

Bradley N. Reiff

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Compass Lexecon, Executive Vice President

Business Address: Compass Lexecon
332 South Michigan Avenue
Chicago, IL 60604
(312) 322-0290

Home Address: 2425 Kenilworth Avenue
Wilmette, IL 60091
(847) 422-3622

E-mail: breiff@compasslexecon.com

EDUCATION

Ph.D., MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Cambridge, MA: Economics, 1988.

B.A. (summa cum laude), TUFTS UNIVERSITY, Medford, MA: Economics Major, 1981.

HEBREW UNIVERSITY, Jerusalem, Israel, 1979-1980.

EMPLOYMENT

COMPASS LEXECON (formerly Lexecon Inc.), Chicago, IL, (10/87 - present): Economic Consultant, Vice President (1993), Principal (1996), Senior Vice President (2000), Executive Vice President (2013).

TUFTS UNIVERSITY, Medford, MA, (9/86 - 8/87): Lecturer in economics.

FIELDS OF SPECIALIZATION

Industrial Organization
Econometrics
Computation of Damages
Labor Economics
Economic History
Economic Development

TESTIMONY and EXPERT REPORTS

- Deposition of Bradley N. Reiff in Re: DNA Genotek Inc. v. Spectrum Solutions LLC, United States District Court for the Southern District of California, Case No. 3:21-cv-00516-JO-AGS, April 7, 2023; Declaration, May 8, 2023; Supplemental Expert Report, April 4, 2023; Expert Report, February 3, 2023.
- Deposition of Bradley N. Reiff in Re: Global Tubing, LLC v. Tenaris Coiled Tubes, LLC and Tenaris S.A., United States District Court for the Southern District of Texas, Houston Division, C.A. No. 4:17-cv-03299, August 5, 2022; Expert Report, June 9, 2022.
- Deposition of Bradley N. Reiff in Re: Guardant Health, Inc. v. Personal Genome Diagnostics, Inc., United States District Court for the District of Delaware, Civil Action No. 17-1623-LPS-CJB, October 23, 2019; Reply Expert Report, September 24, 2019; Expert Report, July 24, 2019.
- Deposition of Bradley N. Reiff in Re: Neopharm Ltd., Promedico Ltd., and Neopharm (Israel) 1996 Ltd. v. Wyeth-Ayerst International LLC f/k/a Wyeth-Ayerst International Inc., United States District Court for the Southern District of New York, Case No. 1:14-cv-08192-SHS, November 10, 2017; Rebuttal Expert Report, October 10, 2017; Expert Report, July 10, 2017.
- Deposition of Bradley N. Reiff in Re: New Mexico Oncology and Hematology Consultants, Ltd., v. Presbyterian Healthcare Services, et al., United States District Court, District of New Mexico, Civ. No. 12-526 WDS/GBW, June 21, 2017; Rebuttal Expert Report, June 13, 2017; Deposition, April 5, 2017; Expert Report, March 2, 2017.
- Testimony of Bradley N. Reiff in Re: U.S. Footwear LLC v. JRA Trademark Company, Ltd., American Arbitration Association, Claim No. 01-16-0001-3444, March 10, 2017; Supplemental Expert Report, March 14, 2017; Expert Report, February 16, 2017.
- Deposition of Bradley N. Reiff in Re: CNH America LLC v. Quinlan's Equipment, Inc., State of Wisconsin, Circuit Court, Racine County, Case No. 14CV0709, August 6, 2015; Expert Report, April 15, 2015.
- Deposition of Bradley N. Reiff in Re: Francisco Marty, et al. v. Anheuser-Busch Companies, LLC, The United States District Court, Southern District of Florida, No. 13-cv-23656-JJO, November 25, 2014; Expert Report, October 15, 2014.
- Reply Declaration of Bradley N. Reiff in Re: Hill-Rom Company, Inc., et al. v. General Electric Company, The United States District Court for the Eastern District of Virginia, Norfolk Division, No. 2:14cv187, July 3, 2014; Declaration, May 7, 2014.
- Deposition of Bradley N. Reiff in Re: Regional Multiple Listing Service of Minnesota, Inc., v. American Home Realty Network, Inc. v. Edina Realty, Inc. and Homeservices of America, Inc., The United States District Court of Minnesota, No.12-CV-0965 JRT/FLN, February 20, 2014; Reply Expert Report, May 2, 2014; Expert Report, January 31, 2014.

Expert Reports of Bradley N. Reiff in Pearson Education Copyright Litigation:

Viesti Associates, Inc. v. Pearson Education, Inc. (Viesti III), The United States District Court for the District of Colorado, No. 1:12-cv-02240, March 7, 2014.

DRK Photo v. Pearson Education, Inc., American Arbitration Association, AAA Ref. No. 50 143 T 00701 11, Second Supplemental Report, January 24, 2014; Supplemental Expert Report, August 16, 2013; Expert Report, March 1, 2013.

Robert Frerck v. Pearson Education, Inc., et al., The United States District Court for the Northern District of Illinois, No. 1:11-cv-5319, August 31, 2013.

Muench Photography, Inc. v. Pearson Education, Inc., et al., The United States District Court for the Northern District of California, No. 12-cv-01927-EJD, July 15, 2013.

Tom Bean and Dennis Kunkel Microscopy, Inc. v. Pearson Education, Inc., The United States District Court for the District of Arizona, No. 3:11-cv-08030-PGR, May 22, 2013.

Viesti Associates, Inc. v. Pearson Education, Inc., et al. (Viesti II), The United States District Court for the District of Colorado, No. 1:12-cv-01431-PAB-DLW, April 15, 2013.

Louis Psihoyos and James P. Reed v. Pearson Education, Inc., et al., The United States District Court for the Southern District of New York, No. 1:10-cv-05912-JSR, December 11, 2012.

Carr Clifton v. Pearson Education, Inc. et al., The United States District Court for the Northern District of California, No. CV 11-03640-EJD-PSG, November 15, 2012.

Stockfood America, Inc. v. Pearson Education, Inc. et al., The United States District Court for the District of Maine, No. 12-cv-00124-JAW, October 24, 2012.

Testimony of Bradley N. Reiff in Re: TransWeb, LLC v. 3M Innovative Properties Co. and 3M Co., The United States District Court of New Jersey, CA No. 2:10-cv-04413, November 26, 2012; Deposition, February 3, 2012; Revised Expert Report, December 21, 2011.

Testimony of Bradley N. Reiff in Re: D'Andrea Brothers LLC v. The United States of America, The United States Court of Federal Claims, No. 08-286C, October 25, 2012; Surrebuttal Expert Report, January 30, 2012.

Expert Report of Todd D. Kendall and Bradley N. Reiff in Re: Mack Trucks, Inc., et al. (Petitioners) v. United States Environmental Protection Agency (Respondent) and Navistar, Inc. (Intervenor), The United States Court of Appeals for the District of Columbia Circuit, Nos. 12-1077, 12-1078, 12-1099, April 4, 2012.

Deposition of Bradley N. Reiff in Re: Laboratory Skin Care, Inc., et al. v. Limited Brands, Inc. and Bath & Body Works, Inc., The United States District Court for the State of Delaware, CA No. 06-601 (JJF), September 23, 2009; Expert Report, March 13, 2009.

Deposition of Bradley N. Reiff in Re: Kathleen Conroy, et al. v. Fresh Del Monte Produce Inc., et al., The Superior Court of the State of California, County of Alameda, JCCP 4446, and in Re: Faye Vassilatos, et al. v. Del Monte Fresh Produce Company, et al., The Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida, 50 2004 CA 004066 XXXX MB (AB), April 16, 2009; Declaration in Florida case, August 31, 2011; Sur-Reply Declaration in California case, May 18, 2009; Amended Declarations in both cases, April 10, 2009.

Deposition of Bradley N. Reiff in Re: Cendant Corporation Securities Litigation, The United States District Court for the District of New Jersey, Master File No. CV-98-1664(WHW), October 15-16, 2007; Rebuttal Expert Report, August 15, 2007.

Expert Report of Elisabeth M. Landes and Bradley N. Reiff, Case COMP/D-2/38.624 – PO – Maritime transport of bulk liquids – deep sea, submitted to the European Commission on behalf of JO Tankers A.S. and JO Tankers B.V., August 6, 2007.

Deposition of Bradley N. Reiff, in Re: Ag-Innovations, Inc., Larry Faillace, Linda Faillace, and Houghton Freeman v. The United States of America, The United States Court of Federal Claims, No. 05-776C, June 13, 2007; Supplemental Expert Report, May 4, 2007; Expert Report February 1, 2007.

Testimony of Bradley N. Reiff in Re: PFS Distribution Company and Pilgrim's Pride Corporation of Delaware, Inc. v. Darrell Raduechel, Barry Spain, D&B Solutions, Inc., Richard R. Donohue, Theobold, Donohue & Thompson, PC, MidwestOne Bank & Trust, Steven Hicks and John Pothoven., The United States District Court for the Southern District of Iowa, Central Division, No. 4:04-CV-10329, February 22, 2007; Rebuttal Expert Report, July 14, 2006; Supplemental Expert Report, June 23, 2006; Deposition, June 6, 2006; Expert Report, May 5, 2006.

Testimony of Bradley N. Reiff in Re: Rose Acre Farms, Inc. v. The United States of America, The United States Court of Federal Claims, No. 92-710C, on remand, November 30 – December 1, 2006; Deposition, May 24, 2006; Rebuttal Expert Report, March 21, 2006; Supplemental Expert Report, December 5, 2005; Trial Testimony, May 9-10, 2002; Expert Report, April 16, 2002; Deposition November 7-8, 2000, April 20, 2001.

Testimony of Bradley N. Reiff in Re: Franklin Mint Company, et al. v. Lord Simon Cairns, et al., The Superior Court of the State of California for the County of Los Angeles, No. BC 285388, December 16 and 19, 2005; Declaration, November 5, 2004; Deposition, October 12-14, 2004.

Deposition of Bradley N. Reiff in Re: Pineapple Antitrust Litigation, The United States District Court for the Southern District of New York, CA No. 1:04-MD 1628 (RMB) (MHD), September 21, 2005; Declaration, October 3, 2006; Declaration, September 15, 2005.

Deposition of Bradley N. Reiff in Re: NeoNetworks, Inc. v. Mark U. Cree, W. Clinton Jurgens, and Cisco Systems, Inc., The District Court, Fourth Judicial District, State of Minnesota, County of Hennepin, Court File No. CT 02-005927, September 1, 2005; Expert Report, July 14, 2005.

Testimony of Bradley N. Reiff in Re: Russell Rich v. McDonald's Corp., The Court of Common Pleas, Cuyahoga County, Ohio, Case No. CV98 368481, June 30, 2005; Deposition, June 10, 2005; Expert Report, May 30, 2005.

Deposition of Bradley N. Reiff in Re: Currency Conversion Fee Antitrust Litigation, The U.S District Court for the Southern District of New York, MDL Docket No. 1409, February 4, 2005; Joint Expert Rebuttal Report with Gustavo E. Bamberger, April 15, 2005; Joint Expert Report with Gustavo E. Bamberger, December 22, 2004; Reply Declaration re Class Certification with Gustavo E. Bamberger, April 2, 2004; Deposition of Bradley N. Reiff, January 6, 2004; Joint Declaration re Class Certification with Gustavo E. Bamberger, November 11, 2003.

Testimony of Bradley N. Reiff in Re: Benefit Consultants, Inc., FISI Madison L.L.C. and Cendant Corporation v. America Bankers Insurance Company of Florida, et. al., The Chancery Court for the State of Tennessee, Case No. 28611, January 21 and 28, 2005; Affidavit of Bradley N. Reiff, PhD as to Prejudgment Interest, May 25, 2005; Deposition, July 20, 2004; Expert Report, July 19, 2004.

Testimony of Bradley N. Reiff in Re: Mid-America Real Estate Company d/b/a Coldwell Banker Mid-America Group, Realtors v. Iowa Realty Company, Inc. and First Realty, Ltd., Temporary Restraining Order Hearing in the U.S. District Court for the Southern District of Iowa, Central Division, No. 4:04-CV-10175, April 16, 2004; Deposition, April 13, 2004; Declaration, April 12, 2004.

Report to the Federal Trade Commission on Alleged Damages to Consumers by Fairbanks Capital Corp., David B. Gross and Bradley N. Reiff, July 31, 2003.

Deposition of Bradley N. Reiff in Re: Peter John Cavoto, Jr., et. al. v. Chicago National League Ball Club, Inc. and Wrigley Field Premium Ticket Services, Inc., The Circuit Court of Cook County, Illinois, County Department, Chancery Division, No. 02 CH 18372, May 19, 2003; Expert Report, May 5, 2003.

Deposition of Bradley N. Reiff in Re: MediaTek Inc., v. Oak Technology, Inc., The United States District Court for the Northern District of California, San Jose Division, No. C97-21126, November 25, 2002; Expert Report, November 19, 2002.

Expert Report of Bradley N. Reiff in Re: Sabolich, Inc. et al. v. NovaCare, Inc. et al., The United States District Court for the Western District of Oklahoma, No. CIV-99-670-T, November 18, 2002.

Deposition of Bradley N. Reiff in Re: Next Generation Inc., et al. v. Iowa Realty Company Inc., et al., The Iowa District Court for Polk County, No. CE 38825, October 25, 2002; Expert Report August 5, 2002.

Declaration of Bradley N. Reiff in Re: Complaint of Altrio Communications, Inc. Against Adelphia Communication Corp., Federal Communications Commission, CSR-5862-R, April 29, 2002.

Declaration of Bradley N. Reiff in Re: National Metals, Inc. v. Sumitomo Corp., et al., The Superior Court of the State of California for the County of San Diego, Case No. GIC 734001, January 21, 2002.

Expert Report of Bradley N. Reiff in Re: Lee L. Paulus v. Milwaukee Metropolitan Sewerage District, The United States District Court for the Eastern District of Wisconsin, Case No. 99-c-1463, April 3, 2001.

Deposition of Bradley N. Reiff in Re: Caliper Technologies Corp. v. Bertram Rowland; Flehr, Hohbach, Test, Albritton & Herbert; and ACLARA Biosciences, Inc., The Superior Court of the State of California for the County of Santa Clara, Case No. CV780743, September 8, 2000.

Deposition of Bradley N. Reiff in Re: Ruby Honorable, et al. v. The Easy Life Real Estate System, Inc., Ace Realtors, Inc., Richard Nelson and Louis Prus, The United States District Court for the Northern District of Illinois, Eastern Division, Case No. 97C6009, May 1, 2000; Supplemental Report with Elisabeth M. Landes, September 6, 2000; Affidavit with Elisabeth M. Landes, April 27, 2000.

Defendants' Designation of Expert Witness, Bradley N. Reiff, in Re: Promatek Industries Ltd. v. Equitrac Corporation, et al., The United States District Court for the Northern District of Illinois, Eastern Division, Case No. 98C3810, February 21, 2000.

Expert Report of Bradley N. Reiff, in Re: Sentinel Products Corp. and Packaging Industries Group, Inc. v. Michael T. Platt, Dickinson Wright, PLLC, a/k/a Dickinson, Wright, Moon, Van Dusen & Freeman, and Dennis Knaus, The United States District Court of the District of Massachusetts, C.A. No. 98CV11143GAO, September 15, 1999.

Deposition of Bradley N. Reiff, in Re: Protocomm Corporation v. Novell, Inc. and Novell Multimedia, The United States District Court for the Eastern District of Pennsylvania, Case No. 94-CV-7774, August 12, 1997 and October 13, 1997; Expert Report, July 2, 1997.

Testimony of Bradley N. Reiff, in Re: California Consulting Association, Inc., v. Sony Systems Integration Division, and Butler Services Group, Inc., The Superior Court of the State of California for the County of Santa Clara, Case No. CV740856, December 12, 1996; Deposition November 20, 1996.

Expert Disclosure of Bradley N. Reiff, in Re: Dolores M. Ingram v. Midland Grocery Company, The United States District Court for the Northern District of Indiana, Case No. 3:96-CV-0081RM, November 22, 1996.

Deposition of Bradley N. Reiff, In Re: Robert Bell v. Edward D. Jones & Co. and Wayne Reigler, The United States District Court in the Western District of Wisconsin, Case No. 95C-0855-S, August 23, 1996.

Affidavit of Bradley N. Reiff In Re: Larry A. Desch v. Gannett Satellite Information Network, Inc. and Green Bay Press-Gazette, The United States District Court for the Eastern District of Wisconsin, Case No. 95-C-1191, July 31, 1996.

Affidavit of Bradley N. Reiff and John P. Gould In Re: Promofone, Inc., MovieFone Inc., The Teleticketing Company, L.P., and The Falconwood Corporation v. Pacer Cats Corporation, American Arbitration Association, Case No. 13-181-00952-94, May 2, 1996.

Affidavit of Bradley N. Reiff In Re: Dennis M. Siedlaczek v. Scot Lad-Lima and Roundy's, Inc., The United States District Court for the Eastern District of Michigan, File No. 94-75604, August 10, 1995.

Affidavit of Bradley N. Reiff In Re: Margie Elaine Coon and Joan Hillstead v. Midland Grocery of Michigan, Inc., The Circuit Court of Muskegon County, MI, Civil Action No. 93-29912-CZ, February 2, 1995.

OTHER SIGNIFICANT CASE WORK SINCE 2010

Broiler Chicken Antitrust Litigation, 2021-23: Economic analysis of certain liability claims on behalf of Tyson Foods, Inc.

Costco Wholesale Corp., v. Tyson Foods, Inc., 2022: Economic analysis of liability and damages on behalf of Tyson Foods, Inc.

Insignia Systems, Inc., v. News Corporation, News America Marketing FSI LLC, et al., 2021: Economic analysis of damages on behalf of defendants for alleged monopolization of the in-store promotions business.

QAD Inc. v. St. Jude Medical, LLC, 2020-21: Economic analysis on behalf of the defendant in software copyright infringement litigation.

Baxalta Inc., et al., v. Bayer Healthcare LLC, 2019-21: Economic analysis of liability issues on behalf of the antitrust counterclaimant in *Walker Process Fraud* litigation involving pharmaceuticals for treatment of Hemophilia A.

Valassis Communications, Inc. v. News Corporation, News America Marketing, et al., 2017-21: Economic and econometric analysis of damages on behalf of defendants for alleged monopolization of the in-store promotions business.

Anheuser-Busch InBev SA/NV Acquisition of Craft Brew Alliance, 2019-20: Economic and econometric analysis on behalf of merging brewers during the Department of Justice investigation.

Lila Wilson, et al. v. Volkswagen Group of America, et al., 2019: Economic valuation of the settlement of the Volkswagen suspension systems class action litigation.

United States of America v. Akshay Aiyer, 2018-19: Economic analysis behalf of a defendant in an alleged conspiracy to suppress competition in foreign currency exchange markets by communicating in electronic chat rooms.

Matthew Dickson, et al. v. Gospel for Asia, Inc. et al., 2018-19: Experimental and econometric analysis of charitable giving on behalf of defendants in a class action involving alleged fraud.

Anheuser-Busch InBev SA/NV Acquisition of Karbach Brewing Co., 2016: Economic and econometric analysis on behalf of merging brewers during the Department of Justice investigation.

Anheuser-Busch InBev SA/NV Acquisition of Devils Backbone Brewing Co., 2016: Economic and econometric analysis on behalf of merging brewers during the Department of Justice investigation.

Federal Trade Commission, et al., v. Staples, Inc. and Office Depot, Inc., 2016: Economic analysis on behalf of merging sellers of office supplies to contract business-to-business customers.

The Dial Corporation, et al. v. News Corporation, News America Inc., et al., 2015-16: Economic and econometric analysis of damages on behalf of defendants for alleged monopolization of the in-store promotions business.

The State of New York v. Actavis plc and Forest Laboratories, LLC, 2015: Joined in Brief of Antitrust Economists as *Amici Curiae* in Support of Defendant-Appellants, January 15, 2015.

A&R Body Specialty, et al., v. Progressive Casualty Insurance Company and Progressive Direct Insurance Company, 2011-16: Economic and econometric analysis on behalf of defendants in a class action brought by body shops alleging a conspiracy to suppress reimbursements for auto repairs.

Precision Associates, Inc., et al. v. Panalpina World Transport, Ltd., et al., 2014-16: Economic and econometric analysis of damages on behalf of defendants in the Freight Forwarders Antitrust Litigation over claims of an alleged agreement to pass on fuel and other surcharges.

Kirk Dahl, et al., v. Bain Capital Partners, LLC, et al., 2013-14: Economic analysis of damages and class certification issues on behalf of defendants in the Leveraged Buyout (LBO) transactions antitrust litigation.

Corelogic, Inc. Acquisition of DataQuick, 2013: Economic analysis on behalf of merging sellers of real estate property data during the Federal Trade Commission investigation.

The Commonwealth of Virginia v. McKesson Corp., 2013; San Francisco Health Plan and State of California v. McKesson Corp., 2011; The Board of County Commissioners of Douglas County, Kansas, et al. v. McKesson Corp., 2010; Connecticut v. McKesson Corp., 2010: Economic analysis on behalf of McKesson regarding damages for alleged fraudulent elevation of Medicaid reimbursements.

Mylan Pharmaceuticals, Inc., et al., v. Warner Chilcott Public Limited Company, et al., 2013: Economic analysis on behalf of Warner Chilcott regarding certification of a class of direct purchasers claiming overcharges in the pricing of certain pharmaceuticals.

Meso Scale Diagnostics, LLC v. Roche Diagnostics GmbH, 2012-13: Economic analysis on behalf of the plaintiff related to damages in an alleged breach of licensing agreements related to immunodiagnostics technology.

James Craig, et al. v. Volkswagen of America, et al., 2011, 2013: Economic valuation of the settlement of the Volkswagen and Audi warranty extension class action litigation.

TFT-LCD (Flat Panel) Antitrust Litigation, 2011-12: Economic analysis on behalf of the defendants on damages related to damages in an alleged conspiracy to fix prices of TFT-LCD panels.

Datatel, Inc. Acquisition of SunGard Higher Education, 2011: Economic analysis on behalf of merging producers of enterprise resource planning software for higher education during the Department of Justice investigation.

CRC Insurance Services, Inc. v. Ryan Specialty Group, LLC, et al., 2011: Economic analysis on behalf of the defendant on damages related to alleged breach of contract and interference with contractual relationships.

Western Digital Corporation Acquisition of Hitachi Global Storage Technologies, 2011: Economic and econometric analysis on behalf of merging producers of hard disk drives during the Federal Trade Commission and European Commission investigations.

Andrea Luquetta, et al., v. JPMorgan Chase Bank, NA, 2010-11: Economic analysis on behalf JPMorgan Chase Bank regarding certification of a class of customers claiming overcharges in debit card overdraft fees.

Bank Hapoalim Ltd., Bank Leumi Le-Israel Ltd., et al. v. General Director of the Israel Antitrust Authority, 2009-11: Economic analysis on behalf of Bank Hapoalim and Bank Leumi in their appeal of the Israel Antitrust Authority's Finding related to the sharing of information on bank fees.

Dean Foods Company Acquisition of Foremost Farms USA, 2009-11: Economic and econometric analysis on behalf of merging producers of milk during the Department of Justice investigation.

John M. Dewey, et al. v. Volkswagen of America, et al., 2010: Economic valuation of the settlement of the Volkswagen and Audi water class action ingress litigation.

Darren Berry, et al. v. Volkswagen of America, et al., 2010: Economic analysis on behalf of Volkswagen on product liability class action damages claim.

New Zealand Commerce Commission and Qantas Airlines, 2010: Econometric analysis of estimated damages in New Zealand from an alleged conspiracy to fix cargo rates through an agreement on fuel surcharges.

PUBLICATIONS AND WORKING PAPERS

“Chapter X: Price Discrimination in Merger Analysis,” and “Appendix III.F: Advanced Econometric Methods: Mergers in the Presence of Price Discrimination,” in Econometrics: Legal, Practical, and Technical Issues, ABA Section of Antitrust Law, Econometrics (2005)

"Impact of Changes in the U.S. Employment Structure on Income Distribution and Unemployment," Massachusetts Institute of Technology, Ph.D. Thesis, 1987.

PRESENTATIONS

“Limitations on a Firm’s Ability to Protect Its Competitive Advantage,” Guest Lecture, Competitive Tactics & Policy (BE 581), Stephen M. Ross School of Business, University of Michigan, October 5, 2010.

“Demand System Modeling in Merger Analysis,” Seminar at Gardner, Carton & Douglas, Chicago, October 2000.

"The Economics of Restricted Distribution," The American Law Institute - American Bar Association, Phoenix, AZ, March 1990.

ACADEMIC HONORS AND FELLOWSHIPS

Graduate Academic Fellowship, Massachusetts Institute of Technology, 1983 - 1984

Summa Cum Laude, Tufts University, 1981

Phi Beta Kappa, 1981

PROFESSIONAL AFFILIATIONS

American Economic Association

American Bar Association, Associate Member