- » In several Rule 10b(5) class actions, Stefan used the event study approach to calculate the value line of a security. In these cases Stefan applied complex and advanced one, two, and multi-trader models.

NON-LITIGATION

- » For large grocery store chains, Stefan analyzed the effectiveness of a frequent shopper card program utilizing data mining techniques. He also analyzed customer data to facilitate the introduction of one- to-one marketing tools.
- » For a grocery store chain, Stefan utilized econometric elasticity models to recommend pricing strategies for in-store promotions.
- » For a grocery store chain, Stefan developed customer segmentation models to design segment

specific marketing campaigns.

- » For the American Film Marketing Association, Stefan performed an economic impact study of the influence of the independent film producers and distributors on the U.S. economy in general, and the California economy in particular.
- » For a large entertainment client, Stefan developed statistical models to predict the return of video cassettes and DVDs.
- » For several clients in the retail industry, Stefan developed statistical models to estimate the liability of unredeemed gift certificates.
- » For a client in the restaurant business, Stefan developed statistical models to quantify the dollar amount of outstanding unredeemed gift certificates.
- » For a major hotel chain, Stefan developed statistical models to forecast the redemption of frequent traveler program points for tax purposes.
- » For a high profile e-commerce company, Stefan's team produced an interactive Business decision tool to forecast company growth and profitability. The interactive model allows the client, through the choice of a few fundamental inputs, to measure the simultaneous impact on all cost and revenue dimensions of the company, including real estate and equity participation.
- » For the Nevada Resort Association, Stefan quantified the economic impact of the gaming industry with special emphasis on the accelerated population growth in greater Las Vegas.
- » For the Los Angeles Unified School District, Stefan performed an economic study about the impact of different recycling programs.
- » For the Los Angeles County Department of Health Services, Stefan conducted a time and motion study to determine the time required to complete specific Medi-Cal eligibility and provider forms.
- » For the Arizona Tax Research Association, Stefan developed economic models to quantify the revenue impact of a proposed change of taxation in the construction sector in Arizona.
- » For a hotel property management company, Stefan analyzed customer data, and used data mining methods to develop predictive models for customer acquisition, retention, and attrition.
- » For a project analyzing the extent of competition in the market segments of a pipeline company, Stefan estimated regression and Tobit-models to determine optimal bidding behavior for gas storage demand. He prepared testimony given in filings before the Federal Energy Regulatory Commission (FERC).
- » For a hotel property management company, Stefan developed a demand driven yield management system.

- » For a company providing self-storage space, Stefan developed a demand driven price-setting strategy utilizing own- and cross-price elasticity regression models.
- » For a high-tech start-up with a unique service offering of new products, Stefan recommended product- pricing scenarios.
- » For a large international conglomerate, Stefan developed customized data mining techniques for the implementation within a customer knowledge management system.
- » For a large law firm, Stefan performed a comprehensive statistical analysis of Los Angeles superior court jury verdicts over the last decade. The project tested the hypothesis of systematic bias in particular courthouses with respect to plaintiff-win probability, length of trial, length of deliberation, and dollar amounts awarded.

DEPOSITIONS AND TESTIMONY

Depositions

1. MRO Communications, Inc vs. American Telephone and Telegraph Company, United States District Court District of Nevada, Case. No. -5-95-903-PMP, Deposition on September 26, 1996
2. Yolanda Aiello Harris, individually and on behalf of all others similarly situated; Jennifer Hopkins, individually and on behalf of others similarly situated; Shannon L. Bradley, individually and on behalf of others similarly situated, Plaintiffs, vs. CB Richard Ellis, Inc., a California corporation; CB Commercial INC., a California corporation; Defendants, Superior Court of California, County of San Diego, Case No. GIC 745044, Deposition on January 5, 2001.
3. State of Tennessee, ex rel., Douglas Sizemore, Petitioner vs. Xantus Healthplan of Tennessee, Inc., Chancery Court of Davidson County, Tennessee at Nashville, Case No 99-917-II, Deposition on October 11, 2001.
4. Howard Wright, Inc., a California corporation doing business as AppleOne Employment Services, Plaintiffs, vs. Olsen Staffing Services, Inc., a Delaware Corporation, Dagney Smith, an individual, Vicky Riechers, an individual, and Linda Shiftman, an individual, Defendants, Superior Court of the State of California for the County of Los Angeles, Case No. BC 200657, Deposition on December 7, 2001.
5. Sacred Heart Medical Center, et al., Plaintiffs, -vs- Department of Social and Health Services, and Dennis Braddock, the Secretary of the Department of Social and Health Services, Defendants, Superior Court of the State of Washington in and for the County of Thurston, Case No. 00-2-01898-1, Deposition on January 23, 2003.
6. Patrick Bjorkquist individually and on behalf of all others similarly situated, Plaintiff, vs. Farmers Insurance Company of Washington, Defendant, in the Superior Court of the State of Washington for King County, Case No. 02-2-11684-1 SEA, Deposition on November 3, 2003.
7. Diversified Property, a general partnership, Dora Saikhon Family Trust, and Nancy Saikhon Borrelli, an individual, Plaintiffs vs. Manufacturers Life Insurance (U.S.A.), a Michigan corporation, erroneously sued as Manufacturers Life Insurance Company, Inc., Defendants in the Superior Court of California, County of San Diego, Case No. GIC 815128, Deposition on July 21, 2004.
8. Alan Powers, Plaintiff, vs. Laramar Group et al., Defendants in the United States District Court, Northern District of California, Case No. C-02-3755 SBA, Deposition on August 27, 2004.

9. Group Anesthesia Services, A Medical Group, Inc., Claimant, vs. American Medical Partners of North Carolina, Inc., etc., et al., Respondents, JAMS Arbitration No. 1100040919, Deposition on February 9, 2005.
10. Group Anesthesia Services, A Medical Group, Inc., Claimant, vs. American Medical Partners of North Carolina, Inc., etc., et al., Respondents, JAMS Arbitration No. 1100040919, Deposition on March 11, 2005.
11. Fujitsu v. Cirrus Logic et al., United States District Court, Northern District of California, San Jose Division, Case No. 02CV01627. Deposition on April 21 and 22, 2005.
12. Goldman et al. v. RadioShack Corporation, United States District Court, Eastern District of Pennsylvania, Case No. 03 CV 0032, Deposition on May 18, 2005.
13. Perez et al. v. RadioShack Corporation, United States District Court, Northern District of Illinois, Eastern Division, Case No. 02-CV-7884, Deposition on December 13, 2005.
14. United States of America ex rel. A. Scott Pogue v. American Healthcorp Inc., Diabetes Treatment Centers of America Inc., et al., United States District Court, Middle District of Tennessee at Nashville, Civil No. 3-94-0515, Deposition on May 12, 2006.
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103. Ira Kleiman, as the personal representative of the Estate of David Kleiman, and W&K Info Defense Research, LLC v. Craig Wright, United States District Court, Southern District of Florida, Case No. 9:18-cv-80176-BB/BR, Deposition on April 22, 2020.
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113. Rachel Colangelo and Kathleen Paradowski, et al. v. Champion Petfoods USA Inc. and Champion Petfoods LP, United States District Court Northern District of New York, Case No. 6:18-cv-01228 [LEK/DEP], Deposition on March 16, 2021.
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126. Guy Reggev v. Brius Management Co., et al., Superior Court of California County of Los Angeles, Case No. 18STCV08773, Deposition January 10, 2022.
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128. Jared Le Feuvre v. Enterprise Rent-A-Car Canada Company, Ontario Superior Court of Justice, Court File No. CV-20-00647858-00CP, Cross-Examination on March 3, 2022.
129. Smartmed, Inc., et al. v. FirstChoice Medical Group, Inc., et al., Superior Court of California County of Fresno - B.F. Sisk Courthouse, Case No. 18CECG00374, Deposition on May 2, 2022.
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133. Ryan Hardin, et al. v. Samsung Electronics Co., et al., United States District Court, Eastern District of Texas, Marshall Division, Civil Case No. 2:21-cv-290, Deposition on November 11, 2022.
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139. Getaround, Inc. v. Broadspire Services, Inc., Superior Court of California, County of San Francisco, Case No. CCGC-21-590022, Deposition on September 27, 2023.
140. Stacey Thompson-Marcial, et al. v. Ticketmaster LLC, et al., Ontario Superior Court of Justice, Court File No. CV-18-00605906-00CP, Cross-Examination on October 31, 2023.

Testimony

1. State of Tennessee, ex rel., Douglas Sizemore v. Xantus Healthplan of Tennessee, Inc., Chancery Court of Davidson County, Tennessee at Nashville, Case No. 99-917-II, Trial Testimony on October 16, 2001.
2. State of Tennessee, ex rel., Douglas Sizemore v. Xantus Healthplan of Tennessee, Inc., Chancery Court of Davidson County, Tennessee at Nashville, Case No. 99-917-II, Rebuttal Testimony on October 26, 2001.
3. Howard Wright, Inc., et al. v. Olsen Staffing Services, Inc., et al., Superior Court of the State of California for the County of Los Angeles, Case No. BC 200657, Trial Testimony on March 4, 2002.
4. Columbia/HCA Healthcare Corporation - Billing Practices Litigation, United States District Court, Middle District of Tennessee, Nashville Division, Case No. 3-98-MDL-1227 on June 28, 2002.
5. Sacred Heart Medical Center, et al. v. Department of Social and Health Services, et al., Superior Court of the State of Washington in and for the County of Thurston, Case No. 00-2-01898-1, Testimony in Liability Trial on April 14, 2003.
6. Diversified Property, et al. v. Manufacturers Life Insurance (U.S.A.), et al., Superior Court of California, County of San Diego, Case No. GIC 815128, Trial Testimony on October 25, 2004.
7. Bridgestone/Firestone North American Tire v. Sompo Japan Ins. Co. of America, United States District Court for the Middle District of Tennessee Nashville Division Civil Action No. 3-02-1117 on March 7, 2005
8. Group Anesthesia Services, A Medical Group, Inc., v. American Medical Partners of North Carolina, Inc., etc., et al., American Arbitration Association, JAMS Arbitration No. 1100040919, Arbitration Testimony on March 23, 2005.
9. Goldman et al. v. RadioShack Corporation, United States District Court, Eastern District of Pennsylvania, Case No. 03 CV 0032, Testimony in Liability Trial on June 28 and 29, 2005.
10. Goldman et al. v. RadioShack Corporation, United States District Court, Eastern District of Pennsylvania, Case No. 03 CV 0032, Rebuttal Testimony in Liability Trial on July 5, 2005.
11. Mauna Loa Vacation Ownership LLP v. Accelerated Assets, LLP. United States District Court, District of Arizona, Case No. CIV 03-0846 PCT DGC. Trial Testimony on February 22, 2006.
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19. Marine Engineers' Beneficial Association v. Department of Transportation, Ferries Division Federal Mediation & Conciliation Service Case No. 110105-52404-6, AGO Matter No. 10499471, July 19, 2011.
20. Ben Davis, et al. v. State of Washington, Department of Transportation - Superior Court of Washington - Pierce County, Case No. 04-2-10585-0, Trial Testimony on July 21, 2011.
21. Richard Robinson v. County of Los Angeles, et. al., United States District Court of California, Central District, Case No. CV06-2409 GAF (VBKx), Trial Testimony on December 1, 2011.
22. In the matter of American Home Patient, ALJ Appeal No. 1-982137828, Testimony on October 29, 2012.
23. In the matter of American Home Patient, ALJ Appeal No. 1-924297238, Hearing Testimony on February 28, 2013.
24. TaylorMade Golf Company Challenge to Callaway Golf Company's Final Response, National Advertising Division, New York, Testimony on March 13, 2013.
25. United States of America, ex rel. Tammie Taylor v. Life Care Centers of America, Inc., United States District Court Eastern District of Tennessee at Chattanooga, Civ. Action No. 1:12-CV-64, Testimony on May 13, 2014.
26. United States of America v. Houshang Pavehzadeh, United States District Court for the Central District of California, No. CR 13-0320-R, Testimony on May 19, 2014.
27. Sherman Way Oil, Inc. (Bijan Pouldar), American Pacific Enterprises Group (Sherwin Louie), Bahman Kohanteb, Hamid Kalhor, Claimants, v. Circle K Stores, Inc., Respondent, Alternative Dispute Resolution Case No's. 13-7103-DSC through 13-7106-DSC, Arbitration Testimony on October 10, 2014.
28. Heidi's Children Dental Center (DC14-0813-204-LM) v. Denti-Cal, Testimony at Administrative Law Judge Hearing, Judge Lewis Munoz, in Los Angeles on November 5, 2014.
29. AdvanceMed Audit of Altercare of Wadsworth, OMHA Appeal No. 1-912446681, Bertha Sanchez, et al. v. St. Mary Medical Center, et al., Superior Court of the State of California for the County of San Bernardino, Case No. CIVDS 1304898, Certification Hearing Testimony on October 21, 2016.
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34. Federal Government of Germany v. A Consortium of Publicly Traded Companies in an arbitration under the laws of Germany, Arbitration Testimony on March 21 and 22, 2017.
35. In Re Determination of Royalty Rates and Terms for Transmission of Sound Recordings by Satellite Radio and "Preexisting" Subscription Services (SDARS III), United States Copyright Royalty Judges The Library of Congress Washington, D.C., Case No. 16-CRB-0001-SR/PSSR (2018-2022), Trial Testimony on May 9, 2017.

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38. Arriva Medical LLC, Office of Medicare Hearings & Appeals, ALJ Appeal No. 1-1874414073, Post Pre-Hearing Conference Testimony on March 23, 2018.
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40. Toll Collect GmbH v. Federal Republic of Germany, Hearing Testimony on April 16, 2018.
41. Arriva Medical, LLC, Office of Medicare Hearings & Appeals, ALJ Appeal No. 1-1945149644 (Sub-Universe August 2013), Appellant's Hearing Testimony on April 18, 2018.
42. Application of Entergy Texas, Inc., for Authority to Change Rates, Before the State Office of Administrative Hearings, SOAH Docket No. 473-18-3733, PUH Docket No. 48371, Notarized Testimony on August 16, 2018.
43. Arriva Medical, LLC, Office of Medicare Hearings & Appeals, ALJ Appeal No. 1-2049326076 (Sub-Universe September 2013), Telephonic Hearing Testimony on September 11, 2018.
44. Arriva Medical, LLC, Office of Medicare Hearings & Appeals, ALJ Appeal No. 1-1572478459 (Sub-Universe January to June 2013), Telephonic Hearing Testimony on September 20, 2018.
45. Brendan C. Haney v. Costa Del Mar Inc., In The Circuit Court, Fourth Judicial Circuit, in and for Duval County, Florida, Case No. 16-2017-CA-004797-XXXX-MA, Hearing Testimony on December 5, 2018.
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48. Nurse on Call, Inc. – Naples, Office of Medicare Hearings & Appeals, ALJ Appeal No. 1-6478330371, Telephonic Hearing Testimony on April 19, 2021.
49. Discovery Medical Diagnostic Services LLC., Office of Medicare Hearings & Appeals, OMHA Appeal No. 3-5984168562, Telephonic Hearing Testimony on April 20, 2021.
50. Interim Healthcare of Northwestern Ohio, Inc., Office of Medicare Hearings & Appeals, OMHA Appeal No. 3-5132031191, Telephonic Hearing Testimony on August 31, 2021.
51. Afshin Zarinebaf, et al. v. Champion Petfoods USA, Inc., et al., United States District Court Northern District of Illinois Eastern Division, Case No. 1:18-cv-06951, Hearing Testimony on August 9, 2021.
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53. Clayton Dezan, et al. v. Dignity Health, Superior Court of The State of California for the County of San Bernardino, Case No. CIVDS1516658, Trial Testimony on September 30, 2021.
54. Kenneth John Williams v. Toyota Motor Corporation Australia Limited (CAN 009 686 097), New South Wales Registry - Federal Court of Australia, File No. NSD1210/2019, Trial Testimony on December 06, 2021 and December 07, 2021.
55. Sutter Health, et al. v. Health Plan of San Joaquin, American Arbitration Association, JAMS Arbitration No. 1130009155, Hearing Testimony on November 17, and December 13, 2021.

56. Community Home Care of Vance County, LLC, Office of Medicare Hearings & Appeals, OMHA Appeal No. 1-7153823774, Hearing Testimony on January 12, 2022.
57. Norwalk Hospital Inpatient Rehabilitation Facility, Office of Medicare Hearings & Appeals, OMHA Appeal No. 1-3731869901, Hearing Testimony on February 10, 2022.
58. US Med, LLC., Office of Medicare Hearings & Appeals, OMHA Appeal No. 17255890416-000, Hearing Testimony on March 16, 2022.
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60. CHE Senior Psych Services P.C., Office of Medicare Hearings & Appeals, OMHA Appeal No.1-4156833004, Hearing Testimony on March 30, 2022.
61. Infinity Home Care of Lakeland, LLC., Office of Medicare Hearings & Appeals, OMHA Appeal No. 1-8815945674, Hearing Testimony on April 13, 2022.
62. Infinity Home Care of Pinellas, LLC., Office of Medicare Hearings & Appeals, OMHA Appeal No. 1-8815941917, Hearing Testimony on April 27, 2022.
63. Nurse on Call, Inc., Office of Medicare Hearings & Appeals, OMHA Appeal No. 3-7050865432, Hearing Testimony on April 29, 2022.
64. US Med, LLC, Office of Medicare Hearings & Appeals, OMHA Appeal No. 3-7324070651, Hearing Testimony on May 11, 2022.
65. Houston County Healthcare, Office of Medicare Hearings & Appeals, OMHA Appeal No. 3-7134723932, Hearing Testimony on June 28, 2022.
66. New Beacon Healthcare Group, LLC., Office of Medicare Hearings & Appeals, ALJ Appeal No. 3-6784515374, Hearing Testimony on July 11, 2022.
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68. Application of Entergy Texas, Inc. for Authority to Change Rates, Before The State Office of Administrative Hearings, SOAH Docket No. 473-22-4394, PUC Docket No. 53719, Notarized Testimony on November 15, 2022.
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70. Wendy Manemeit, et al. v. Gerber Products Co., The United States District Court for the Eastern District of New York, No. 2:17-cv00093, Hearing Testimony on March 10, 2023.
71. Jennifer Hasemann and Debbie Hoth v. Gerber Products Co., United States District Court Eastern District of New York, Case No. 1:15-cv-02995-EK-RER, Hearing Testimony on March 10, 2023.
72. Jeremy Greene and Cetaria Wilkerson v. Gerber Products Co., United States District Court Eastern District of New York, Case No. 1:16-cv-1153-EK-RER, Hearing Testimony on March 10, 2023.

PUBLICATIONS

Boedeker, Stefan and Goetz, Trenkler (2001). A Comparison of the Ridge and Iteration Estimator (with in *Econometric Studies: A Festschrift in Honour of Joachim Frohn* (ed. by Ralph Friedmann, Lothar Knueppel, and Helmut Luetkepohl), New Brunswick.

Boedeker, Stefan (2013). Observational Studies in a Litigation Context: Important Practices in a Large-Scale Study. BRG Review, Spring 2013 Issue.

Boedeker, Stefan and Andreas Groehn. (2021). Mini Roundtable: Calculating Damages in Cross-Border Class Actions. Corporate Disputes Magazine, Jul-Sep 2021 Issue.

Boedeker, Stefan. (2022). One-On-One Interview: Class Certification In Antitrust Litigation. Corporate Disputes Magazine, Apr-Jun 2022 Issue.

Boedeker, Stefan and Paul Diver (2022). Arbitration Damages - Using Sensitivity Analysis, Scenario Modeling and Data Visualization Tools. Corporate Disputes Magazine, Jul-Sep 2022 Issue.

Boedeker, Stefan (2022). Wage and Hour Class Actions. Corporate Disputes Magazine, Jan-Mar 2023 Issue.

Boedeker, Stefan (2023). Commercial Litigation Adviser of the Year. Lawyer Monthly, 2023 Issue.

RECOGNITIONS

Stefan was identified by Who's Who Legal as one of the Leading Practitioners in the field of Litigation Expert Witness in 2020, access <https://whoswholegal.com/stefan-boe>.

Included in "Marquis Who's Who in America" as a Subject of Biographical Record in 2021-22.

Included in "Marquis Who's Who in the World" as a Subject of Biographical Record in 2021-22.

Recipient of the Albert Nelson Marquis Lifetime Achievement Award, 2021.

Stefan was identified by Who's Who Legal as one of the Leading Practitioners in the field of Commercial Litigation Expert Witness in 2022, access <https://whoswholegal.com/digital-editions/wwl-commercial-litigation-2022>.

Stefan is identified as a member in Chambers and Partners as one of the Leading Economic Analysts in 2022.

Stefan was ranked by Who's Who Legal as one of the Leading Practitioners in the field of Commercial Litigation Expert Witness in 2023, access <https://www.thinkbrg.com/insights/news/whos-who-legal-commercial-litigation-2023/>.

SPEAKING ENGAGEMENTS

Global Brand Protection: Challenges and Opportunities, December 8, 2015.

Washington Health Care Conference, May 2016.

4th Advanced Forum on False Claims & Qui Tam Enforcement Conference, January 2017.

False Claims Act/Qui Tam Whistleblowers Litigation: Hot Buttons in 2017 Live Webcast, March 2017.

Fraud & Abuse: Part II – Understanding Statistical Sampling, Live Webcast, September 2017.

American Hospital Association Chief Compliance Officers Roundtable: Defending against audits using statistical sampling and extrapolation, April 2018.

How to Effectively Use Statistical Sampling in Class Action Litigation: Tips and Strategies in 2019 Live Webcast, December 2018.

Statistical Sampling in Healthcare Audits and Investigations, HCCA's 23rd Annual Compliance Institute, April 9, 2019.

False Claims Act: A Look Back and 2021 Expectations LIVE Webcast, The Knowledge Group Webinar, December 03, 2020.

False Claims Act Liability: Best Practices in Managing Complexities, The Knowledge Group Webinar, April 2021.



Surveys and Certification in Consumer-Finance Class Action: Supporting, Attacking Predominance and Superiority, Strafford, August 26, 2021.

Class Certification in Antitrust: Key Considerations to Avoid Pitfalls Live Webcast, The Knowledge Group Webinar, September 15, 2021.

Looking Ahead: The Future of Class Action Litigation Live Webcast, The Knowledge Group Webinar, January 13, 2022.

The Evolving Standards for Antitrust Class Certification: Exploring Unresolved Issues Live Webcast, The Knowledge Group Webinar, February 9, 2022.

False Claims Act Enforcement: Exploring Recent Trends and Developments Live Webcast, The Knowledge Group Webinar, October 19, 2023.