

# YVETTE R. AUSTIN\*

## CONTACT

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## EDUCATION

2001, *MBA in Finance*, Columbia Business School, New York, NY  
1992, *AB in Government & Philosophy*, Harvard University, Cambridge, MA  
Additional Graduate Coursework in Financial Mathematics, Courant Institute of Mathematics, New York University

## PROFESSIONAL EXPERIENCE

2023 – Present, *Senior Managing Director, Chair of Global Finance Practice*, Compass Lexecon, New York, NY  
2014 – 2022, *Principal and Chairman*, The Brattle Group, New York, NY  
2010 – 2013, *Managing Director*, Stout Risius Ross, New York, NY  
2004 – 2007, *Director*, Duff & Phelps, New York, NY

## BIOGRAPHY

Yvette Austin is a Senior Managing Director and Chair of Compass Lexecon's Global Finance Practice. Ms. Austin specializes in M&A, financing and bankruptcy disputes with subject matter expertise in valuation; credit and solvency analysis; and other financial damages. She provides testifying and consulting expert services in litigation and disputes related to breach of representation and warranties, breach of fiduciary duty, material adverse effect, dissenting shareholder actions, leveraged buyouts, financing transactions, debt recharacterization, avoidance actions, and antitrust damages. Yvette has also served as an expert in international trade subsidy disputes.

Ms. Austin has submitted expert oral and written testimony in multiple venues including state courts in Delaware, New York, and California; U.S. federal bankruptcy and district courts; international courts in Canada, Australia, and the United Kingdom; and the World Trade Organization and other international arbitration forums. In addition to providing expert testimony, Ms. Austin advises special board committees on M&A litigation matters and serves as a bankruptcy trustee.

As representative M&A and financing disputes, Yvette has been retained as a financial expert in *Twitter, Inc., Plaintiff, v. Elon R. Musk, X Holdings I, Inc., and X Holdings II, Inc., Defendants* (Delaware); *Snow Phipps Group, LLC, and DecoPac Holdings Inc., Plaintiff, v. KCake Acquisition, Inc., et al., Defendants* (Delaware); *Live Nation Entertainment, Inc v. Corporación Interamericana de Entretenimiento, S.A.B. de C.V. ("CIE")* (ICC Arbitration); *The Mangrove Partners Master Fund, Ltd., Petitioner, v. Calamos Asset Management, Inc., Respondent* (Delaware); *In re Baker Hughes, a GE Company, Deriv. Litig.* (Delaware) and *Polar Multi-Strategy Master Fund v. The Stars Group Inc.* (Ontario).

As representative bankruptcy engagements, Yvette has been retained as a financial expert in connection with the bankruptcies of Lehman Brothers (on behalf of JPMorgan Chase), Caesars Entertainment Operating Company (on behalf

of Apollo Global Management), Physiotherapy Associates Holdings (on behalf of a litigation trustee), U.S. Steel Canada (on behalf of United States Steel), Purdue Pharma (on behalf of a large group of states and U.S. territories), LTL Management (on behalf of the Tort Claimant Committee) and Millennium Laboratories (on behalf of a litigation trustee).

Ms. Austin has written a number of publications and presented on valuation and credit analysis, for organizations including the American Bar Association, the American Bankruptcy Institute, the National Conference of Bankruptcy Judges, the Delaware State Bar Association, Thomson Reuters, and Bloomberg Law. She is a contributing author to the Model Merger Agreement for the Acquisition of a Public Company, published by the ABA's Mergers and Acquisitions Committee, and a contributing researcher to The Standard & Poor's Guide to Fairness Opinions: A User's Guide for Fiduciaries.

Ms. Austin has also been a member of the teaching faculty of Harvard University Extension School, where she taught a graduate finance course (*Business Analysis and Valuation*) and a past faculty member of the American Bar Association's National Institute of Negotiating Business Acquisitions.

Earlier in her career, Yvette provided investment banking advisory services including mergers and acquisitions, fairness opinions, solvency opinions, and commercially reasonable debt opinions.

Testimony experience available upon request.

\*Formerly, Yvette R. Austin Smith