

Evan C. McKay

Executive Vice President

July 2023

Compass Lexecon
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AREAS OF SPECIALIZATION

Damages
Class Certification
Antitrust & Competition
Securities & Financial Markets
Accounting & Litigation Services
ERISA Litigation
Corporate Governance
Energy
Entertainment & Media
Financial Institutions
Transportation

PROFESSIONAL EXPERIENCE

Compass Lexecon (formerly Lexecon), Chicago, Illinois (2007-present):
Executive Vice President (2023-present)
Senior Vice President (2018-2023)
Vice President (2013-2018)
Economist (2010-2013)
Senior Analyst (2009-2010)
Analyst (2007-2008)

EDUCATION

M.A., DePaul University, Chicago, Illinois: International Studies (with Distinction), 2009.
B.A., Rockhurst University, Kansas City, Missouri: Political Science, 2005.

SELECTED TESTIMONIAL AND CONSULTING EXPERIENCE

In re: Juul Labs, Inc., 3:19-md-2913-WHO, US District Court, Northern District of California.
Supported expert on behalf of defendant in analysis of prevalence and intensity of use

of e-cigarette products among youth and young adults and in response to plaintiff claims regarding causation and public nuisance damages.

United States of America v. George Constantine et al., S1 21 Cr. 530 (SHS), US District Court, Southern District of New York. Testified at trial on behalf of the US Department of Justice in criminal matter related to medical fraud and conspiracy.

United States of America v. Laurence F. Doud, III, Case No. 19 Cr. 285 (GBD), United States District Court, Southern District of New York. Supported experts and provided consulting assistance to the US Department of Justice in criminal matter against the executive of a pharmaceutical distributor charged with failing to prevent diversion of opioids.

Australian Competition and Consumer Commission v. Google LLC & Google Australia Pty Ltd, Federal Court of Australia Proceeding NSD 816/2020. Supported expert in trial testimony on behalf of Google in matter related to Google's notifications to users regarding its use of third-party information in ad targeting.

State of Washington v. McKesson Drug Corporation, Cardinal Health Inc., and AmerisourceBergen Drug Corporation, State of Washington, King County Superior Court, Civil Action No. 19-2-06975-9. On behalf of plaintiff the State of Washington, assisted expert in analyzing the impact of shipments of prescription opioids on opioid-related harms.

Australian Competition and Consumer Commission v. Google LLC & Google Australia Pty Ltd, Federal Court of Australia Proceeding NSD 1760/2019. Supported expert in trial testimony on behalf of Google in matter related to location data settings on mobile devices.

In re: National Prescription Opiate Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, No. 1:17-md-2804. On behalf of plaintiff municipal and county governments, assisted experts in analyzing the economic impact of shipments of prescription opioids and damages associated with the opioid crisis on local governments.

Riley g, et al. v. Polaris Industries, Inc., U.S. District Court, District of Minnesota, No. 16-CV-3348 (NEB/LIB). On behalf of Polaris Industries, Inc., assisted experts in analyzing class certification issues and the extent of economic impact of disclosure of alleged defects regarding ATV vehicles on plaintiff purchasers.

In re: General Motors LLC Ignition Switch Litigation, U.S. District Court, Southern District of New York, No. 14-md-02543. On behalf of General Motors LLC, assisted experts in analyzing the economic impact of disclosure of certain vehicle recalls, including those related to alleged ignition switch defects.

U.S. Futures Exchange, L.L.C., and U.S. Exchange Holdings, Inc., v. Board of Trade of the City of Chicago, Inc., and Chicago Mercantile Exchange, Inc., Civil No. 1:04-CV-6756, United States District Court Northern District of Illinois Eastern Division. Supported expert in analysis of potential antitrust harm related to entry of USFE in US Treasury Futures and Options on Futures markets.

United States of America v. AT&T Inc., DIRECTV Group Holdings, LLC, and Time Warner, Inc., U.S. District Court for the District of Columbia, No.1:17-cv-02511-RJL. On behalf of Time Warner, Inc., assisted experts in determining potential antitrust harm of acquisition.

State of Minnesota, by its Attorney General, Lori Swanson, its Commissioner of Pollution Control, John Linc Stine, and its Commissioner of Natural Resources, Tom Landwehr, Plaintiff, vs. 3M Company, Case No.: 27-cv-10-28862, District Court of the State of Minnesota, Hennepin County. On behalf of 3M, analyzed surface water and groundwater damages resulting from alleged chemical contamination.

Great Hill Equity Partners IV, LP, Great Hill Investors LLC, Fremont Holdco, Inc., and BlueSnap, Inc. (F/K/A Plimus) v. SIG Growth Equity Fund I, LLLP, et al., C.A. No. 7906-VCG. The Court of Chancery of the State of Delaware. Supported plaintiffs' damages expert through deposition and trial in fraud litigation resulting from a private company sale.

The People of the State of California v. General Motors LLC. Case No. 30-2014-00731038-CU- BT-CXC, Superior Court for the State of California, Orange County Complex Litigation Division. On behalf of General Motors LLC, assisted experts in econometric analyses to analyze the impact, if any, on the price of GM vehicles from the disclosure of certain vehicle recalls, including those related to alleged ignition switch defects.

Keith Andrews, Tiffani Andrews, Baci Family LLC, Robert Boydston, Captain Jack's Santa Barbara Tours, LLC, Morgan Castagnola, The Eagle Fleet, LLC, Zachary Frazier, Mike Gandall, and others v. Plains All American Pipeline, L.P., and Plains Pipeline, L.P., Case No. 2:15-cv-04113-PSG-JEM, United States District Court, Central District of California Western Division. Assisted expert in analyzing class certification and damages issues on behalf of Plains All American Pipeline.

Service Steel Warehouse, LP v. Navistar Inc., and Texas Truck Centers of Houston, Ltd. Case No. 2014-52745, District Court of Harris County, Texas, 333rd District Court. Assisted expert

in estimating damages and preparing expert reports on behalf of Navistar, Inc.

Dennis Walter Bond, Sr., et al., v. Marriott International, Inc., et al., Civil Action No.: 8:10-cv- 1256-RWT. United States District Court, District of Maryland, Greenbelt Division. On behalf of Marriott International, assisted expert in analyzing employment data and preparing expert reports in ERISA litigation. Submitted declaration on behalf of Marriott International, Inc. dated November 14, 2014.

In Re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, United States District Court Eastern District of Louisiana, MDL No. 2179. On behalf of BP Plc., analyzed economic losses and related damages due to the Deepwater Horizon oil spill. Assisted experts in analyzing and preparing expert reports on behalf of BP Plc. in litigation related to Deepwater Horizon oil spill. Submitted declaration on behalf of BP dated July 15, 2014.

VOOM HD Holdings LLC v. EchoStar Satellite LLC, Index No. 600292/08, Supreme Court of the State of New York, County of New York. Assisted expert in analyzing compliance with terms of spending requirement in an affiliation agreement and in preparing expert reports on behalf of plaintiff. Supported counsel for plaintiff at trial, including assistance preparing plaintiffs' witnesses and assisting the client on cross-examination.

Liberty Media Corporation and Liberty Media LLC v. The Bank of New York Mellon Trust Company, N.A., as Trustee, C.A. No.: 5702-VCL, The Court of Chancery of the State of Delaware. Assisted expert in analyzing and preparing expert reports and trial testimony on behalf of plaintiffs assessing whether proposed split-off transaction constituted “substantially all” of the corporation’s assets.

Russian Federation General Prosecutor’s Office v. M.B. Khodorkovsky and P.L. Lebedev, Criminal Case No. 18/432766-07, Khamovnicheskiy District Court, Moscow, Russia. Assisted experts in preparing Specialist’s reports and supported experts and counsel at trial on behalf of defendants: M.B. Khodorkovsky and P.L. Lebedev.

CA, Inc. v. Pfeiffer., C.A. No. 4111-CC, The Court of Chancery of the State of Delaware. Assisted expert in estimating plaintiff’s escheat liability on behalf defendant, the State of Delaware, for the purposes of mediation and settlement.

Brian Asher v. Baxter International Inc. et al., Case No. 02 CV 5608, United States District Court for the Northern District of Illinois, Eastern Division. Assisted expert in analyzing and preparing expert reports on behalf of defendant in ERISA litigation.

SELECTED RESEARCH

⁴“The Political Economy of Chinese Technology Development,” Masters’ Thesis, DePaul

University, Chicago, Illinois, 2008.

“Chinese Techno-nationalism and the Three-note Chord.” Presented at the Midwest Political Science Association Annual Meeting, Chicago, Illinois, 2007.

“Computer Chips and National Glory: China’s Techno-nationalism as a Legitimation Strategy.” Presented International Studies Association Annual Meeting, Chicago, Illinois, 2007.

“China and the Doha Development Round.” Presented at the Global Studies Association North American Conference, Chicago, Illinois, 2006.

“Governance and Legitimacy in China: The Globalization Dilemma.” Presented at the Illinois State University Conference for Students of Political Science, Normal, Illinois, 2006.

HONORS AND FELLOWSHIPS

Graduate School Fellowship, DePaul University, 2007

Summer Research Fellowship, Rockhurst University, 2003

Eliot S. Berkley Award for Excellence in International Relations, Rockhurst University, 2003